

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: March 11, 2025

TITLE: DISCUSS POSSIBLE AGREEMENT FOR DEVELOPMENT AND CONVEYANCE TO CITY OF PUBLIC PARKING GARAGE AT 1247-1255 WEST AVENUE FOR CITY GARAGE (DUAL REFERRAL TO THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE).

**NOTE: THE INCLUSION OF THIS ITEM ON THE AGENDA IS SUBJECT TO FINAL APPROVAL OF THE LUSC CHAIR, CONSISTENT WITH THE ATTACHED INFORMATIONAL ITEM NO. 2 FROM THE FEBRUARY 26, 2025 CITY COMMISSION AGENDA.**

### **RECOMMENDATION**

The Administration recommends that the Land Use and Sustainability Committee (LUSC) not endorse the draft term sheet and provide an unfavorable recommendation to the City Commission.

### **BACKGROUND/HISTORY**

On September 11, 2024, at the request of Commissioner Laura Dominguez, the Mayor and City Commission (City Commission) referred the item (C4 L) to the LUSC and the Finance and Economic Resiliency Committee (FERC). The item was placed on the November 5, 2024 LUSC agenda, and deferred to a future meeting date with no discussion.

Subsequent to the November 5, 2024 LUSC meeting, Commissioner Dominguez withdrew from being the sponsor of the item. Commissioner Joseph Magazine is now the new sponsor of the item.

### **ANALYSIS**

The contract purchaser of the property at 1247-1255 West Avenue has expressed interest in developing and / or conveying the site to the City. The item is a dual referral to the FERC, where it is anticipated that the financial terms of the proposal will be discussed in more detail.

For purposes of this discussion, the following is a summary of the public benefits proposed by the developer in the attached draft term sheet, which was prepared by representatives of the property owner:

1. To purchase the property at 1247-1255 West Avenue and replace the existing transient use with a public park. The developer has proposed to cover all costs associated with the design and construction of the park, and to convey title of the land to the City upon completion of the project.
2. To construct missing segments of the West Avenue Baywalk adjacent to 800 West Avenue, 1228 West Avenue, and 1450 Lincoln Road, including all design, permitting and construction costs.

3. To develop and construct apartments on a to-be-determined site within the City of Miami Beach.

Separate and apart from this discussion, the developer has filed a private application to amend the Land Development Regulations of the City Code (LDRs) and the Comprehensive Plan to the Planning Board, which includes an increase in maximum allowable building height and FAR for the property at 1250 West Avenue. This application is scheduled to be considered by the Planning Board on March 4, 2025. If the ordinances associated with this application are transmitted by the Planning Board, it is anticipated that the City Commission would review the proposed amendments at First Reading in April or May of 2025.

The Planning Department has identified several concerns with regard to the increase in maximum allowable FAR and building height, which are proposed in the private application. To date, the applicant has not agreed to the reductions in FAR and building height recommended by Planning staff.

As it pertains to the proposed term sheet, some of the proposed public benefits, such as the purchase of an unidentified parcel for future housing, as well as the completion of the missing segments of the West Avenue baywalk, are simply too undefined and lack adequate detail. Additionally, the proposed public benefits are not commensurate with the reduced FAR and building height recommended by Planning staff, much less the more substantial increases proposed by the applicant. As such, the Administration does not recommend in favor of the proposed term sheet, as currently proposed.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

N/A

### **CONCLUSION**

The Administration recommends that the LUSC not endorse the draft term sheet and provide an unfavorable recommendation to the City Commission.

### **Applicable Area**

South Beach

### **Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

Yes

### **Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Planning

**Sponsor(s)**

Commissioner Laura Dominguez

**Co-sponsor(s)**

**Condensed Title**

Discuss Possible Agreement For Development And Conveyance To City Of Public Parking Garage At 1247-1255 West Ave For City Garage (Dual Referral To The Finance And Economic Resiliency Committee).