

MIAMI BEACH

## CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING AND INTENT TO CONSIDER A DEVELOPMENT AGREEMENT

### July 31, 2019

**NOTICE IS HEREBY** given that a Second Reading/Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, July 31, 2019 at 11:40 a.m.**, or as soon thereafter as the matter can be heard, to consider:

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, APPROVING, FOLLOWING SECOND READING/PUBLIC HEARING, A DEVELOPMENT AGREEMENT AS AUTHORIZED UNDER SECTION 118-4 OF THE CITY CODE, AND SECTIONS 163.3220 – 163.3243, FLORIDA STATUTES, BETWEEN THE CITY AND 7400 OCEAN TERRACE, LLC, 7410 OCEAN TERRACE, LLC, 7420 OCEAN TERRACE INVESTMENT, LLC, 7436 OCEAN TERRACE, LLC, 7450 OCEAN TERRACE, LLC, 7441 COLLINS AVENUE INVESTMENT, LLC, 7439 COLLINS AVENUE INVESTMENT, LLC, 7433 COLLINS AVENUE INVESTMENT, LLC, 7421 COLLINS AVENUE INVESTMENT, LLC AND 7409 COLLINS AVENUE INVESTMENT, LLC (COLLECTIVELY, THE “DEVELOPER”), WHICH DEVELOPMENT AGREEMENT: (1) DELINEATES CONDITIONS FOR THE DEVELOPMENT OF THE PROPERTIES LOCATED AT 7409, 7421, 7433, 7435, 7437, 7439, 7441, AND 7449 COLLINS AVENUE, AND 7400, 7410, 7420, 7430, 7436, AND 7450 OCEAN TERRACE (COLLECTIVELY, THE “DEVELOPMENT SITE”), WITH SUCH DEVELOPMENT SITE TO BE DEVELOPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY’S OCEAN TERRACE OVERLAY DISTRICT, AS SET FORTH IN SECTIONS 142-870 AND 142-870.1 OF THE CITY CODE; (2) MEMORIALIZES THE CONDITIONS FOR VACATING THE CITY’S RIGHT-OF-WAY AT OCEAN TERRACE, BETWEEN 74TH STREET AND 75TH STREET, AS WELL AS PORTIONS OF 74TH STREET AND 75TH STREET, BETWEEN OCEAN TERRACE AND COLLINS AVENUE (COLLECTIVELY, THE “CITY RIGHT-OF-WAY AREAS”); (3) GRANTS TO THE CITY A PERPETUAL EASEMENT ACROSS THE VACATED CITY RIGHT-OF-WAY AREAS FOR UTILITIES AND PUBLIC VEHICULAR AND PEDESTRIAN USE AND ACCESS; (4) PROVIDES FOR THE DEVELOPER’S DESIGN, PERMITTING, AND CONSTRUCTION OF CERTAIN PUBLIC PARK AND STREETScape IMPROVEMENTS IN THE VICINITY OF OCEAN TERRACE, BETWEEN 73RD STREET AND 75TH STREET, AT DEVELOPER’S SOLE COST AND EXPENSE (EXCEPT FOR PAYMENT OF CERTAIN CITY FEES); AND (5) WITH THE FOREGOING SUBJECT TO AND CONTINGENT UPON DEVELOPER’S SATISFACTION OF THE CONDITIONS SET FORTH IN THE DEVELOPMENT AGREEMENT AND THE CITY COMMISSION’S VACATION OF THE CITY RIGHT-OF-WAY AREAS AND ENACTMENT OF CERTAIN AMENDMENTS TO THE CITY’S FUTURE LAND USE MAP AND ZONING MAP, AT ITS SOLE DISCRETION.**

**PROPERTIES:** The Development Site consists of 7409 Collins Avenue (02-3202-003-0120), 7421 Collins Avenue (02-3202-003-0110), 7433 Collins Avenue (02-3202-003-0100), 7435 Collins Avenue (02-3202-003-0090), 7437 Collins Avenue (02-3202-003-0090), 7439 Collins Avenue (02-3202-003-0090), 7441 Collins Avenue (02-3202-003-0080), And 7449 Collins Avenue (02-3202-003-0070), and 7400 Ocean Terrace (02-3202-003-0060), 7410 Ocean Terrace (02-3202-003-0050), 7420 Ocean Terrace (02-3202-003-0040), 7430 Ocean Terrace (02-3202-003-0030), 7436 Ocean Terrace (02-3202-003-0020), And 7450 Ocean Terrace (02-3202-003-0010).

**ZONING DISTRICTS:** The proposed Development Site is currently located within the Ocean Terrace Overlay District, and the two separate underlying zoning districts are designated as CD-2, “Commercial Medium Intensity,” and MXE, “Mixed-Use Entertainment.”

The proposed Development Agreement contemplates that the City Commission will approve amendments to the City’s Future Land Use Map and Zoning Map, to: (a) amend the Future Land Use Map to change the designation of the portions of the City Right-of-Way Areas designated PF, “Public Facility,” and ROS, “Recreation and Open Space,” to the Future Land Use categories of CD-2, “Commercial Medium Intensity” and MXE, “Mixed-Use Entertainment”; and (b) amend the City’s Zoning Map to rezone the City Right-of-Way Areas from the current zoning classification of GU, “Government Use District,” to CD-2, “Commercial Medium Intensity” and MXE, “Mixed-Use Entertainment,” and extending the boundary of the Ocean Terrace Overlay Zone to encompass the City Right-of-Way Areas.

**MAXIMUM HEIGHT:** Within the Ocean Terrace Overlay District, the maximum height of a main use residential building shall not exceed 235 feet; and the maximum height of a main use hotel building shall not exceed 125 feet. Architectural projections will comply with the terms of the Development Agreement and other applicable provisions of the City’s Land Development Regulations.

**PERMITTED USES:** The current main permitted uses in the Ocean Terrace Overlay District are (a) apartments; (b) apartment/hotels; (c) hotels; (d) commercial; and (e) uses that serve alcoholic beverages. The City’s Comprehensive Plan provides for population densities for the underlying future land use designations of 100 units per acre.

*A copy of the proposed Development Agreement is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139.*

**INTERESTED PARTIES** are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1<sup>st</sup> Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the City Clerk’s Office, 1700 Convention Center Drive, 1<sup>st</sup> Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided. Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk  
City of Miami Beach