

# MIAMI BEACH

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## COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: July 31, 2018

SUBJECT: **DISCUSSION: NORTH BEACH TOWN CENTER (TC) ZONING DISTRICTS  
UPDATE ON PLANNING BOARD RECOMMENDATION.**

### **HISTORY**

On June 13, 2018 the LUDC discussed the item and recommended that the Draft Ordinance be referred to the Planning Board. Additionally, the LUDC continued the item to their July 31, 2018 meeting, to review the transmittal recommendation of the Planning Board, and to make a formal recommendation prior to first reading at the City Commission.

On July 2, 2018, the City Commission referred the attached Comprehensive Plan and Land Development Regulations (LDR) amendments to the Planning Board. Additionally, the City Commission requested that the Planning Board specifically discuss and provide recommendations on the following:

1. Building Height;
2. Parking;
3. Number of Hotel Units;
4. Co-living and Micro Units;
5. Affordable Housing Component; and
6. Public Benefits.

### **SUMMARY**

The proposed ordinance contains some minor updates from the version discussed by the LUDC on June 13, 2018, which are double-underlined or underlined-stricken. The modifications include the non-substantive revisions proffered by property owners at the June 13, 2018 LUDC meeting that the Planning Department found acceptable (these changes do not include suggested modifications to increase height or tower length further). Additionally, the following minor changes are included in the attached draft ordinance:

- Allow for clear pedestrian path to be delineated with ground markers.
- Allow clear pedestrian path for the 70<sup>th</sup> Street Alley/Class D Streets of one project to utilize five feet from the adjacent property into order to facilitate activation of the alley through outdoor cafes.

- Require that non-conforming buildings that are incorporated into a unified development site for the purposes of shifting Floor Area Ratio FAR be made conforming to the requirements of the new code unless the building is architecturally significant. For those buildings that have existing long-term leases, the proposal allows for the modifications to that building to be phased-in at a later date.

Modifications and clarifications have also been incorporated into the section of the proposed ordinance regarding the limitations on residential and hotel uses pursuant to the recommendations of the mobility study, as follows.

The first modification relates to the number of hotel rooms. Rather than place 1,800 hotel rooms above what would have been permitted prior to the FAR increase, an overall limit of 2,000 hotel rooms is proposed. Under current regulations, if developers decided to forego building residential units, and build out the full FAR of the district with hotel and retail uses only, the area could contain approximately 8,410 hotel rooms. The proposed limit of 2,000 hotel rooms is consistent with the assumptions of the mobility study that estimated that prior to the FAR increase, only approximately 131 hotel rooms could have been built because of the likelihood that most new development would have been primarily residential in nature, for a total new hotel program maximum of 1,931 hotel rooms. Because of the amount of FAR available in the district, this limit will ensure that sufficient FAR remains for the Town Center to have a full residential component. For reference, the recently approved hotel development on 72<sup>nd</sup> and Collins will contain approximately 187 hotel rooms.

Additional modifications have been included into this section to clarify how credits for units are issued and how long they are valid. A change has also been incorporated to allow for transfers between the regulated uses as long as the peak hour traffic impact is not increased pursuant to the Peak Hour Traffic Trip Rates as established by the Institute of Transportation Engineers Trip Generation Manual. For reference, using current rates, 10 hotel rooms are approximately equivalent to 11 market rate apartments and 17 co-living, workforce, and affordable units.

#### **PLANNING BOARD RECOMMENDATION**

On June 26, 2018, the Planning Board discussed the proposed ordinance. On July 24, 2018, the Planning Board held a public hearing regarding the attached proposed amendments to the Comprehensive Plan and Land Development Regulations.

The Planning Board transmitted the proposed Comprehensive Plan Amendment and the proposed Amendments to the Land Development Regulations to the City Commission with a favorable recommendation by a vote of six to zero. Additionally, the Planning Board discussed the following items, as requested by the City Commission, and recommended the following:

1. **Building Height** – Recommend that the maximum height be increased to 220 feet from the proposed 200 feet.
2. **Parking** – Remain as proposed in the attached ordinance.
3. **Number of Hotel Units** – Remain as proposed in the attached ordinance

**4. Co-living and Micro Units –**

- a. Reduce the minimum percentage of floor area to be dedicated to amenity space from the proposed 20% to 10%.
- b. Modify the requirement for amenity space that is “physically connected to and directly accessed from the co-living units without the need to exit the parcel” to be “on the same site.”

**5. Affordable Housing Component –** Remain as proposed in the attached ordinance.

**6. Public Benefits –** Remain as proposed in the attached ordinance, and provide an additional option that exempts a project from the public benefit requirements if a full building permit is obtained within three (3) years of the effective date of the ordinance.

Additionally, the Planning Board recommended that hours for sidewalk and outdoor cafes be made consistent with the general citywide standards, which are 8 am to 2 am.

**PLANNING ANALYSIS**

In response to the changes recommended by the Planning Board, staff would recommend the following:

1. The maximum building height in the TC-C should not exceed 200 feet; staff does not support the Planning Board recommendation to allow up to 220 feet.
2. The proposed reduction of minimum amenity space within Co-Living projects should be further studied. A reduction from 20% to 10% will result in more units, and less amenity space. It could also have a significant impact on smaller projects, as well as the conversion of existing, smaller buildings, to a Co-Living model. Staff recommends that any reduction in minimum amenity space be further studied.
3. The proposed exemption from providing public benefits, for projects that expedite their development approval and permitting, should be modified, if it is to move forward. Staff would recommend that any exemption from providing public benefits be applicable to those projects that are approved and issued a full building permit within 15 months of the date of adoption of the ordinance. Staff believes that both the Land Use Board and Building Permit process can be expedited, and that 36 months is excessive.

**CONCLUSION**

The Administration recommends that the LUDC discuss the attached ordinance amendments to the Comprehensive Plan and Land Development Regulations and recommendations from the Planning Board and provide appropriate policy direction. If there is consensus on the item, it is further recommended that the LUDC recommend that the City Commission approve the proposed ordinances.

JLM/SMT/TRM/RAM