

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, BY A 5/7TH VOTE OF THE CITY COMMISSION, AND FOLLOWING A DULY NOTICED PUBLIC HEARING, A WAIVER OF THE MINIMUM AND AVERAGE UNIT SIZE REQUIREMENTS FOR WORKFORCE HOUSING IN SECTION 142-337, AND THE PARKING REQUIREMENTS IN SECTION 130-33 OF THE CITY CODE, PURSUANT TO SECTION 142-425(D) AND 142-425(E) OF THE CITY CODE, FOR THE DEVELOPMENT OF THE CITY-OWNED PROPERTY LOCATED AT 224 23RD STREET, FOR THE COLLINS PARK ARTIST/WORKFORCE HOUSING PROJECT ("PROJECT"), A MIXED USE PROJECT CONTAINING (1) RESIDENTIAL WORKFORCE HOUSING UNITS, FOR ARTISTS, TEACHERS, AND OTHER INCOME-ELIGIBLE TENANTS; (2) DORMITORY HOUSING, INTENDED FOR USE BY MIAMI CITY BALLET, INC. (THE "BALLET"); AND (3) GROUND FLOOR RETAIL OR CULTURAL SPACE, AND APPROVING THE FOREGOING USES PURSUANT TO SECTION 142-422 OF THE CITY CODE.

WHEREAS, the Mayor and City Commission have identified the need for workforce and affordable housing in the City as a key objective in the City's 2019 Strategic Plan: *Through the Lens of Resilience*; and

WHEREAS, in the City's 2040 Comprehensive Plan, the Mayor and City Commission have prioritized workforce and affordable housing, with the express goal "to encourage redevelopment that provides workforce and affordable housing" within the City; and

WHEREAS, the City is the owner of the property located at 224 23rd Street (the "Property"), the current site of a 21-space public parking lot, and desires to redevelop the Property as a mixed use residential workforce housing development, and further desires to prioritize housing for income-eligible artists and educators (the "Collins Park Artist/Workforce Housing Project" or "Project"); and

WHEREAS, on December 14, 2016, the Mayor and City Commission adopted Resolution No. 2016-29679, approving a height waiver for the Project, to authorize a height of up to 75 feet, finding that the waiver was necessary in order to provide optimal development and to allow for maximum capacity for artist/workforce housing, which findings are incorporated by reference herein; and

WHEREAS, the Miami City Ballet, Inc. (the "Ballet"), South Florida's premier classical ballet company, is a not-for-profit charitable cultural organization, headquartered in the vicinity of the Property, at 2200 Liberty Avenue, Miami Beach, Florida; and

WHEREAS, on January 18, 2019, the City issued a competitive solicitation (ITN 2019-099-KB) for the Project, which expressly encouraged proposers to incorporate the participation of the Ballet as part of the Project, in an effort to address the Ballet's dormitory housing needs and program the workforce housing component of the Project with a focus on attracting artists and area educators to the City; and

WHEREAS, Servitas, LLC, in collaboration with Community Finance Corp., a not-for-profit corporation that exists to facilitate capital projects for governmental entities throughout the United States, has proposed a public-private partnership with the City that would advance the City's policy objectives of developing workforce housing in the City; and

WHEREAS, the proposed development would consist of a 7-story building, designed by Shulman & Associates and PGAL Architects, with (i) approximately eighty (80) residential workforce housing units, for artists, teachers, and other income-eligible tenants; (ii) dormitory housing, intended for use by the Ballet, to support the Ballet's dance education and other programs or, if agreement with the Ballet cannot be reached, up to sixteen (16) additional workforce housing units; and (iii) ground floor retail or cultural space, with the building constructed on the Property to be limited to a maximum height of 75 feet, as approved by the City Commission in Resolution No. 2016-29679; and

WHEREAS, on January 13, 2021, the City Commission approved a Development Agreement for the Project via Resolution No. 2021-_____, and a Ground Lease, via 2021-_____; and

WHEREAS, in order to accommodate the Project and maximize the number of workforce housing and dormitory units developed on the Property, the City Commission finds it in the City's best interests to waive (i) the minimum unit size of 400 square feet and average unit size of 400 square feet for workforce housing as required by Section 142-337 of the City Code, to permit the development of up to 1/4th of the studio units (10 out of 40 units) with a minimum unit size of 387 square feet, if necessary; and (ii) the parking requirements of Section 130-33 of the City Code, in view of the City's agreement, as set forth in the Development Agreement, to provide access for workforce housing tenants to purchase up to fifty-eight (58) monthly parking passes, at the then-applicable City rate, at the Collins Park Garage located at 340 23rd Street; and

WHEREAS, pursuant to Sections 142-425(d) and (e) of the City Code, the Mayor and City Commission may waive development regulations in the GU government use district, following a noticed public hearing advertised in the newspaper at least fifteen (15) days prior to the hearing.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby approve, by a 5/7th vote of the City Commission, and following a duly noticed public hearing, a waiver of the minimum and average unit size requirements for workforce housing in Section 142-337, and the parking requirements in Section 130-33 of the City Code, pursuant to Section 142-425(d) and 142-425(e) of the City Code, for the development of the City-owned property located at 224 23rd Street, for the Collins Park Artist/Workforce Housing Project ("Project"), a mixed use project containing (1) residential workforce housing units, for artists, teachers, and other income-eligible tenants; (2) dormitory housing, intended for use by Miami City Ballet, Inc. (the "Ballet"); and (3) ground floor retail or cultural space, and approving such uses pursuant to Section 142-422 of the City Code.

PASSED and ADOPTED THIS ____ day of January, 2021.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney **RAP** 1-4-21
Date