

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: January 6, 2026
TO: Chairperson and Members
Planning Board
FROM: Thomas R. Mooney, AICP
Planning Director
SUBJECT: PB25-0782, **1 Ocean Drive.**



An application has been filed requesting the review of private or joint government/private uses in the GU government use zoning district including but not limited to multiple restaurants/alcoholic beverage establishments, retail and beach club with children's center, pursuant to Chapter 7, Article II, Section 7.2.16.2.e of the Miami Beach Resiliency Code.

RECOMMENDATION

Transmit a favorable recommendation for the proposed use to the City Commission.

BACKGROUND

May 17, 2023

Pursuant to Resolution 2023-32612, the City Commission directed the City Administration to prepare and issue a Request for Proposals (RFP) to seek proposals from firms interested in being considered to negotiate an agreement(s) with the City for the management or operation of a beach establishment and ancillary uses on the property located and adjacent beachfront concession area. The existing Concession Agreement(s) between the City and Penrod Brothers, Inc. expires on May 6, 2026.

June 13, 2023

RFP 2023-479-KB for the management or operation of a high-end beach establishment was issued.

September 27, 2023

The Mayor and City Commission authorized the City Administration to negotiate with Boucher Brothers Pier Park, LLC, the successful proposer.

October 18, 2023

The Mayor and City Commission adopted Resolution No. 2023-32825 approving the Concession Agreement with Boucher Brothers Pier Park, LLC.

SITE DATA

Folios:

02-4203-012-0010, 02-4203-012-0011 & 02-4203-012-0012

Legal Description:

Lots 1 thru 8, Block 112 of the Ocean Beach Addition No. 4 Subdivision, as recorded in Plat Book 3, Page 151, of the Public Records of Miami-Dade County, Florida.

Zoning: Government Use (GU)
Future Land Use Classification: Recreation and Open Space (ROS)

STAFF ANALYSIS

As noted in the Background section of this report, on October 18, 2023, the Mayor and City Commission adopted Resolution No. 2023-32825 approving a concession agreement with Boucher Brothers Pier Park, LLC for the operation of a beach establishment within Pier Park located at 1 Ocean Drive. The existing concession agreement for the establishment known as Nikki Beach, between the City and Penrod Brothers, Inc. expires on May 6, 2026.

Pursuant to Section 7.2.16.2.e of the Land Development Regulations of the City Code (LDRs), private or joint government/private uses in the Government Use (GU) district shall be reviewed by the Planning Board prior to approval by the City Commission. As such, the applicant has filed the subject application and seeks a favorable recommendation from the Planning Board to the Mayor and City Commission for the uses within the proposed project.

The applicant has submitted preliminary plans for the project that contain the following proposed uses on the site:

- Mediterranean concept restaurant, inclusive of outdoor seating
- Japanese concept restaurant, inclusive of outdoor seating
- Beachfront café
- A beach club with a pool, cabanas, outdoor dining and a kid's club
- Alcoholic beverage service
- Outdoor bar counters
- Fitness club
- Retail

As outlined in the operational plan, the hours of operation will not exceed 11:00 p.m. daily and no entertainment is proposed for the project.

The proposed uses identified above are consistent with the concession agreement and, as the property is zoned GU, the uses must be authorized by the City Commission. However, Section 7.2.16.3 of the LDRs specifies that no GU property may be used in a manner inconsistent with the Comprehensive Plan. Under policy RLU 1.1.19 of the 2040 Comprehensive Plan, the uses permitted in the ROS future land use classification are limited to recreation and open space facilities.

As the proposed uses are largely commercial in nature, an amendment to policy RLU 1.1.19 of the 2040 Comprehensive Plan will be required, prior to final action by the City Commission approving any of the proposed uses.

STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends that Planning Board transmit a favorable recommendation for the proposed uses to the Mayor and City Commission.