

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: June 25, 2025 9:20 a.m. Second Reading Public Hearing**

TITLE: NORTH BEACH OCEANFRONT OVERLAY - COMPREHENSIVE PLAN AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN PURSUANT TO THE SMALL SCALE PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, BY AMENDING GOAL RLU 1: LAND USE; OBJECTIVE RLU 1.1: ESTABLISHMENT OF FUTURE LAND USE CATEGORIES; POLICY 1.1.7: HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3), CREATING THE NORTH BEACH OCEANFRONT OVERLAY LAND USE OVERLAY CATEGORY PROVIDING AUTHORITY TO ESTABLISH FLOOR AREA INCENTIVES FOR PARTIAL RECONSTRUCTION OF CONTRIBUTING BUILDINGS; AND DESIGNATING THE NORTH BEACH OCEANFRONT OVERLAY DISTRICT ON THE 2040 FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the ordinance.

BACKGROUND/HISTORY

The subject application was submitted on August 6, 2024 by TMG 67 Communities LLC with respect to the property located at 6701 Collins Avenue. This is a private application submitted pursuant to Sections 2.4.1 and 7.1.10 of the Resiliency Code. The applicant is proposing to create the North Beach Oceanfront Overlay within the City's Future Land Use Map, the text of the City's 2040 Comprehensive Plan, and the City's Resiliency Code.

ANALYSIS

The applicant is proposing to create a new overlay, entitled the North Beach Oceanfront Overlay district, as well as amend the RM-3 development regulations specific to 6701 Collins Avenue, the site of the former Deauville Hotel. The proposal includes amendments to the Comprehensive Plan, as more specifically noted in the attached ordinance.

The proposed amendments to the Comprehensive Plan and the Land Development Regulations of the City Code (LDRs) would enable the construction of an apartment hotel development that includes up to 416,250 square feet of bonus floor area, which would equate to an overall FAR of 5.5 for the property. The maximum zoned FAR for the property would remain at 3.0. Additionally, the applicant is proposing up to 100 feet of bonus building height, which will result in new towers constructed with a total height of 300 feet. The maximum zoned building height for the property would remain at 200 feet.

The applicant is also proposing to modify the minimum setback requirements in a manner specific to the property. Other proposed amendments include modifications to the allowable encroachments, as identified in the attached ordinance, resulting in a zero-foot side setback for certain structures, as well as modification to the rear setback requirements. In addition, a reduction in the minimum off-street parking requirements is proposed, along with the allowance for subterranean parking and mechanical parking without the review of the Planning Board. Lastly, substantial exemption from the requirements of the long frontage standards is also proposed.

COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS

The proposal requires an amendment to the Comprehensive Plan for the proposed changes to the maximum intensity requirements for the property. In this regard, the following revision is proposed in the attached comprehensive plan amendment:

Policy RLU1.1.7 High Intensity Multi-family (RM-3) is proposed to be amended as follows:

Density Limits: 150 dwelling units per acre.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed the following:

- *a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;*
- *a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;*
- *a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;*
- *a floor area ratio of 2.0 on oceanfront lots in architectural district;*
- *a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities;*
- *Notwithstanding the foregoing, the City Commission acting in a legislative capacity may adopt land development regulations that provide intensity bonuses in the following RM-3 land use category overlays:*
 - A. *North Beach Oceanfront Overlay: Lots within the North Beach Resort Historic District, which, as of January 1, 2025, are oceanfront lots with a lot area greater than 140,000 square feet and a minimum lot width of 450 feet, and are proposed to be developed with the partial reconstruction a previously existing contributing building, as determined by the Historic Preservation Board, are eligible for the following intensity bonuses:*
 - i. *The maximum base floor area in the overlay shall be 3.0.*
 - ii. *New construction limiting density to a maximum of 200 residential units shall receive a floor area ratio bonus of 0.25.*
 - iii. *New construction limiting hotel unit count to a maximum of 140 hotel units shall receive a floor area ratio bonus of 0.25.*
 - iv. *A property that elects, at the owner's sole discretion, to voluntarily execute a restrictive covenant running with the land, in a form approved by the city attorney, affirming that, in perpetuity, that no residential unit on the property shall be leased or rented for a period of less than six months and one day, shall receive a floor area bonus of 0.50.*
 - v. *A property that provides pedestrian pathways from Collins Avenue to the beach walk on the north and south sides of the property for public beach access in perpetuity shall receive a floor area bonus of 0.50.*
 - vi. *Notwithstanding the foregoing, the City Commission may adopt land development*

regulations that allow additional floor area for the sole purpose of partial reconstruction of the pedestal of a contributing structures, with the extent of reconstruction to be approved by the Historic Preservation Board, up to a maximum of 166,500 square feet of additional floor area, provided that density and intensity of development at the property where the reconstruction occurs is limited as provided below.

- vii. Accessory Uses: the enclosed portions of accessory uses shall not exceed 35% of the square footage of the reconstructed contributing building square footage of the historic structure.

Under Section 163.3187(1), Florida Statutes, this amendment qualifies as a small-scale amendment as the proposed North Beach Oceanfront Overlay is approximately 3.82 acres. This process requires a public hearing by the local planning agency (Planning Board) and a final adoption public hearing before the City Commission. The ordinance shall take effect 31 days after adoption if no challenge is filed.

PLANNING BOARD REVIEW

On November 26, 2024, the Planning Board held a public hearing, reviewed the proposed ordinance and continued it to the January 7, 2025, meeting. On December 17, 2024, a public workshop was held after the first review of the Planning Board and additional input received from the participants.

On January 7, 2025, the Planning Board continued the proposed ordinance to a date certain of February 4, 2025, at the request of the applicant, with no substantive discussion. On February 4, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (6-0).

UPDATE/SUMMARY

On March 19, 2025 the subject ordinance was approved at First Reading, with no changes, and set for Second Reading on May 21, 2025. Also, the proposed amendments to the LDRs and the Comprehensive Plan are tethered to a separate development agreement that was approved by the City Commission at First Reading on April 23, 2025.

On May 21, 2025, Second Reading of the subject Comprehensive Plan amendment, as well as the companion LDR amendment and development agreement, were opened and continued to a date certain of June 25, 2025. After the May 21, 2025 City Commission meeting, the applicant provided revised versions of the LDR and Comprehensive Plan amendments, which contained the following changes to the proposal:

1. Previously, the applicant requested a height bonus of 180 feet, which increased the maximum building height from 200 feet to 380 feet. The requested height bonus has now been reduced to 100 feet, which would increase the maximum building height from 200 feet to 300 feet.
2. The floor plates of the revised towers are proposed to be increased from 10,000 square feet per floor to 25,000 square feet per floor, to accommodate the proposed reduction in building height.
3. To accommodate the lower building height, the applicant has proposed to modify the previous requirement to substantially reconstruct the former Deauville by allowing for the reinterpretation of the original tower portion of the hotel and redistribute the allowable FAR within 2 new towers that have been relocated within the site.
4. The applicant has limited the overall density of the project not to exceed 200 residential units and 140 hotel units.

Additionally, at the request of the City Commission, the attached economic analysis was prepared by Miami Economic Associates (MEA) regarding the value of the additional FAR and height contemplated in the proposal. This analysis was conducted under the original proposed building

height of 380 feet, Although the applicant has indicated they do not agree with the findings in this analysis, the Administration believes that the substance of the analysis should be considered by the City Commission.

The reconstruction of the former Deauville, including the reinterpretation of the tower, are important as the significant height and FAR bonuses proposed were conceived and predicated upon the faithful recreation of an important architectural landmark in North Beach. As indicated by the applicant, these bonuses are intended to offset the costs associated with the reconstruction of the former Deauville hotel.

The Administration is not opposed to the proposed reduction in the height bonus, nor the lowering of the maximum height of the project. However, the applicant's proposal to modify the previously proposed reconstruction of the tower portion of the former Deauville hotel must be looked at cautiously. In this regard, the applicant has studied and agreed to tangible options to re-introduce the original tower portion of the former Deauville hotel. However, should this proposal move forward, it will be incumbent upon the applicant to faithfully re-interpret the exterior design, as well as the location, orientation and footprint of the original Deauville hotel tower. To this end, the Historic Preservation Board will play a critical role in ensuring a successful project from an architectural and appropriateness standpoint.

FISCAL IMPACT STATEMENT

No Fiscal Impact

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

If applicable, the Business Impact Estimate (BIE) was published on: 3/24/2025
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends that the City Commission adopt the ordinance.

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?

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)

Private Applicant

Co-sponsor(s)

Condensed Title

9:20 a.m. 2nd Rdg, NB Oceanfront Overlay-Comp Plan Amendment. (PrivAppl) PL

Previous Action (For City Clerk Use Only)

Continued from 5/21/2025 - R5 C