

DISCUSSION ITEMS 3

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members
FROM: Eric Carpenter, City Manager
DATE: November 25, 2024
TITLE: DISCUSS FUTURE PROGRAMMING OF WEST LOTS

RECOMMENDATION

Administration is looking forward to engaging in an in-depth conversation about the future of the West Lots and at this time does not have a specific recommendation as we are currently in the analysis phase.

BACKGROUND/HISTORY

HISTORY

At the April 28, 2023 City Commission meeting, at the request of Commissioner Ricky Arriola, the Mayor and City Commission referred a discussion (Item C4 M) to the Finance and Economic Resiliency Committee (FERC). The discussion was not reached at the July 28, 2023 FERC meeting and was deferred to the September 22, 2023 FERC meeting. As requested by the sponsor, the discussion was focused on the future development of the West Lots in keeping with the priority to keep at least 50% of the properties open for public use. The referral (Exhibit A) notes that the City is in dire need of active recreational space and that the West Lots are uniquely positioned to provide the community with access to active sports recreation.

During the September 22, 2023 Finance and Economic Resiliency Committee meeting, the Committee unanimously motioned to have this item heard at the next Commission meeting with a recommendation to direct the Administration to engage with the community, without the use of consultants, to determine interest in recreational and park uses of the West Lots.

At the October 18, 2023 City Commission meeting, Resolution No. 2023-32804 was adopted, accepting the recommendation of the Finance and Economic Resiliency Committee, made at its September 22, 2023 meeting to direct the Administration to engage with the community, without the use of consultants for a formal design charrette process, to determine interest in recreational and park uses of the West Lots.

The Parks and Recreation Department took the lead and scheduled a community design charrette for April 17, 2024. Due to multiple public meetings scheduled for that evening, the meeting was canceled and has not yet been rescheduled.

During the September 11, 2024 City Commission meeting, Commissioner David Suarez referred a discussion regarding future programming of the West Lots to the Land Use and Sustainability Committee.

BACKGROUND

Situated along the northern gateway of A1A and serving as a link between North Beach's historic architectural districts and North Beach Oceanside Park, the eight (8) City-owned parcels, immediately west of North Beach Oceanside Park are collectively known as the "West Lots". Bounded by Collins Avenue on the East, 79th Street on the South, Collins Court on the

West, and 87th Street on the North, the West Lots represent a significant portion of the North Beach area each parcel measures approximately 175 feet by 300 feet (52,500 sq. ft. or 1.2 acres). Together, the eight (8) parcels measure about 9.64 acres. The West Lots are zoned Civic and Government Use (GU) and identified as a Public Facility: Governmental Uses (PF) in the Comprehensive Plan. The Collins Court alleyway demarcates the West Lots from the Residential Multifamily, Low Intensity (RM-1) zoning district and the North Shore Historic District.

Ownership

The City initially acquired the land that currently encompasses the West Lots and North Beach Oceanside Park between the late 1960's and early 1970's. All of the West Lots were initially secured by the City pursuant to eminent domain proceedings and therefore never had restrictions attached to them. On November 29, 1989, the City deeded the parcel located between 85th and 86th Street (delineated as Parcel No. 7 in Exhibit B); the parcel located between 82nd and 83rd Street (delineated as Parcel No. 4 in Exhibit B); the parcel located between 80th and 81st Street (delineated as Parcel No. 2 in Exhibit B); the parcel located between 79th and 80th Street (delineated as Parcel No. 1 in Exhibit B); and North Beach Oceanside Park to the State of Florida with the deed restriction "that Grantee [the State] by its acceptance of this deed, and does covenant and agree for itself, and its successors and assigns, forever, that the above described property shall be used and maintained for public recreational purposes for which it was conveyed in perpetuity" (1989 Deed). On November 1, 2000, the State of Florida deeded the land back to the City without including in the deed any specific language restricting the use of the land. See Exhibit C (2000 Deed). Once the City regained ownership of the land pursuant to the 2000 Deed, the original use restrictions terminated because the State, as the Grantor in the 2000 Deed, did not impose any use restrictions in the 2000 Deed conveying the property to the City, and accordingly, the original restriction thereby terminated by virtue of the merger of the City's interest in the property by operation of law (i.e., the City's imposition of a restriction on a third-party no longer applied once the City itself re-acquired the property). The remainder of the parcels (Parcel Nos. 3, 5, 6 and 8 were never included in the 1989 or 2000 deed.

Current Uses

When numbered 1 through 8 beginning with the southern 79th Street parcel (see Exhibit B - aerial map), Lot 1 is the temporary location of Ocean Rescue's North Beach headquarters and municipal parking lot (P107). Lots 2, 5, and 6 are used as municipal parking lots (P108, P109, P111), with a portion of Lot 6 devoted to a community composting site operated by Miami Beach Conservancy, Inc (Miami Beach Botanical Garden). Lot 3 is the former site of the Log Cabin and had been slated for the North Beach Yard, discussed further below. A portion of Lot 3 is used for cat Trap Neuter Vaccinate Release (TNVR) and rescue to adoption activities. One-third of Lot 4 contains a skate park, which is slated to be improved and expanded to add an all wheels track under the General Obligation (G.O.) Bond Program Project #30. Lots 7 and 8 remain vacant, unimproved land. Additionally, via special event permits, the West Lots has, in recent years, periodically served as a temporary site and staging area for film production crews, COVID-19 testing, and food distributions.

Planning History

Duany Plater-Zyberk Plan (1994). Duany Plater-Zyberk (DPZ) Architects' Development Plan and Design Guidelines for the North Beach Neighborhood proposed multifamily residential development on the West Lots and the widening of Collins Avenue between 79th Street and 87th Terrace into a two-way boulevard with a landscaped median. Relying on the DPZ Plan's transportation concepts, in 2001, the City Commission instructed the Administration to prepare a Request for Qualifications (RFQ) for residential development on the West Lots and engaged the Corradino Group to prepare a traffic analysis for two-way traffic along Collins Avenue. Despite community support for the concept, the RFQ was abandoned when consensus could not be reached with Florida Department of Transportation (FDOT) regarding the plan to widen Collins Avenue for two-way traffic.

Charter Restriction (2004). In 2004, the Miami Beach electorate approved an amendment to the City Charter to enact limitations on the sale, lease, and disposal of all City-owned property. Pursuant to this referendum, City Charter Section 1.03(b)(2) states in pertinent part: The sale, exchange, conveyance, or lease, of ten (10) years or longer, of the following properties shall also require approval by a majority vote of the voters in a City-wide referendum: (1) Lots West of the North Shore Open Space Park: All City-owned property bounded by 87th Street on the North, Collins Avenue on the East, 79th Street on the South, and Collins Court on the West.

North Beach Revitalization Plan (2014). With acknowledgement that the West Lots present a unique development opportunity, the City's North Beach Revitalization Plan, adopted per Resolution No. 2014-28879, the recommendation to engage with a master planner to consider public sentiment and explore differing development types and sizes on the West Lots.

North Beach Master Plan (2016) – Plan NoBe. Following a competitive process, the City engaged Dover Kohl and Partners to master plan redevelopment activity in North Beach. The result of an intensive public charrette and engagement process with considerable public input on the West Lots, Plan NoBe—North Beach Master Plan, adopted per Resolution No. 2016-29608, identified the West Lots as “the largest continuous civic/commercial oceanfront adjacent development opportunity in the city.” The Plan encouraged “better utilization of public lands” as one of its five (5) main tenets and advocated for contextually appropriate development on the West Lots to benefit and serve the neighboring community, e.g., public uses, residential development, and mid-rise hotel.

West Lots Master Plan (2018). Per Resolution No. 2017-30126, the City authorized Dover Kohl to prepare a conceptual plan for future use and development of the West Lots, which included another intensive public design charrette. The Plan for the West Lots details various low-impact, active, and civic development possibilities organized under five (5) key recommendations: (1) grow with consensus in ways that enhance North Beach's uniqueness; (2) provide active uses to support the adjacent passive park; (3) higher height (if needed) and revenue-generating uses on peripheral edges; (4) showcase resilience and sustainability; and (5) do not lose parking, but improve transit access. The Plan outlines a development opportunity for each lot. On June 27, 2018, the City Commission referred Dover Kohl's findings to the G.O. Bond Advisory Panel to facilitate and earmark funds to activate the West Lots in the G.O. Bond Program up for vote in November 2018 (discussed further below).

North Beach CRA Redevelopment Plan (2021). In 2021, the City Commission and Miami-Dade County Board of County Commissioners established the North Beach Community Redevelopment Agency (North Beach CRA), with geographic boundaries encompassing the West Lots and North Beach Oceanside Park. The North Beach CRA's Redevelopment Plan defines goals and implementation strategies for the Redevelopment Area. Prepared with robust community engagement and approved by City Commission Resolution No. 2021-31709 and Miami-Dade County Commission Resolution No. R-696-21, the Redevelopment Plan notes that the West Lots present an unparalleled opportunity to spatially shape a robust edge to the North Beach Oceanside Park close to the ocean. These sites boast valuable addresses that could accommodate a broad range of potential uses providing tremendous public benefit and use.

City Commission Approved Programming and Activation

Skate Park. In 2017, Resolution No. 2017-30086 authorized a temporary skate park at Lot 4, North of 82nd Street. The 5,000 sq. ft. concrete installation opened in April 2018 and immediately gained popularity as a free community amenity for amateur athletes. The temporary classification was removed during the G.O. Bond meeting process. With the site now designated as permanent, the Administration was directed to expand the skate park with funding from the G.O. Bond Program. The project was placed on hold at 30% design due to the existing funding gap projection of \$2,086,500. The funding of the gap will be prioritized as compared to all other funding needs within the Parks and Recreation Department and all other Citywide needs.

North Beach Yard. Pursuant to Resolution No. 2017-29942, the City entered into a lease agreement, with the creator of the Wynwood Yard to create an open-air concept of food trucks and repurposed shipping containers at Lot 3, the 81st Street parcel. In 2019, the lease agreement was terminated when the lessee failed to comply with contractual obligations to move the project forward. Prior to lease termination, to facilitate the proposed commercial use, the City Commission adopted amendments applicable to all eight(8) of the GU-zoned West Lots. Despite the lease not moving forward, the codified incentives can benefit future uses on the West Lots: (i) Ordinance No. 2017-4127, which amended the Comprehensive Plan to change the Future Land Use Map category of the West Lots from Low-Density Multi-Family Residential (RM-1) to Public Facility (PF); Ordinance No. 2017-4128 authorizing future waiver, by resolution, of concurrency requirements on the West Lots; and Ordinance No. 2018-4197 authorizing future waiver of the Design Review process for temporary uses (less than 10 years) on the West Lots.

Log Cabin. In 2017, the deteriorating Log Cabin structure was deconstructed and stored. Pursuant to Resolution No. 2018-30356, the City Commission expressed its desire to reconstruct, restore, and designate the Log Cabin as a historic site to be used as a community space in North Beach Oceanside Park. Funding for this was earmarked in the G.O. Bond Program.

Hydroponic Farming. In 2018, Resolution No. 2018-30529 authorized the solicitation of proposals for a hydroponic farming concept, which was an activation type identified in Dover Kohl's West Lots Plan (2018). Pursuant to Resolution No. 2019-30860, the Administration negotiated with the highest-ranked proposer but ultimately declined to enter into a contract until formulation of a strategic development strategy in line with the community vision for the West Lots.

Composting Hub. In 2020, the City partnered with the Miami Beach Botanical Garden to launch and operate the North Beach Composting Hub at 85th Street. The project was approved and funded through Resolution No. 2019-30891. Participation in the full-service composting program is free of cost to the public and includes logistical assistance, compost transformation, and community education. The Botanical Garden hosts monthly community education events and distributes finished compost free of charge to participants. There are currently over 540 individuals and families registered to participate in the hub, with an estimated 94,800 lbs. of food waste diverted in the past three years. Resolution No. 2022-32057 authorized the City Manager to execute a professional services agreement with Miami Beach Garden Conservancy, inc. along with subsequent annual renewal terms. The existing contract expires on December 31, 2024 and will be renewed in 2025.

G.O. Bond Program. The City's near-term planning for the West Lots is facilitated by the G.O. Bond Program, approved by the Miami Beach electorate in November 2018. G.O. Bond Program #29 includes \$5M to spur investments in green space and open park areas on the West Lots (\$1M in Tranche 1 and \$4M in Tranche 2). The G.O. Bond Program also includes funding for prior or existing uses on the West Lots: G.O. Bond Program #27 contains \$1.076M in Tranche 2 to reconstruct the Log Cabin for community use and G.O. Bond Program #30 earmarked \$750,000 in Tranche 1 to expand and improve the Skate Park.

Trap Neuter Vaccinate Release (TNVR) Program. In an effort to promote the Miami Beach Community Cat Program, the City Commission authorized pursuant to Resolution No. 2021-31690, a lease agreement with SoBe Cats Spay & Neuter, Inc. and Saving Sage Animal Rescue Foundation, Inc. for the use of a city-owned building located at 8128 Collins Avenue. The lease facilitates the provision of animal welfare related services including operation of a Trap, Neuter, Vaccinate and Release (TNVR) program and adoption center. On July 26, 2023, the Mayor and City Commission approved a new three (3)-year term lease with Sobe Cats, commencing on April 1, 2024.

Holiday Tree Concession. As directed by the City Commission, on February 9, 2022, the Administration released Request for Letters of Interest (RFLI) 2022-299-WG inviting interested parties to submit their letters of interest for a holiday tree concession on the West Lots, specifically

226 87th Terrace. Responses were due on April 7, 2022. Despite notifying approximately 5,041 potential bidders, the City did not receive any letters of interest in response to the RFLI. Note that in March 2018, the City initially attempted to solicit letters of interest for a tree concession within the City but also received no letters of interest. During the 2022 holiday season, the Miami Beach Fire Benevolent Association used the site at 7900 Collins Ave to sell Christmas trees to benefit their holiday toy drive.

ANALYSIS

As noted in LTC 476-2019 (West Lots Update), the City has received multiple expressions of interest for projects of all size and scope. Interest in the City's remaining underutilized real estate is not a new occurrence, as demonstrated by enactment of the 2004 Charter referendum requirement to ensure that the whole community participates in future long-term development plans. Although the West Lots are a preferred location to activate temporary projects, ad hoc approaches appear to hinder a comprehensive redevelopment strategy that could potentially achieve maximum value for the North Beach community.

On October 16, 2019, the City Commission referred a discussion of the West Lots to the Neighborhood/Community Affairs Committee. Contemporaneously, as part of a holistic assessment of City assets and in line with prior planning efforts, the City's real estate consultant proposed the preparation of a competitive solicitation. Despite preliminary meetings among the Administration and members of the City Commission to plan for a West Lots request for proposals (RFP), this initiative was not advanced in order to focus on obtaining County approval of the Finding of Necessity for the creation of the North Beach CRA. Additionally, the City was in the midst of devoting significant efforts to comprehensively address the COVID-19 pandemic.

Potential Opportunities

Parking

As North Beach public and private development projects are initiated, the Administration is planning ahead for community needs in terms of public safety facilities, infrastructure, recreational amenities, and parking inventory. Pursuant to the development agreement regarding the nearby Ocean Terrace project, the City must provide construction worker parking related to the project. Once the Ocean Terrace and 72nd Street Community Complex projects are underway, the West Lots may provide a suitable temporary replacement parking option. As new development occurs in North Beach, there may also be an increase in demand for permanent public parking facilities.

Public-Private Partnership

Plan NoBe and the West Lots plans recommend redevelopment of the West Lots to enhance the amenities and infrastructure which serve the residents and businesses of Miami Beach. Although the caliber of redevelopment is limited, if reliant solely on City funding, a public-private partnership might offer private solutions to public needs (e.g., affordable and/or workforce housing for North Beach). Any proposal to sell or lease the West Lots for ten (10) years or more would require voter approval in a citywide election, thereby providing assurance that community support is required.

Recreation

Considering the growing demand for pickleball and padel facilities throughout the City, the West Lots could deliver these public recreational amenities as part of a larger long-term master development. The West Lots may also be used for athletics fields; however, because of the small size of the lots, the field sizes would mostly serve activities such as micro soccer or younger age groups. Additionally, at the October 30, 2024 City Commission meeting during item R9AE regarding the 72nd Street Community Complex, it was mentioned by the dais if possibly the competition pool could be located to the West Lots. It was also mentioned during the November 8, 2024 Financial and Economic Resiliency Committee meeting as part of Item OB 2 "Discuss Fencing for City Owned Vacant/Abandoned Lots," that it may be possible to activate some of these lots, which includes the West Lots, with micro soccer fields.

FISCAL IMPACT STATEMENT

N/A

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-notices/>

FINANCIAL INFORMATION

CONCLUSION

With the strategic investment of G.O. Bond funds, tax increment revenue from the North Beach CRA and state and federal grants, the West Lots may now be poised to realize its potential. Within the context of the North Beach Master Plan, the Plan for the West Lots, and the North Beach CRA Redevelopment Plan, implementing a transformative strategy for redeveloping the West Lots remains a viable opportunity to bring recreational amenities, economic revitalization, and improve quality of life. To do so, the strategy must be harmonious with the neighboring residential historic district and the natural beauty of Oceanside Park. Transparency and public engagement will ensure that any planning considerations support the City's environmental resilience objectives and a shared community vision.

Applicable Area

North 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?

Yes

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

Parks and Recreation

Sponsor(s)

Commissioner David Suarez

Co-sponsor(s)

Condensed Title

Discuss Future Programming of West Lots (Suarez)