

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: July 17, 2019

SUBJECT: **ORDINANCE AMENDMENT – Height Increase for Ground Level Additions on Oceanfront Lots in the Architectural District**

ADMINISTRATION RECOMMENDATION

The administration recommends that the City Commission approve the subject ordinance at first reading, and set a second reading/public hearing for July 31, 2019.

HISTORY

On May 8, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the subject discussion item to the Land Use and Development Committee, the Planning Board, and the Historic Preservation Board (Item C4 O). The ordinance is co-sponsored by Commissioners Joy Malakoff and John Elizabeth Aleman.

On June 12, 2019 the Land Use and Development Committee discussed the item and recommended that the Planning Board transmit the attached ordinance to the City Commission with a favorable recommendation.

BACKGROUND

The RM-3 zoned oceanfront properties from 16th – 21st Streets, which is the subject area of the proposed ordinance, are also located within the Miami Beach Architectural District (established in 1979) and within the Ocean Drive/Collins Avenue Local Historic District (established in 1986 and expanded in 1992 to include the subject area). The following is a summary of current and previous height limits for the area, as well as code changes, since 1998:

Prior to 1998:

Lots over 100,000 SF:	300 feet
Oceanfront lots over 200,000 SF:	400 feet
Otherwise:	250 feet

1998 (Ord. 98-3150)

New construction on vacant lots:	120 feet
Ground level additions:	50 feet
Roof-top additions:	Prohibited

2007 (Ord. 2007-3589) – proposed by the Seagull/Days Inn on 21st Street

The height allowed for ground level additions was increased up to the height of an existing structure for the expansion of hotel units only, and only along an interior side yard.

2012 (Ord. 2012-3784) – proposed by the South Seas Hotel (1751 Collins)

This expanded upon the 2007 ordinance to allow an increase in height for ground level additions, up to the height of the existing building, for the purpose of relocating hotel rooms. This ordinance contemplated demolishing interior portions of a lower building, while retaining the street and ocean front sides of the structures, and building a new, taller structure, in-between the two, up to the height of the taller existing building on a property. Additionally, no building greater than 25 feet shall be constructed on the eastern portion of the lot.

PLANNING ANALYSIS

Attached is a proposed amendment to sec. 142-246(b) of the land development regulations of the city code. This amendment has been submitted on behalf of the real estate developer SHVO, who recently acquired the Raleigh, Richmond, and South Seas Hotels on Collins Avenue between 17th and 18th streets. The proposal would increase the maximum allowable height of ground level additions on oceanfront lots in the Architectural District from 50 feet to 200 feet for lots over 115,000 square feet.

As indicated above, in 1998, as part of the downzoning of the City, which included general height and FAR reductions citywide, heights within the subject RM-3 area were reduced to 120 feet for vacant lots and 50 feet for ground level additions to existing structures. These height limits were adopted to ensure that new construction was compatible with the scale and character of the surrounding historic district.

On the RM-3 zoned, oceanfront side of Collins Avenue within the Architectural District (between 16th and 21st Streets), the existing maximum building heights vary, as follows:

16th Street to Lincoln Road:

Loews Hotel:	18 stories / Approx. 200 feet
Georgian Condominium:	10 stories / Approx. 100 feet
Decoplage Condominium:	16 stories / Approx. 170 feet

Lincoln Road to 17th Street:

Dildio/Ritz Carlton:	12 stories / Approx. 130 feet
Sagamore Hotel:	6 stories / Approx. 65 feet
National Hotel:	12 stories / Approx. 125 feet
Delano Hotel:	13 stories / Approx. 135 feet

17th Street to 18th Street:

Ritz Plaza Hotel:	12 stories / Approx. 125 feet
Surfcomber Hotel:	3 stories / Approx. 35 feet
Marsielle Hotel:	8 stories / Approx. 85 feet
South Seas Hotel:	8 stories / Approx. 85 feet
Richmond Hotel:	7 stories / Approx. 75 feet
Raleigh Hotel:	8 stories / Approx. 85 feet

18th Street to 20th Street:

Shelbourne:	14 stories / Approx. 150 feet
Nautilus:	7 stories / Approx. 75 feet
Shoreclub:	19 stories / Approx. 200 feet

20th Street to 21st Street:

Setal Hotel:	7 stories / Approx. 75 feet
Setai Residential Condo:	37 stories / Approx. 400 feet
Days Inn / Seagull:	7 stories / Approx. 75 feet

The overall heights noted above are generally consistent from Lincoln Road to 18th Street, with a small number of sites having lower overall heights. The properties to the south of Lincoln Road are generally taller, as are some of the sites north of 18th Street, most notably the Setai.

The proposal to increase the overall height of additions within the above noted boundaries of the Architectural District would only apply to development sites that are at least 115,000 square feet. Based upon current available FAR and site ownership, as of now, this threshold would apply to two development sites:

1. The proposer's site, which contains the Raleigh, Richmond and South Seas Hotels.
2. The Shoreclub parcel on the south side of 20th Street.

Other properties within the RM-3 district from 16th to 21st Streets could, potentially, be aggregated in the future and meet this 115,000 square foot threshold; this would allow such sites to be eligible for up to 200 feet of height. However, based upon the current ownership make-up of properties from 16th to 21st Street, as well as the availability of FAR, the number of properties that would be eligible via a future lot aggregation is limited. Also, any future properties that would become eligible would still need to meet the certificate of appropriateness criteria for building placement.

Planning staff did have some concerns with the impact that the proposed height increase may have on the existing, well-established and iconic historic context of the area, as viewed from the west along Collins Avenue, and the east along the beach walk. In order to ensure that the proposed increase in maximum allowable height for additions within this area does not compromise the architectural and historic integrity of the existing structures within a development site, the following additional safeguards are included within the proposed ordinance, and were endorsed by the Land Use and Development Committee:

1. **Placement of the structure.** The ground floor addition shall be located internal to a site, and setback a minimum of 100 feet from the front property line, 75 feet from the street side property lines as well as setback a minimum of 100 feet from the rear (oceanfront) property line.
2. **Limits on the floorplate of additions exceeding 50 feet in height.** The maximum floor plate size for the portion of an addition exceeding 50 feet in height building is 15,000 square feet, excluding projecting balconies, per floor. The historic preservation board may allow for an increase in this overall floor

plate, up to a maximum of 20,000 square feet, excluding balconies, per floor, in accordance with the certificate of appropriateness criteria in chapter 118, article X of these land development regulations.

Lastly, the administration would note that the overall height for a proposed addition is at the discretion of the historic preservation board. The overall height, as well as the placement of the structure, is not 'as of right', and the historic preservation board has clear authority to review any height and building placement, in addition to architecture and demolition.

PLANNING BOARD REVIEW

On June 25, 2019, the Planning Board held a public hearing and transmitted the ordinance to the City Commission with a favorable recommendation by a vote of 5-0.

SUMMARY

The subject proposal was a tri-referral to the LUDC, Planning Board and Historic Preservation Board. On July 9, 2019, the Historic Preservation Board (HPB) recommended approval of the ordinance by a vote of 5-1 (one member was absent). The HPB also indicated that the endorsement of the ordinance does not guarantee that the maximum height permitted will ultimately be approved, as the overall height, massing and demolition would be evaluated at the time an application is submitted to the HPB.

Redeveloping oceanfront sites that contain short buildings whose length runs from the street to the rear pool deck can be challenging. Such buildings, including those between 17th and 18th Streets, are at a competitive disadvantage to the taller, more narrow structures (such as the Raleigh and the Ritz Plaza), which afford ocean views to virtually every room. The longer buildings on narrow lots simply cannot provide the same views and amenities under the current code, particularly as it pertains to an allowable addition. This is an important discussion point, as most of these longer buildings on narrow sites were constructed during or right after the great depression, and were designed for working class tourists. Today's hotel market, however, has expanded and diversified significantly.

This is not to lessen the importance or significance of these structures, as they play a very important role in the historic context and architectural evolution of the area, and the city as a whole. However, on balance, the administration believes that it would be beneficial to allow for taller hotel additions to sites with contributing buildings, provided the safeguards noted above are included.

CONCLUSION

The administration recommends that the City Commission approve the subject ordinance at first reading and set a second reading/public hearing for July 31, 2019.

JLM/SMT/TRM