

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee
FROM: Alina T. Hudak, City Manager
DATE: January 25, 2023

SUBJECT: **Discuss the Property at 7605 Collins Avenue**

HISTORY

On October 26, 2022, at the request of Mayor Dan Gelber, the City Commission referred the subject discussion item (C4 D) to the Land Use and Sustainability Committee (LUSC). On November 18, 2022 the LUSC discussed and continued the item to the January 25, 2023 LUSC meeting with direction to staff to draft a single-family overlay to allow limited commercial uses.

BACKGROUND

The property at 7605 Collins Avenue, at the northeast corner of Collins Avenue and 76th Street, is zoned RS-4 (Single Family) and contains an existing single-family residence. The subject property is also located within the Harding Townsite Local Historic District, and the existing home on the site is classified as 'contributing' in the City's historic properties database. In terms of surrounding context, the property is bounded by an RM-1 zoning district to the west, and the GU district to the immediate north, east and south, which contains Altos-del-Mar Park and the North Shore Library site (see attached zoning and context maps).

As this individual property is a small lot within a larger, non-single-family context, the item sponsor has requested that the Land Use and Sustainability Committee (LUSC) discuss potential opportunities for this site, in relation to the immediate area. The item sponsor has also requested that the LUSC provide recommendations regarding prospects for the property, including, but not limited to, the following potential options for the site:

1. A potential change in zoning from the current classification of RS-4 to a residential multifamily zoning district (e.g., RM-1) or to a commercial zoning district (e.g., CD-2). Under this option, if legally possible, it would be contemplated that the City would have first right of refusal if the property owner decided to sell the property.
2. The potential purchase of the property by the City, and the reclassification of the property to a government use (GU) district.

ANALYSIS

As the subject property does not use 'floor area' as a basis for allowable intensity, a rezoning of the property to a classification other than GU or recreation open space (ROS), such as RM-1 or CD-2, would require voter approval to accommodate the applicable FAR associated with a multi-family or commercial zoning district. Additionally, an amendment

to the Future Land Use Designation in the 2040 Comprehensive Master Plan would be required, and any modifications to the existing home, including, but not limited to, demolition, would require a certificate of appropriateness from the Historic Preservation Board.

As noted previously, the Administration believes it would be worthwhile to explore different options for integrating the proposed property within the framework of the larger area, as it is currently somewhat of an anomaly within the existing surroundings. Since this is a very small site, re-zoning the property to a more intense district may not be advantageous, unless there was a future rezoning of the GU properties to the immediate south and a connection was formed. As it pertains to the potential options noted herein, if the City was to consider either the purchase of the property or participating in a larger development agreement including the library site to the south, there would be financial and budget implications.

UPDATE – January 25, 2023 LUSC

At the direction of the LUSC, on November 18, 2022 a zoning overlay for the block containing the subject property has been drafted, which is inclusive of an amendment to the Land Development Regulations (LDRs) of the City Code, as well as a corresponding amendment to the Comprehensive Plan. The proposed overlay is specific to those properties between 76th and 77th Streets, east of Collins Avenue, and expands the types of uses permitted.

There are two (2) versions of the LDR Amendment, both of which are summarized hereto:

LDR Amendment – Administration Version

The Administration is proposing a more limited expansion of allowable uses within the overlay, inclusive of the following:

1. Townhomes;
2. Bed and breakfast inn (pursuant to Article V, Division 7 of this Chapter);
3. Personal service;
4. Office;
5. Restaurant or Café, in accordance with the following:
 - a. The establishment shall close no later than 11:00 pm Sunday – Thursday and 12:00 am on Friday and Saturday.
 - b. Entertainment shall be prohibited.
 - c. There shall be a maximum of 60 seats permitted.
6. Uses that serve alcoholic beverages shall be limited to cafes and restaurants, pursuant to the applicable regulations set forth in Chapter 6; and
7. Retail may be permitted but only as an accessory use to restaurant, café or personal service and not occupying more than 10% of the interior space of the main use.

LDR Amendment – Property Owner of 7605 Collins Avenue Version

The property owner at 7605 Collins Avenue has suggested a number of different allowable uses for the overlay, inclusive of the following:

1. Townhomes;
2. Apartments;
3. Hotels, and suite hotels;
4. Bed and breakfast inn (pursuant to Article V, Division 7 of this Chapter);

5. Retail;
 6. Restaurant;
 7. Café;
 8. Uses that serve alcoholic beverages as listed in Chapter 6 (alcoholic beverages) or as specified elsewhere in the land development regulations; and
- Accessory uses customarily associated with the main use of the property.

The Administration believes that given the proximity of the proposed overlay within the context of the Altos-del-Mar single family district, a more limited mix of non-residential uses would be appropriate. The uses recommended by the Administration would still allow for an expanded use of this unique site and provide more options for the property owner.

CONCLUSION

The Administration recommends that the Land Use and Sustainability Committee endorse the proposed draft overlay and recommend that the City Commission refer the Administration version of the proposed LDR Amendment to the Planning Board.


ATH/RW/TRM