

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: April 15, 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).

### **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 convey the property to the City. The developer has proposed to demolish the existing structures on the site, as well as sod and fence the property. Additionally, the developer has indicated that they will provide adequate assurances that the population of unhoused individuals residing at the property are compassionately relocated to another facility or longer-term housing.
2. To construct missing segments of the West Avenue Baywalk adjacent to the properties at 800 West Avenue and 1228 West Avenue, up to a maximum of \$5,000,000.00. In the event the developer cannot obtain baywalk easements for segments or portions thereof, or the costs of the easements and construction exceeds \$5,000,000.00, the developer has agreed to pay the City lump sums calculated as follows:

- For the 1228 West Avenue segment: \$2,500,000.00
- For the 800 West Avenue segment: \$1,250,000.00

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 was transmitted by the Planning Board to the City Commission with an unfavorable recommendation on March 4, 2025. The ordinances associated with this application are scheduled to be considered at First Reading by the City Commission on April 23, 2025.

The Planning Department has identified several concerns regarding the increase in maximum allowable FAR and building height that 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, the public benefits are very limited and 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 Joseph Magazine

**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).