

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: July 27, 2020

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB20-0381. RM-1 hotel uses at designated historic sites in North Beach – Comp. Plan.**

REQUEST

An ordinance of the Mayor and Commission of the City of Miami Beach, Florida, amending the City of Miami Beach 2040 Comprehensive Plan, pursuant to the expedited state review process of Section 163.3184(3), Florida Statutes, by amending Chapter 1, entitled "Resilient Land Use and Development Element," Goal RLU 1, entitled "Land Use," at Policy RLU 1.1.5, entitled "Low Density Multi Family Residential (RM-1)," to allow for hotels, apartment hotels, and suite hotels at individually designated historic sites in North Beach; and providing for repealer, severability, codification, and an effective date.

RECOMMENDATION

Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

HISTORY

On July 25, 2018, at the request of Commissioner Ricky Arriola, the City Commission referred a discussion item to the Land Use and Development Committee (LUDC) pertaining to the proposed designation of the International Inn at 2301 Normandy Drive (item C4K). On September 28, 2018, the LUDC deferred the item to October 31, 2018; the item was then deferred to February 20, 2019. At the February 20, 2019 meeting, the item was deferred to the April 3, 2019 meeting. At the April 3, 2019 meeting, the Committee deferred the discussion to the May 22, 2019 meeting. At the May 22, 2019 meeting, the item was deferred to the June 12, 2019 meeting.

On June 12, 2019, the LUDC discussed the item and continued it to a date certain of July 24, 2019. Additionally, the LUDC reviewed drafts of a proposed development agreement and City Code, Comprehensive Plan, and LDR amendments. The LUDC also heard testimony from representatives of the Police Department regarding public safety issues and related activity at the Property and calls for service. The LUDC requested that the Owner meet with the Police Department to address ongoing issues at the Property. Additionally, the LUDC recommended that the proposed amendments to the LDRs be further studied, particularly as it pertained to required parking, as well as outdoor entertainment and outdoor bars.

Following a discussion on July 24, 2019, the LUDC recommended that the subject City Code,

Comprehensive Plan, and LDR Amendments be referred to the Planning Board, with the following modifications:

1. Create a mechanism to permit outdoor ambient entertainment.
2. In lieu of waiving minimum parking requirements, increase the maximum distance for off-site storage of vehicles.

On September 11, 2019, the City Commission considered the proposed Development Agreement at First Reading (item R7D). After a lengthy discussion and based upon concerns pertaining to the operation of the existing hotel, the City Commission deferred action on the Development Agreement for six months.

On May 13, 2020, the owner of the International Inn made a presentation to the City Commission, including an update on the operational and public safety issues associated with the existing hotel. Following the presentation, the City Commission directed the administration to schedule first reading of the proposed Development Agreement on June 24, 2020.

On June 24, 2020, the City Commission approved the Development Agreement at first reading and referred the proposed ordinances to the Planning Board for review and recommendation (Item R7 D).

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

- (1) **Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

- (2) **Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

Consistent – The proposal will increase the resiliency of the City with respect to sea level rise by allowing for historic properties to be improved.

- (3) **Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

Consistent – The proposal does not diminish and is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

As noted above, the HPB has recommended in favor of the designation of the property as an historic site. The Development Agreement contemplates certain amendments to the City Code (specifically, at Chapter 6, entitled "Alcoholic Beverages"), the Comprehensive Plan, and the Land Development Regulations (LDR).

The proposal herein would modify Policy RLU 1.1.5, entitled *Low Density Multi Family Residential*

(RM-1) of the Resilient Land Use Element of the 2040 Comprehensive Plan as follows:

Hotels, apartment hotels, and suite hotels are permitted on properties located north of Normandy Drive, having a lot area greater than 30,000 square feet, which are individually designated as an historic site, as described in the Land Development Regulations.

The proposal would allow the existing International Inn to become a conforming use, therefore permitting alterations to be made pursuant to the companion amendment to the LDRs.

Pursuant to the Development Agreement, if the proposed amendments are adopted, the owner would agree to voluntarily consent to and support the designation of the International Inn as an individual local historic site. From a sequencing standpoint, as requested by the owner, the Development Agreement provides that the proposed amendments would be presented to the City Commission for adoption prior to the adoption of the Designation Ordinance.

In conclusion, the proposed amendment will allow a balanced approach to ensure the long term economic and cultural viability of a desired historic asset. The International Inn represents an outstanding example of post-war modern architecture and is a gateway icon into North Beach.

Comprehensive Plan Issues

This application includes a text amendment to Policy RLU 1.1.5 in the Resilient Land Use element of the Comprehensive Plan. Under Section 163.3184(2), F.S., this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

**RM1 COMPREHENSIVE PLAN REGULATIONS FOR HOTEL USES
AT DESIGNATED HISTORIC SITES IN NORTH BEACH**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "RESILIENT LAND USE AND DEVELOPMENT ELEMENT," AT POLICY RLU 1.1.5, ENTITLED "LOW DENSITY MULTI FAMILY RESIDENTIAL (RM-1)," TO ALLOW FOR HOTELS, APARTMENT HOTELS, AND SUITE HOTELS AT DESIGNATED HISTORIC SITES IN NORTH BEACH; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to create flexibility for alcoholic beverage establishments that are accessory to a hotel use within historic sites in the RM-1 district in North Beach; and

WHEREAS, the proposed changes promote compatible hotel development and the preservation of contributing structures in the RM-1 district in North Beach; and

WHEREAS, the City of Miami Beach (the "City") has determined that amending the future land use category for the sites described herein will ensure the sustainable redevelopment of the sites that is compatible with the built environment; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Chapter 1 of the City of Miami Beach Comprehensive Plan, entitled "Resilient Land Use and Development Element," at Policy RLU 1.1.5, entitled "Low Density Multi Family Residential (RM-1)," shall hereby be amended as follows:

Policy RLU 1.1.5 Low Density Multi Family Residential (RM-1)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new low density multi-family residential areas.

Uses which may be permitted: Single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73rd Street on the south.

Non-conforming buildings containing non-conforming hotel uses, located on the north side of Belle Isle, and not within a local historic district, may be reconstructed to a maximum of 50% of the floor area of the existing building, provided that the uses contained within the hotel are not expanded in any way, including but not limited to, the number of hotel units and accessory food and beverage uses, the non-conformity of the building is lessened, and required parking for the surrounding neighborhoods with a minimum reduction of 50% of the daily trips on adjacent, two lane, arterial roadways, and improving the resiliency of the building.

Bed and breakfast inns are permitted in RM-1 only in the Flamingo Park Historic District and the West Avenue Bay Front Overlay District, both of which are described in the Land Development Regulations. Residential office and suite hotel uses are permitted in the West Avenue Bay Front Overlay District only. Hotels, apartment hotels, and suite hotels are permitted on properties located north of Normandy Drive, having a lot area greater than 30,000 square feet, which are individually designated as an historic site, as described in the Land Development Regulations.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional and county agencies as required by applicable law.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes.

PASSED AND ADOPTED this _____ day of _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: _____, 2020

Second Reading: _____, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director