

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, FOLLOWING A DULY NOTICED PUBLIC HEARING, THE GRANTING OF WAIVERS OF CERTAIN DEVELOPMENT REGULATIONS, PURSUANT TO SECTION 142-425(D) OF THE CITY'S LAND DEVELOPMENT REGULATIONS (LDR), FOR THE FUTURE LOCATION OF THE NORTH BEACH ENTRANCE SIGN AT THE INTERSECTION OF HARDING AVENUE AND 87TH STREET; SAID WAIVER REGARDING LDR SECTION 142-870.15(E), PERTAINING TO SETBACK REQUIREMENTS, IN ORDER TO CONSTRUCT THE NEW NORTH BEACH ENTRANCE SIGN.

WHEREAS, in December 2014, the Mayor and City Commission approved a project proposed in the North Beach Revitalization Strategies plan for the installation of two (2) iconic signs at the entrances to the City located at Harding Avenue and 87th Street, and 71st Street and West Bay Drive in North Beach; and

WHEREAS, both proposed signs were endorsed by the Mayor's Blue Ribbon Panel on North Beach; and

WHEREAS, in 2015, the City engaged Shulman and Associates to prepare concept designs for the new entrance signs; and

WHEREAS, the design underwent an extensive public outreach process including presentations for review and input from the community, and the Florida Department of Transportation (FDOT); and

WHEREAS, on May 8, 2019, the Mayor and City Commission adopted Resolution No. 2019-30832, approving the concept designs and directing staff to proceed with the design, permitting and construction of both signs, and in addition, approving the acquisition of the property located at the southeast corner of Harding Avenue and 87th Street, which was owned by the Archdiocese of Miami, at the appraised value of \$24,080; and

WHEREAS, in November 2019, the final concept designs for the entrance signs were further reviewed and approved by FDOT; and

WHEREAS, in January 2022, the City engaged consultant Douglas Wood Associates (DWA) from the City's contract for Professional Architectural and Engineering Services RFQ 2020-096-ND to further develop the concept design and provide construction documents and other services through the construction phase, for both project sites; and

WHEREAS, the concept designs for both signs were presented to the Ad Hoc North Beach CRA Advisory Committee on July 12, 2022, to the Design Review Board (71st Street site) on September 6, 2022, and to the Historic Preservation Board (Harding Avenue site) on September 13, 2022; and

WHEREAS, both sites received approval by the Ad Hoc North Beach CRA Committee and the respective boards, with the start of the permitting process scheduled for Spring 2023; and

WHEREAS, the site acquired by the City for the new entrance sign located at the intersection of Harding Avenue and 87th Street is only 1,204 square feet, is triangular in shape, and the site abuts 87th Street on the front (North), Harding Avenue on one side (West), an alley on the opposite side (East) and privately owned property on the rear (South); and

WHEREAS, the proposed design, as seen in Attachment A, presents an oval shaped structure with a large roof canopy with oval openings, supported by two rectangular columns; and

WHEREAS, the design, reminiscent of Morris Lapidus' work on Lincoln Road, incorporates palm trees which extend from the base of the sign, through the roof canopy, and the design aims to welcome visitors to the City with large letters spelling "Miami Beach", and incorporates the use of color on the support columns; and

WHEREAS, the proposed iconic architectural elements exemplify the Miami Beach vernacular, and clearly delineate this well-travelled entrance to the City; and

WHEREAS, the design of the sign proposed for the site at Harding Avenue and 87th Street will require a waiver of the Land Development Regulations, for the required front, side (street and interior) and rear setbacks, due to the limited size, and unusual shape of the site; and

WHEREAS, the following waiver to the Land Development Regulations is being presented to the City Commission for consideration:

- **A waiver of Land Development Regulations Section 142-870.15(E) to allow proposed Front, Side (facing a street), Side (interior), and Rear Setbacks, in lieu of the required setbacks.**

WHEREAS, the site of the proposed monument sign at Harding Avenue and 87th Street is zoned as Government Use (GU) and is predominantly surrounded by Residual Multifamily Low Intensity (RM-1) zoning; and

WHEREAS, Land Development Regulations (LDR) Section 142-425(a), requires that the GU zoned properties utilize the average requirements contained in the surrounding zoning districts; and

WHEREAS, the RM-1 zoning for the parcel, which is subject to the requirements of the North Beach National Register Overlay district, North Shore, requires a Front Setback of 10'-0", a Side Setback (facing a street, Harding Avenue) of 5'-0", a Side Setback (interior, Alley) of 5'-0", and Rear Setback of 5'-0"; and

WHEREAS, in an attempt to provide proportions and massing similar to the sign proposed at 71st Street, but also appropriately sized for the northernmost entrance to the City, the proposed iconic design of the sign occupies a large portion of the triangularly shaped site; and

WHEREAS, the design maximizes the space available on the 1,204 square feet site, and therefore will require a waiver of the setback requirements to allow the structure to have a Front Setback of 2'-0" in lieu of 10'-0", Side Setbacks of 0'-0" in lieu of 5'-0", and Rear Setback of 3'-2" in lieu of 5'-0"; and

WHEREAS, pursuant to Section 142-425(d) of the City Land Development Regulations (LDR), the City Commission may waive by five sevenths vote (5/7ths), following a duly noticed

public hearing advertised in the newspaper at least fifteen (15) days prior to the hearing, land development regulations “pertaining to governmental owned or leased buildings, uses and sites which are wholly used by, open and accessible to the general public, or used by not-for-profit, educational, or cultural organizations, or for convention center hotels, or convention center hotel accessory garages, or city utilized parking lots, provided they are continually used for such purposes”; and

WHEREAS, on December 14, 2022, the Mayor and City Commission approved the scheduling of a Public Hearing to consider granting waivers of certain Development Regulations for the future location of the North Beach Entrance sign, located at the intersection of Harding Avenue and 87th Street, after a duly noticed public hearing, advertised in the newspaper at least fifteen (15) days prior to the hearing; and

WHEREAS, a description of the request and the time and place of such hearing was posted on the property, and notice given by mail to the owners of land lying within 375 feet of the property at least fifteen (15) days prior to the hearing; and

WHEREAS, the Administration recommends that the Mayor and City Commission approve the resolution.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby grant, following a duly noticed public hearing, waivers of certain Development Regulations, pursuant to section 142-425(d) of the City’s Land Development Regulations (LDR), for the future location of the North Beach Entrance Sign at the intersection of Harding Avenue and 87th Street; said waiver regarding LDR Section 142-870.15 (e), pertaining to setback requirements, in order to construct the new North Beach Entrance Sign.

PASSED and ADOPTED this ____ day of _____, 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *FA*

1-17-23
Date