

REZONING – 500-700 Alton Road

ORDINANCE NO. 2018-4229

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72, "DISTRICT MAP," OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 118-162, "PETITIONS FOR CHANGES AND AMENDMENTS," BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "C-PS2 GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD DISTRICT," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") desires to change the zoning map designation of the following parcels, Lots 8 through 14, Block 2, of the amended Fleetwood Subdivision, according to the Plat thereof recorded in Plat Book 28, Page 34, from "RM-2 Residential Multifamily, Medium Intensity," to "CD-2 Commercial, Medium Intensity District"; and

WHEREAS, the City also desires to change the Zoning Map designations of properties bounded by 6th Street on the north, Alton Road on the east, 5th Street/MacArthur Causeway/State Road A1A on the south, and West Avenue on the west, from the existing designations of C-PS2, "General Mixed Use Commercial Performance Standard District," to CD-2, "Commercial, Medium Intensity District"; and

WHEREAS, the rezoning effectuated herein is necessary to ensure the development of the sites will be compatible with development in adjacent and surrounding areas, which are all designated as CD-2 on the zoning map; and

WHEREAS, the City has determined that changing the zoning classification of the subject parcel as provided herein will ensure that new development is compatible and in scale with the built environment, and is in the best interest of the City; and

WHEREAS, the rezoning will not result in an increase in floor area; and

WHEREAS, the rezoning will allow for the creation of a large unified development site which will contain significant open space and parks facilities; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. ZONING MAP AMENDMENT The following amendment to the City's zoning map designation for the property described herein is hereby approved and adopted and the Planning Director is hereby directed to make the appropriate change to the Official Zoning District Map of the City:

1. For lots 8 through 14, of the Fleetwood Subdivision, according to the plat thereof recorded in Plat Book 28, page 34, of the Public Records of Miami-Dade County, Florida, consisting of approximately 49,000 square feet (1.12 acres), as depicted in Exhibit "A," from the current designation of "RM-2 Residential Multifamily, Medium Intensity," to "CD-2 Commercial, Medium Intensity District"; and
2. For the properties bounded by 6th Street on the north, Alton Road on the east, 5th Street/MacArthur Causeway/State Road A1A on the south, and West Avenue on the west, consisting of approximately 87,140 square feet (2.0 acres), as depicted in Exhibit "A," from the current designation of "C-PS2 General Mixed Use Commercial Performance Standard District," to "CD-2 Commercial, Medium Intensity District."

SECTION 2. REPEALER

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. CODIFICATION

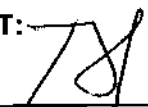
It is the intention of the City Commission that the Official Zoning District Map, referenced in Section 142-72 of the Code of the City of Miami Beach, Florida be amended in accordance with the provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect 10 days after adoption.

PASSED AND ADOPTED this 12 day of December, 2018.

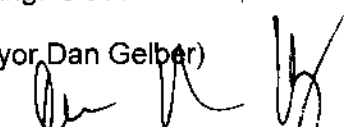
ATTEST:

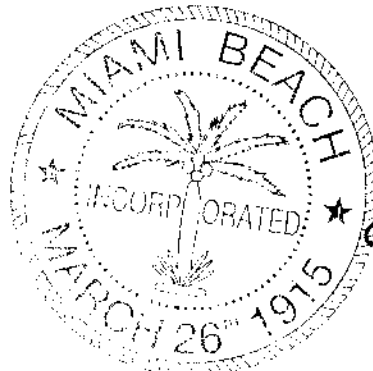

12/14/18
Rafael E. Granado, City Clerk


Dan Gelber, Mayor

First Reading: November 14, 2018
Second Reading: December 12, 2018

(Sponsor: Mayor Dan Gelber)

Verified by: 
Thomas R. Mooney, AICP
Planning Director



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

11-6-18
Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: December 12, 2018

5:03 p.m. Second Reading Public Hearing

SUBJECT: REZONING - 500-700 ALTON ROAD

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72, "DISTRICT MAP," OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 118-162, "PETITIONS FOR CHANGES AND AMENDMENTS," BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "C-PS2 GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD DISTRICT," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the City Commission adopt the subject Ordinance.

ANALYSIS

HISTORY

On July 25, 2018, at the request of Mayor Dan Gelber, the City Commission referred the item to the Land Use and Development Committee (Item C7AQ). The Land Use Committee discussed the amendment on September 28, 2018 and recommended that the City Commission refer the item to the Planning Board.

On September 12, 2018, at the request of Mayor Gelber as the sponsor, the City Commission discussed and deferred the Planning Board referral (Item C4F) to October 17, 2018. The City Commission referred the item to the Planning Board on October 17, 2018.

BACKGROUND

The properties along the 500-700 block of Alton Road and West Avenue are currently located within three separate zoning districts (CPS-2, CD-2 and RM-2). The 500 block is separated from the 600-

700 block by a dedicated public right-of-way (6th Street). Currently there is an active, approved mixed use development project for the 500-700 blocks, which is broken down as follows:

Lot Sizes:

500 Block: 85,348 SF
600 Block: 138,842 SF
700 Block: 49,000 SF

Approved Height:

500 Block: 75 Feet (DRB 22959)
600 Block: 120 Feet (Existing South Shore Hospital) and 60 Feet (DRB 22959)
700 Block: 60 Feet (DRB 23126)

Approved FAR:

500 Block: 170,696 SF / 2.0 (DRB 22959)
600 Block: 277,684 SF / 2.0 (DRB 22959)
700 Block: 98,000 SF / 2.0 (DRB 23126)

Approved FAR for Overall Project: 546,380 SF / 2.0

Approved Residential Units:

500 Block : 163 Units (DRB 22959)
600 Block: 281 Units (DRB 22959)
700 Block: 66 Units (DRB 23126)

Approved Residential Units for Overall Project: 510

Recently, a group of area residents, condominium unit owners and affected stakeholders (Gateway Community Alliance) began a dialogue with the property owner for the 500-700 Blocks (Crescent Heights). At the May 23, 2018 Land Use Committee meeting, separate proposals pertaining to the 500-700 blocks of Alton Road, one from the Gateway Alliance and the other from the property owner, Crescent Heights, were discussed. The LUDC discussed the proposals again on July 31, 2018 and concluded the item with no action.

On July 25, 2018 the City Commission referred separate discussion items to both the Finance and City Wide Projects Committee (FCWPC) and the Land Use Committee pertaining to the proposed development project at 500 – 700 Alton Road.

On July 27, 2018 the FCWPC discussed the development proposal prepared by the property owner and developer, Crescent Heights. The Committee directed the City Attorney to begin drafting a Development Agreement and Vacation of 6th Street, in order to facilitate the creation of a Unified Development Site within the 500-700 blocks between Alton Road and West Avenue.

In order to effectuate a Unified Development Site, as proposed, a rezoning and change in future land use classification of certain parcels within the proposed unified site, as well as corresponding amendments to the Land Development Regulations, are required (See attached zoning and site map).

PLANNING ANALYSIS

The proposed unified development site encompasses the 500 Block and most of the parcels on the 600-700 blocks between Alton Road and West Avenue. The 500 Block has a Zoning Classification of

CPS-2 and the 600-700 block has Zoning Classifications of CD-2 and RM-2 (See attached map). The proposal is to change the CPS-2 and RM-2 designations to CD-2, which would be consistent with the predominant zoning designation along Alton Road.

The properties immediately to the north of the proposed unified site have an RM-2 and CD-2 designation, the properties to the east of the proposed unified site have a CD-2 and CPS-2 designation, the properties to the west of the proposed unified site have an RM-3 and CPS-4 designation and the properties to the South of the proposed unified site have a CPS-4 designation. Therefore, the CD-2 district would provide for an appropriate transition between the higher intensity uses to the west and same intensity areas to the east.

City Charter Issues

The request for modifications to the Comprehensive Plan Future Land Use Map and Zoning Atlas are consistent with City Charter Section 1.03 (c), related to FAR, which partially states the following:

The floor area ratio of any property or street end within the City of Miami Beach shall not be increased by zoning, transfer, or any other means from its current zone floor area ratio as it exists on the date of adoption of this Charter Amendment (November 7, 2001), including any limitations on floor area ratios which are in effect by virtue of development agreements through the full term of such agreements, unless such increase in zone floor area ratio for any such property shall first be approved by a vote of the electors of the City of Miami Beach.

The RM-2, CPS-2 and CD-2 zoning designations have a maximum Floor Area Ratio (F.A.R.) of 2.00. As the proposed zoning change to CD-2 does not increase the established F.A.R. for the subject parcels, the requested amendment complies with the requirements of the referenced Charter provision.

PLANNING BOARD REVIEW

On October 23, 2018, the Planning Board held a public hearing regarding the proposed Rezoning Amendment and transmitted the Ordinance to the City Commission with a favorable recommendation by a vote of seven to zero (7-0).

SUMMARY

The proposed amendment to the Zoning Map is required to be processed concurrently with the companion FLUM amendment, as they are interrelated; however, separate motions must be made for each application. Additionally, the FLUM amendment must be considered prior to the Zoning Amendment, as the Land Development Regulations must be consistent with the Comprehensive Plan.

UPDATE

The subject Ordinance was approved at First Reading on November 14, 2018, with no changes.

CONCLUSION

The Administration recommends that the City Commission adopt the subject Ordinance.

Legislative Tracking

Planning

Sponsor

Mayor Dan Gelber

ATTACHMENTS:

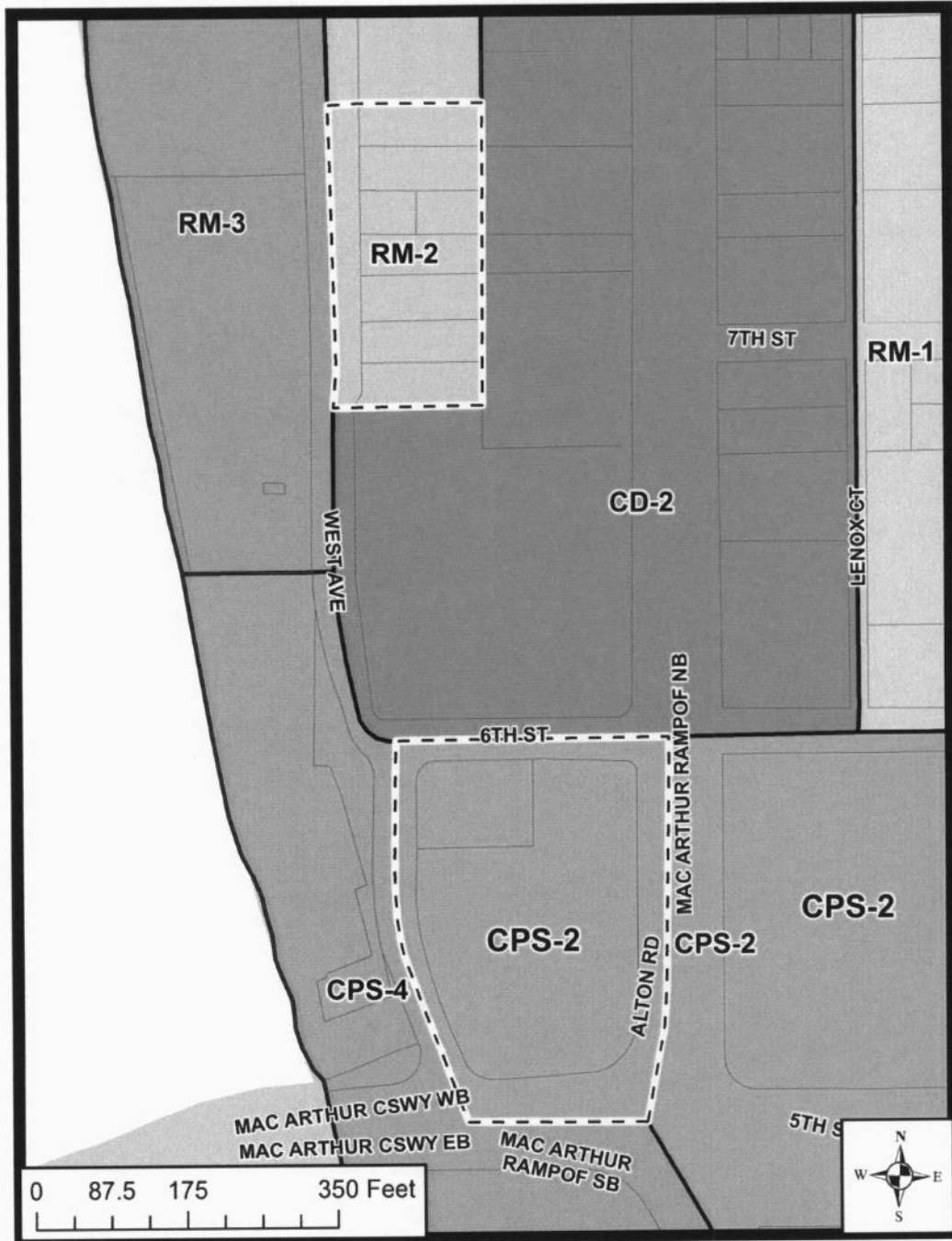
Description

- ▢ Zoning and Site Map
- ▢ Ordinance
- ▢ Ad

SITE MAP



EXISTING ZONING



MIAMI BEACH

CITY OF MIAMI BEACH PUBLIC HEARINGS

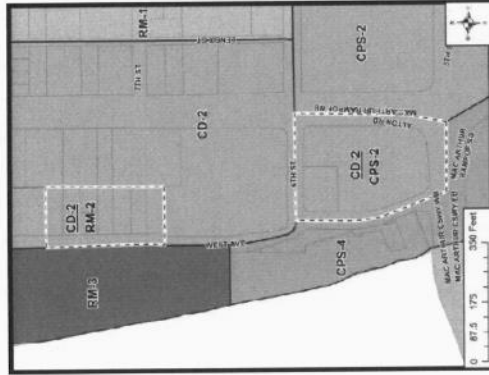
NOTICE OF AMENDMENTS TO THE FUTURE LAND USE MAP (FLUM), COMPREHENSIVE PLAN, LAND DEVELOPMENT REGULATIONS (LDR), AND REZONING OF 500-700 ALTON ROAD DECEMBER 12, 2018

NOTICE IS HEREBY given that Public Hearings will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chamber, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on December 12, 2018 at the times listed below, or as soon thereafter as the matter can be heard, to consider the adoption of the following Ordinances:

5:01 p.m. Second Reading Public Hearing

500-700 ALTON ROAD – FLUM AND COMPREHENSIVE PLAN AMENDMENT

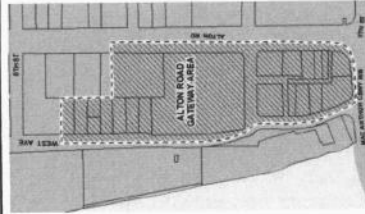
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 118-166 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA AND SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL CATEGORY (RM-2)," TO THE FUTURE LAND USE CATEGORY OF "MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2)," AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "GENERAL MIXED USE COMMERCIAL "PERFORMANCE STANDARD" CATEGORY (C-PS2)," TO THE FUTURE LAND USE CATEGORY OF "MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2)," PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. *This Ordinance is being heard pursuant to Section 118-166 of the City's Land Development Code. Inquiries may be directed to the Planning Department at 305.673.7550.*



5:02 p.m. Second Reading Public Hearing

500-700 ALTON ROAD – ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS – LDR AMENDMENTS

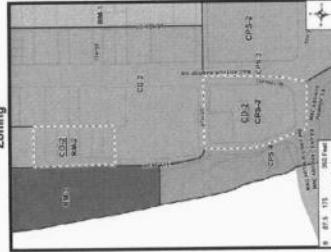
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY," SECTION 142-311, TO BE ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," IS HEREBY AMENDED TO ESTABLISH THE "ALTON ROAD GATEWAY AREA," INCORPORATING THE PROPERTIES BOUNDED BY 8TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/SR A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, EXCLUDING LOTS 15 THROUGH 22, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE LIST OF PROHIBITED USES, TO LIMIT THE MAXIMUM FLOOR SETBACKS, PROVIDE FOR CLEAR PEDESTRIAN PATHS, INCREASE THE ALLOWABLE HEIGHT LIMIT FOR MAIN USE RESIDENTIAL BUILDINGS, TO LIMIT THE APPLICABLE PLATE SIZE OF THE TOWER PORTION OF NEW BUILDINGS, ESTABLISH MINIMUM REQUIREMENTS FOR GREEN SPACE, AND MODIFY DESIGN REQUIREMENTS WITHIN THE ALTON ROAD GATEWAY AREA, INCLUDING BUT NOT LIMITED TO, DESIGN REQUIREMENTS APPLICABLE TO BUILDING FLOORS CONTAINING PARKING SPACES; AMENDING CHAPTER 130, "OFF-STREET PARKING," SECTION 130-31, "PARKING DISTRICTS ESTABLISHED," TO MODIFY THE BOUNDARIES OF PARKING DISTRICT NUMBER 6 TO INCORPORATE THE ENTIRE ALTON ROAD GATEWAY AREA; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE. *This Ordinance is being heard pursuant to Section 118-164 of the City's Land Development Code. Inquiries may be directed to the Planning Department at 305.673.7550.*



5:03 p.m. Second Reading Public Hearing
500-700 ALTON ROAD - REZONING

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72, "DISTRICT MAP," OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 118-162, "PETITIONS FOR CHANGES AND AMENDMENTS," BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "C-PS2 GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD DISTRICT," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. *This Ordinance is being heard pursuant to Section 2.05 of the City Charter and §166.041 F.S. Inquiries may be directed to the Planning Department at 305.673.7550.*

Proposed Zoning



INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. These items are available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Members of the public may present audio/visual (AV) materials relating to Agenda Items at City Commission meetings held in the Commission Chamber by utilizing the City's AV equipment, provided that materials are submitted to the Department of Marketing and Communications by 8:30 a.m., one (1) business day prior to the meeting. Advance submittal of a presentation will allow the Communications Department to plan for the use of the appropriate AV equipment. AV materials may be submitted via email at communications@miamibeachfl.gov; or hand delivered in a jump drive, CD or DVD to: Attention: Department of Marketing and Communications, 1701 Meridian Avenue, 5th Floor, Miami Beach, FL 33139. Presentations, videos, or links must include a label noting the name or group, contact person, daytime telephone number, email address, description/title of the presentation and Agenda Item Title as well as the Agenda Item number. Acceptable formats for electronic submission are .pdf, .ppt, .pptx, .pps, .ppsx, .wmv, .avi, and .mov. (Note that .pdf is the preferred format for PowerPoint presentations).

Rafael E. Granado, City Clerk
 City of Miami Beach