

SHORE CLUB

SOUTH BEACH

1901 Collins Avenue, Miami Beach, Florida 33139

VIA CSS & HARDCOPY SUBMITTAL

February 14, 2022

Deborah Tackett, Chief Historic Preservation Officer
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **HPB21-0481** – Resubmittal Letter of Intent for Certificate of Appropriateness for Demolition and Design for Shore Club Property Located at 1901 Collins Avenue, Miami Beach, Florida

Dear Mrs. Tackett:

The undersigned represent Shore Club Property Owner LLC (the "Applicant") with regard to the above-referenced property (the "Property") within the City of Miami Beach (the "City"). This letter shall serve as the required Letter of Intent ("LOI") for a Certificate of Appropriateness for demolition and design ("COA") and associated waiver request for renovations to the existing structures on the Property, as well as the development of a new residential addition in accordance with Section 142-246(f) of the City of Miami Beach Code of Ordinances (the "Code").

Property Description. The Property is an irregularly-shaped oceanfront parcel located east of Collins Avenue and south of 20th Street in the Collins Park neighborhood of the City. The Property is within the nationally registered Miami Beach Architectural District ("Architectural District") as well as the Ocean Drive/Collins Avenue Local Historic District. The Property is approximately 2.88 acres (125,452 square feet) in size and is improved with the following "Contributing" and "Non-Contributing" buildings:

- A. The three-story contributing Shore Club Hotel building fronting the east side of Collins Avenue developed in 1949 by Albert Anis (the "Shore Club Building");
- B. The eight-story contributing Cromwell Hotel building fronting the south side of 20th Street developed in 1939 by Robert A. Taylor (the "Cromwell Building");
- C. The eight-story contributing addition to the south side of the Shore Club Building developed in 1955 by Melvin Grossman (the "Annex"); and
- D. The twenty-story non-contributing addition at the center of the Property and non-contributing cabanas developed by David Chipperfield Architects in 2001 (the "Chipperfield Additions").

See Figure 1, below.



Figure 1: Aerial of Property with: A) Shore Club Building(Contributing); B) Cromwell Building (Contributing); C) the Annex (Contributing); and D) Chipperfield Additions (Non-Contributing).

The Property contains a mosaic of architectural styles that characterize the City's rich cultural heritage. For instance, the Cromwell is a classic Art Deco design and the Original Shore Club Building is an excellent example a of the post-war Miami-Modern ("MiMo") style. The blend of architectural styles makes the Property uniquely important to the City's heritage and architectural tradition. The proposed design by Robert A.M.

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Stern Architects ("RAMSA") includes a researched, studied, and deferential approach to design, skillfully reflecting/referencing, and interpreting the historical context and creating what will certainly become a new contributing structure reflective of our time in history.

Design Modifications. The Applicant has made the following design modifications in response to staff comments with respect to the proposed canopy structure over the front porch of the Cromwell Building and the proposed loading area structure on 20th Street.

Cromwell Canopy. The Applicant has improved the proposed canopy over a portion of the Cromwell entry porch to address staff's concern that the proposed canopy obscures the original building eyebrow and is not differentiated enough from the original Cromwell Building. Specifically, the Applicant has differentiated the proposed canopy with both material and configuration with respect to the original Cromwell Building. The newly proposed canopy is both taller than the existing eyebrow on the Cromwell façade and physically separated from the Cromwell Façade. The Applicant intends to use glass to bridge the gap between the proposed canopy and the Cromwell façade to keep residents and guests protected from the elements when entering the building.

Loading Area The Applicant has substantially modified the proposed loading structure on 20th Street to address staff's concern that the wide curb cut on 20th Street will negatively impact the district. The revised loading structure:

- Reduces the width of the loading curb cut from two lanes to one lane, which reduces the width of the curb cut from 29'-11" to 14'-0";
- Introduces green space between the curb cut of the loading area and the curb cut of for the garage entrance to improve the pedestrian experience;
- Reduces the length of the walls of the proposed loading structure to be further from 20th Street;
- Increases the width of the sidewalk along 20th Street; and
- Introduces lush landscaping, including shade trees along the public 20th street right of way.

The revised loading plan successfully improves the pedestrian experience on 20th Street by minimizing curb cuts and providing green areas to allow pedestrians to safely access the Beach Walk. In addition, the Applicant proposes a green roof on the one-story loading structure to mitigate visual impacts from neighboring properties and further

improve the condition of 20th street. Overall, these proposed design modifications improve the project by ensuring compatibility of the newly proposed features with existing structures on the Property, as well improving the relationship between the project and 20th Street.

Proposed Development. The Applicant proposes to reimagine the iconic Shore Club Property to align with the City's long-term goals for a resilient live, work, and play community. The Applicant accomplishes this by proposing to substantially reduce the intensity of hotel use on the Property from 312 hotel units to a maximum of 65 hotel units, and incorporating a maximum of 80 high-end residential units . The proposed shift from transient hotel use to residential is based on the growing residential character of the Collins Park neighborhood and existing surplus of hotel rooms and associated entertainment venues in the immediate vicinity of the Property.¹

In summary, the proposed development includes the following components:

- **Residential:** Maximum 80 units.
- **Hotel:** The Applicant proposes to substantially reduce the intensity of hotel use on the Property from 312 hotel units to a maximum of 65 hotel units.
- **Restoration of the historic Shore Club Building and lobby:** The Applicant proposes preservation and restoration of original features, including the terrazzo floor, unique columns, wall finishes, open volume space, among other contributing features. A new lobby bar is proposed on the north side of the lobby to replace previous back of house space.
- **Renovation of the historic Cromwell Hotel:** The Applicant proposes to create an entrance to the residential component of the project at the Cromwell and renovate the interior lobby as a shared lobby between the Cromwell and the proposed residential tower addition.
- **Pool deck:** The Applicant proposes a new lushly landscaped amenity deck with a lap pool aligned with the central bay of the eastern façade of the Cromwell, a hotel

¹ There are three additional hotels in the immediate vicinity of the Property– the Townhouse Hotel, the Nautilus Hotel, and the Shelborne Hotel. The reduction in hotel units at the Property will not impact the availability of hotel rooms in the City.

pool towards the center of the Property, and a residential pool located towards the oceanfront.

- **Landscape:** The project will be lushly landscaped by Island Planning Corporation with native, Florida-friendly, and tropical vegetation alongside various sculpture gardens

(collectively the “Proposed Development”).

Design Narrative. Miami Beach is replete with exuberant modernism and art deco allure, including the largest concentration of 1920s and 1930s resort architecture in the United States. Robert A. M. Stern Architects’ proposed design for a new Shore Club Hotel and Condominium builds upon this rich history, referencing and interpreting Miami Beach’s historic vibrant layered urbanism and varied styles—especially Art Deco and Miami Modernism, or “MiMo”— and integrates them into a cohesive contextual architectural composition for the 21st century.

The proposed modifications to the site include sensitive renovations to the historic Shore Club Building (Albert Anis, 1949) and The Cromwell Building (Robert Taylor, 1939), removal of the Annex and Chipperfield Additions, and the insertion of a new ocean-facing condominium tower interwoven between. The existing Shore Club Building will be maintained as a boutique hotel, and its historic lobby preserved, restored, and reactivated with a new lobby bar. Modifications to the Cromwell Building will create spacious family-friendly residential units, return the building to its historic prominence, and provide the primary entrance for condominium residents.

The new seventeen-story condominium tower establishes an iconic silhouette on the skyline and will be composed of three staggered tiers that step away from the ocean, creating terraces with hanging gardens that make deliberate visual connections to the scale of neighboring historic buildings. Gentle curves, cambered surfaces, and filleted windows reflect a streamlined nautical aesthetic, but orthogonal geometries lock the building into the urban fabric and underpin the composition.

In order to propose a complementary and considerate addition to the historic district, the existing Shore Club and the Cromwell also serve as important sources of design inspiration. On the west elevation, a combination of punched windows and sweeping ribbons echo elements on the existing Shore Club, which serves as a visual foundation for the new structure. Circular windows found on the Cromwell have been interpreted into the north elevation of the condominium tower. The interplay of glass and

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white masonry from both buildings is extended to the new tower, humanizing the scale of the building and producing unique condominium units in direct contrast to the many monolithic, glass-clad towers that proliferate today.

Visitors will experience a varied procession through the site, entering first into the restored lobby of the Shore Club and continuing on to a series of engaging landscaped spaces. A gracious, open-air colonnade (featuring *pilots* inspired by the signature detail of the Mid-Century columns in the lobby of the existing Shore Club Building) leads guests from a welcoming courtyard, past various indoor and outdoor amenity spaces, to a densely planted rear terrace shared by hotel guests and residents with resort pools that step down toward the beach. Condominium residents will enter the Cromwell through a new Art Deco-inspired porch and a compatibly reconfigured lobby on their way to units distributed between the existing building and the new tower, where upper-floor units will offer sweeping ocean views to the east and south, many with balconies and generous glazing. A new private villa that references the Art Deco architecture of the adjacent Cromwell is located along 20th Street and coherently adds to the entire composition and frames the northern edge of the site, ensuring privacy for residents and hotel guests.

The Proposed Development is a landscape-driven project emphasizing native ecology as conceived by Nathan Browning and Island Planning Corporation. It is a botanical park focused on biodiversity and resilience - a collection of rare specimen palms, trees and understory species native to South Florida and the Caribbean. The design focus on regional plants highlights a robust local cultural and natural history while creating a park for residents and guests.

Height Increase Legislation. In recognition of the challenges associated with redeveloping historic sites such as the Property, the City adopted legislation that permits oceanfront lots in the Architectural District that are at least 115,000 square feet in size to develop additions up to 200' in height, subject to certain safeguards intended to protect the historic integrity of existing structures within these large development sites, as well as buffering the neighboring community by requiring significant setbacks and floor plate size restrictions. See Exhibit A, Resolution 2019-4285.

Specifically, additions permitted under this legislation must be centrally located on the development site, with a front setback of at least 100', a side street setback of at least 75', and a rear setback of 100'. Furthermore, the maximum floor plate size for portions of such additions that exceed 50' in height is 15,000 square feet per floor, with the

opportunity for the Historic Preservation Board ("HPB") to increase the maximum floor plate size to 20,000 square feet per floor in accordance with the COA criteria.

These floor plate limitations and significant setback requirements that can only be accomplished on large sites such as the Property ensure that additions are sensitive to existing structures on the site, and preserve view corridors from Collins Avenue and the Beach Walk. Importantly, the Property exceeds the minimum criteria for a maximum 200' tall addition, as it is 125,452 square feet in size where 115,000 square feet is required. It should be noted that the Property already contains an approximately 200' tall tower addition developed in 2001 as part of the Chipperfield Additions. As explained above, this project proposes to replace the Chipperfield tower with a new approximately seventeen-story addition that is sensitive to the existing historic context of the Property, its neighbors, in full compliance with the requirement of the height increase legislation.

Requests. To achieve the Proposed Development, the Applicant seeks the following requests:

- 1) A COA for the proposed demolition of Chipperfield Additions and Annex, as well as the design of the proposed 200' tall tower addition pursuant to Section 142-246(f) of the Code and associated improvements to the Shore Club and Cromwell Buildings; and
- 2) A Waiver to increase the maximum floor plate size to 19,177 square feet for a portion of the proposed tower addition that exceeds 50' in height.

Analysis. The proposed tower addition has been designed with remarkable sensitivity towards its surrounding context, both within and external to the Property. Notably, the Applicant proposes to fully restore the original configuration and finishes of the historic Shore Club lobby, including the terrazzo floor, mural, and unique columns. In addition, a new lobby bar is proposed to replace back of house space on the north side of the Shore Club lobby. It is important to note that the new proposed lobby bar will not impact the original historic elements such as the terrazzo flooring, as it is being developed in an area that was previously back of house. Additionally, the open spatial volume of the lobby, which is a contributing feature of the space will be retained. Furthermore, the Cromwell lobby will be renovated to serve as the primary residential entrance to the project. The Chipperfield Additions and Annex are proposed to be replaced. The replacement of the Chipperfield Tower allows the floor area currently utilized for hotel rooms to be repurposed for large, family-friendly residential units with expansive ocean

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views. With respect to the Annex, the proposed design seeks to open up the interior courtyard in the rear of the Shore Club Building to create a welcoming open-air promenade that leads to the resort-style amenity deck towards the rear of the Property.

As more glamorous, newer and larger oceanfront properties were built farther north in the City in the 1950s, older Deco era and post-war modern hotels like the Shore Club and Shelborne felt the need to compete by developing taller, not always compatible, additions. The Annex, with its oceanfront balconies, was a small-scale version of the much larger, taller and grander oceanfront hotels built in the early to mid-1950's, such as the Fontainebleau, Eden Roc, Americana, Seville and Sans Souci. However, not only was the Annex considerably shorter than those properties, but due to its relatively low height, its relationship to the Ocean was greatly attenuated. This is particularly true today after multiple beach re-nourishment efforts have pushed the location of the beach further east, resulting in more than 300' between the Annex and the Beach Walk. This large rear setback in combination with development of surrounding properties has further obscured the Annex such that it is hardly visible from the beach or Beach Walk. Moreover, rooms inside the Annex no longer boast high-quality ocean views due to the distance to the beach and lush landscaping along the Beach Walk. As a result of the existing built context of the site and the Ocean Drive/Collins Avenue Local Historic District, the Annex is proposed to be removed. In deference to this layer of the structure, the footprint of the Annex will be referenced visually in the hardscape of the courtyard.

The proposed tower addition borrows and interprets elements from the design of the original Shore Club Building and Cromwell Building to provide a cohesive focal point at the center of the Property. With a front setback of 180', a side facing a street setback of 101'-9", and a rear setback of 189'-6", the proposed tower addition complies with the requirements and intent of Section 142-246(f) of the Code. Each elevation of the proposed tower addition is thoughtfully crafted with respect to the existing historic structure it faces, with punched windows typical of the MiMo style on the west elevation above the Shore Club Building, while nautically inspired circular windows ornament the north elevation as a reference to the Art Deco Cromwell Building. These design details reflect the level of purposeful sensitivity displayed in conceptualizing and designing the Proposed Development to be consistent with the COA criteria and the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Height Analysis. The proposed 200' tall addition is consistent and compatible with the existing built context of the area, which includes the following buildings:

- Setai Condominium: 385'
- Loews Hotel: 272'
- Chipperfield tower: 222'
- The SLS Hotel 204'
- The Decoplage: 183'
- The Shelborne Hotel: 171'.

Floor Plate Waiver. The Applicant proposes floor plate sizes between 16,280 and 19,177 square feet for levels 5-12 of the proposed tower addition. Above level 12, floor plate sizes decrease to below 15,000 square feet in size to preserve the flow of air and light at the upper reaches of the building consistent with the intent of the Code.

The requested increase in maximum floor plate size for levels 5-12 of the proposed tower addition is consistent with the COA criteria in light of the siting of proposed addition within the uniquely large Property. Specifically, the proposed addition provides a front setback of 180' where only 100' is required, a side facing a street setback of 101'-7" where only 75' is required, and a rear setback of 189'-6" where only 100' is required. Further, the additional square footage associated with the larger floor plate sizes is oriented towards the south east side of the Property, facing away from the neighboring Setai Condominium Tower and situated east of the adjacent Nautilus Hotel. The terraced massing and orientation of the addition result in spacious units with abundant opportunities for indoor-outdoor living and expansive oceanfront views. The enlarged setbacks, purposeful building orientation, and terraced massing ensure that the increased floor plate size between levels 5-12 will not negatively impact the existing Contributing Shore Club and Cromwell Buildings within the site, and will not negatively impact view corridors from Collins Avenue, the Beach Walk, or neighboring properties consistent with the intent of the Code.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria in Section 133-50(a) of the City Code, as follows:

1. A recycling or salvage plan for partial or total demolition shall be provided.

A recycling and salvage plan for any proposed demolition will be provided at permitting.

2. Windows that are proposed to be replaced shall be hurricane proof impact windows.

Hurricane proof impact windows will be provided.

3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

The Applicant will provide, where feasible, passive cooling systems.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

New landscaping provided will be Florida-friendly and resilient.

5. Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.

Sea level rise projections are being considered and incorporated. The proposed addition shall be developed as base flood elevation plus freeboard.

6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.

To the extent feasible the Applicant will design improvements to be adaptable to future harmonization with public roadway raising projects.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

All mechanical and electrical systems will be located above base flood elevation to the extent feasible and appropriate in light of the historic context of the building.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

All new construction is proposed to be elevated to base flood elevation plus freeboard.

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9. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Wet or dry flood proofing systems will be provided where habitable space is located below BFE.

10. Where feasible and appropriate, water retention systems shall be provided.

Where feasible, water retention systems will be provided.

11. Cool pavement materials or porous pavement materials shall be utilized.

Cool pavement materials and/or porous pavement materials will be utilized.

12. The design of each project shall minimize the potential for heat island effects on-site.

The Applicant proposes additional landscaping around the perimeter of the site.

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Conclusion. The Proposed Development furthers the City's long-term objective of striking an appropriate balance between transient uses and thriving residential communities. The Proposed Development reimagines and reinvigorates the currently idle historic Shore Club Property with a masterfully designed residential tower addition that is sensitive to the unique blend of architectural styles within the site, and mitigates impacts external to the site. Finally, the public interior spaces of the Shore Club are proposed to be renovated to their original grandeur and augmented with a new lobby bar. Accordingly, the Proposed Development, inclusive of the waiver request, is consistent with the COA criteria.

In light of the above, the Applicant respectfully request your favorable review and recommendation of this application. If you have any questions or comments with regard to the application, please do not hesitate to contact us.

Sincerely,



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**Height Increase for Ground Level Additions
on Oceanfront Lots in the Architectural District**

ORDINANCE NO. 2019-4285

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION V, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," BY AMENDING SECTION 142-246, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO INCREASE THE HEIGHT LIMIT FOR GROUND FLOOR ADDITIONS MEETING CERTAIN REQUIREMENTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City's Land Development Regulations ("LDRs") provide for the regulation of land within the City; and

WHEREAS, this Ordinance provides for a height increase for ground floor additions on oceanfront lots in the Architectural District, with a lot area greater than 115,000 square feet, subject to the requirements set forth herein.

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

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision V, "RM-3 Residential multifamily, high intensity," is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 3. - RESIDENTIAL MULTIFAMILY DISTRICTS

* * *

SUBDIVISION V.- RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY

* * *

Sec. 142-246. - Development regulations and area requirements.

(a) The development regulations in the RM-3 residential multifamily, high intensity district are as follows:

- (1) Max. FAR: Lot area equal to or less than 45,000 sq. ft.—2.25; lot area greater than 45,000 sq. ft.—2.75; oceanfront lots with lot area greater than 45,000 sq. ft.—3.0.
- (2) Notwithstanding the above, oceanfront lots in architectural district shall have a maximum FAR of 2.0.
- (3) Notwithstanding the above, lots which, as of the effective date of this ordinance (November 14, 1998), are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, shall have a maximum FAR of 3.0; however, additional FAR shall be available for the sole purpose of providing hotel amenities as follows: the lesser of 0.15 FAR or 20,000 sq. ft.

(b) The lot area, lot width, unit size and building height requirements for the RM-3 residential multifamily, high intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
7,000	50	New construction—550 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—400 Hotel units: 15%: 300—335 85%: 335+ For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration and sizes of at least 200 square feet shall be permitted. Additionally, the	New construction—800 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—550 Hotel units—N/A	150 Oceanfront lots—200 Architectural dist.: New construction—120; ground floor additions (whether attached or detached) to existing structures on oceanfront lots—50 (except as provided in section 142-1161)

		<p>existing room configurations for the above described hotel structures may be modified to address applicable life-safety and accessibility regulations, provided the 200 square feet minimum unit size is maintained, and provided the maximum occupancy per hotel room does not exceed 4 persons.</p>		
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(c) Notwithstanding the above, for oceanfront lots located within a locally designated historic district or site, but not within the architectural district, with less than 400 feet of lineal frontage along Collins Avenue and containing at least one contributing structure, the maximum building height for ground floor additions to existing structures, whether attached or detached, shall be as follows:

- (1) For existing structures greater than five stories in height, the maximum height shall be limited to ten stories or the height of the roof line of the main structure on site, whichever is less. At the discretion of the historic preservation board, the maximum height of the ground floor addition may exceed ten stories if the existing and surrounding structures are greater than five stories in height, provided the addition is consistent with the scale and massing of the existing structure.
- (2) For existing structures five stories or less in height, the maximum height shall be limited to five stories.

Additionally, the proposed addition shall not substantially reduce existing or established view corridors, nor impede the appearance or visibility of architecturally significant portions of an existing structure, as determined by the historic preservation board.

(d) Notwithstanding the above, for oceanfront lots located in the architectural district, the overall height of an attached addition may exceed five stories and 50 feet, but shall not exceed the height of the roof line of the structure attached to, provided all of the following conditions are satisfied:

- (1) The proposed addition shall consist of the expansion of existing hotel units only and shall not result in an increased number of units.
- (2) The proposed addition shall be for hotel units only. A restrictive covenant, running with the land, or other similar instrument enforceable against the owner(s), acceptable to and approved as to form by the city attorney, shall be required to ensure that the units remain as hotel units for a minimum of 30 years. If the applicant is unable to provide such a covenant, this requirement may be waived by the city manager if it is demonstrated that the project provides an extraordinary public benefit to the surrounding area.

- (3) The proposed addition shall not be attached to front, street side or oceanfront elevations, nor along any other principal elevations or facades, as determined by the historic preservation board.
 - (4) The proposed addition shall not substantially reduce existing or established view corridors, nor impede the appearance or visibility of architecturally significant portions of an existing structure, as determined by the historic preservation board.
- (e) A ground floor addition relocating existing hotel units shall also meet the following conditions, in addition to subsection (d)(2)—(4) above:
- (1) There shall be no neighborhood impact establishment, dancehall or entertainment use in the area of the proposed addition;
 - (2) No new outdoor or open air entertainment establishment shall be created on the property. Outdoor or open air entertainment establishments existing as of the effective date of this subsection (November 24, 2012) may continue but shall not be expanded if a property avails itself of this provision.
 - (3) Upon approval of the proposed addition by the historic preservation board, no building greater than two stories or 25 feet in height shall be constructed between the rear of the building and westward line of the dune overlay district. This provision shall not be subject to variance.
 - (4) Notwithstanding the provisions in subsection 142-1161(d), if the building presently contains unoccupied but built spaces enclosed on at least three sides by existing walls of a height that would conceal a new roof, such as false parapets or storage rooms, those spaces may be further enclosed as habitable floor area, up to the permitted floor area; and
 - (5) No new commercial uses shall be permitted on the rooftop or any open air decks of the existing structure or proposed addition.
- (f) Notwithstanding the above, for oceanfront lots located in the architectural district, with a lot area greater than 115,000 square feet, a ground floor addition, whether attached or detached, may exceed 50 feet in height, but shall not exceed 200 feet in height, in accordance with the following provisions:
- (1) Placement of the structure. The ground floor addition shall be located internal to the site, and shall be set back a minimum of 100 feet from the front property line, 75 feet from the street side property lines, and 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 that exceeds 50 feet in building height is 15,000 square feet per floor, excluding projecting balconies. The historic preservation board may approve an increase in this overall floor plate, up to a maximum of 20,000 square feet per floor, excluding balconies, in accordance with the certificate of appropriateness criteria in chapter 118, article X of these land development regulations.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.


This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this 31. day of July, 2019.

ATTEST:

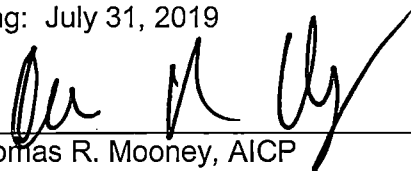


Dan Gelber, Mayor

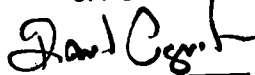


AUG 13, 2019
Rafael E. Granado, City Clerk

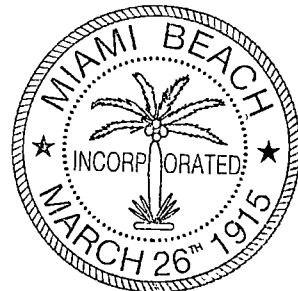
First Reading: July 17, 2019
Second Reading: July 31, 2019

Verified by: 

Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION
 7/2/19

City Attorney Date
NK



MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: July 31, 2019

11:05 a.m. Second Reading Public Hearing

SUBJECT: HEIGHT INCREASE FOR GROUND LEVEL ADDITIONS ON OCEANFRONT LOTS IN THE ARCHITECTURAL DISTRICT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION V, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," BY AMENDING SECTION 142-246, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO INCREASE THE HEIGHT LIMIT FOR GROUND FLOOR ADDITIONS MEETING CERTAIN REQUIREMENTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

RECOMMENDATION

The administration recommends that the City Commission adopt the subject ordinance.

ANALYSIS

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
Decolpage 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:

Setai 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.

UPDATE

On July 17, 2019, the subject ordinance was approved at first reading by the City Commission, with no changes.

CONCLUSION

The administration recommends that the City Commission adopt the subject ordinance.

Legislative Tracking

Planning

Sponsor

Vice-Mayor Ricky Arriola and Co-Sponsored by Commissioners John Elizabeth Aleman and Joy Malakoff

ATTACHMENTS:

Description

- Form Approved ORDINANCE