

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: June 28, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **Ordinance Amendment**
Revisions to TC North Beach Town Center Districts

REQUEST

PB0616-0026. TC NORTH BEACH TOWN CENTER DISTRICTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II "DISTRICT REGULATIONS", DIVISION 20 "TC NORTH BEACH TOWN CENTER DISTRICTS", TO INCREASE THE ALLOWABLE HEIGHT FOR BUILDINGS ON LOTS OR A UNIFIED DEVELOPMENT SITE THAT ABUTS 72ND STREET IN THE TC-1 TOWN CENTER CORE DISTRICT TO 125 FEET; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

(REVISED TITLE) TC NORTH BEACH TOWN CENTER DISTRICTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS" ARTICLE II "DISTRICT REGULATIONS", DIVISION 20 "TC NORTH BEACH TOWN CENTER DISTRICTS", TO INCREASE THE ALLOWABLE HEIGHT FOR BUILDINGS ~~ON LOTS OR A UNIFIED DEVELOPMENT SITE THAT ABUTS 72ND STREET IN THE TC-1 TOWN CENTER~~ CORE DISTRICT TO 125 FEET; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

RECOMMENDATION

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

HISTORY/ BACKGROUND

On May 11, 2016, at the request of Commissioner Alemán, the City Commission referred the subject Ordinance amendment (Item C4I) to the Land Use and Development Committee (LUDC). On June 15, 2016, the LUDC endorsed the proposal and recommended that the boundaries for the proposed height increase be consistent with the recommendation of the North Beach Master Planner.

On June 8, 2016, at the request of Commissioner Alemán, the City Commission referred the subject Ordinance amendment (Item C4D) to the Planning Board.

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed ordinance amendment does not modify the permitted uses in the affected area and is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Not applicable – The proposed amendment does not modify district boundaries.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

Consistent – The proposed Ordinance allows for an increase in height for the affected area. However, the Town Center district's central location within the North Beach area, and features which buffer it from lower scale communities, such as North Shore Park and the Indian Creek Waterway, ensure that the scale will not negatively impact surrounding areas of the City.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

Consistent – The proposed ordinance does not modify the permitted level of intensity of development and will not affect the load on public facilities.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

Not applicable – The proposed change does not modify existing district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

Consistent – The North Beach Town Center area has seen limited improvement over the years and has faced financial constraints and neighborhood adjustments that have diminished the general condition of the neighborhood. The proposed ordinance is intended to encourage the redevelopment and revitalization of the area.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

Consistent – The proposed change will not adversely affect living conditions in the

neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

Consistent – The proposed change will not create or increase traffic congestion.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

Partially Consistent – The recommendation calls for increasing the height of buildings to 125 feet in order to encourage slender towers. Since the maximum intensity/FAR is not increasing, this allows for buildings that would block out smaller vertical portions of the sky; however, this may be more desirable than the currently permitted lower bulkier towers that could block out larger portions of the sky from the pedestrian level. Additionally it should allow for greater air flow through the area, due to more space being located between tower portions of buildings, than if it were to develop under existing regulations.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

Consistent – The proposed change should not be a deterrent to the improvement or development of properties in the City. The proposal is intended to encourage the revitalization of the Town Center area.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

Not applicable.

13. **Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

Not applicable.

ANALYSIS

The Comprehensive Plan and the Land Development Code provide the intent behind the creation of the North Beach Town Center Districts (TC-1, TC-2, TC-3). The purpose of these districts is to promote development of a compact, pedestrian-oriented town center consisting of a high-intensity employment center, vibrant and dynamic mixed-use areas and attractive residential living environments with compatible office uses and neighborhood-oriented commercial services.

The Town Center Districts are intended to encourage pedestrian-oriented development within walking distance of transit opportunities at densities and intensities that will help to support transit usage and town center businesses. It is the City's intent to enhance the community's character through the promotion of high-quality urban design, and within the TC-1 Town Center Core District, to promote compact development that will support the town center's role as the hub of community-wide importance for business, office, retail, governmental services, culture and entertainment.

The City has hired Dover Kohl and Partners to create a North Beach Master Plan. The first draft of the master plan was presented to the public on June 7, 2016. The proposed amendment is consistent with one of the master plan's first draft recommendations related to height within the Town Center Area. The draft recommends increasing the height of buildings to 125 feet in order to encourage slender towers, as opposed to lower "boxy" towers. This allows for buildings that block out smaller vertical portions of the sky, as opposed to lower bulkier towers that block out larger portions of the sky.

The attached ordinance proposes to allow additional height for buildings abutting 72nd Street, which may assist in improving the neighborhood by providing stimulus to the community through new commercial and residential uses. The additional height for buildings abutting 72nd Street will improve the overall urban design of the 72nd street corridor. As such the attached ordinance would allow the construction of buildings on a unified development site to be up to 125 feet without any additional increase in Floor Area Ratio (FAR).

The Land Use and Development Committee recommend that the boundaries of the proposed Ordinance be expanded to include all portions of the TC-1 District. Additionally, the committee recommended that the setbacks suggested by the North Beach Master Planner be incorporated into the legislation as well. It is suggested that on properties fronting 71st Street that the first through fourth floors have a minimum setback of 10 feet, and that fifth through 12th floors have a minimum setback of 25 feet. These modifications are included in the attached ordinance. The recommended revised title incorporates the recommendations of the Land Use and Development Committee and will be advertised prior to First Reading, which is scheduled for July 13, 2016.

RECOMMENDATION

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

TRM/MAB/RAM