Gilbert M. Fein

Neighborhood Conservation District

Architect's rendering of the Lincoln Terrace Villas

Miami Daily News

April 24, 1950

PLAN REPORT

Prepared by
The City of Miami Beach Planning Department

Adopted
October 19, 2005
(Ordinance No. 2005-3497)

GILBERT M. FEIN
NEIGHBORHOOD CONSERVATION DISTRICT

CITY OF MIAMI BEACH

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY……3

1.1 INTRODUCTION TO NEIGHBORHOOD CONSERVATION DISTRICTS
1.2 BACKGROUND TO THE BAY FRONT CUL DE SAC STUDY
1.3 PROPERTY OWNER MEETINGS
1.4 THE GILBERT FEIN NEIGHBORHOOD CONSERVATION DISTRICT STEERING COMMITTEE
1.5 FINALIZATION OF THE GILBERT M. FEIN NEIGHBORHOOD CONSERVATION DISTRICT
1.6 RECENT DEVELOPMENTS
1.7 LEGISLATIVE PLANNING PROCESS TIMELINE

II. DESIGNATION REPORT……..….10

2.1 STATEMENT OF INTENT
2.2 OBJECTIVES
2.3 EFFECT OF DISTRICT DESIGNATION
2.4 BOUNDARY DESCRIPTION
2.5 QUALIFICATION

III. DISTRICT ORDINANCE……20

3.1 BUILDING ADDITION, RENOVATION AND REPLACEMENT REGULATIONS
3.2 LAND USE REGULATIONS
3.3 LAND DEVELOPMENT REGULATIONS
3.4 SUPPLEMENTARY DISTRICT REGULATIONS
3.5 OFF-STREET PARKING REGULATIONS
3.6 CONSERVATION OF VIEW CORRIDORS
3.7 CONSERVATION OF THE CUL DE SAC STREET PLAN

IV. STREETSCAPE IMPROVEMENT PLAN……..…32

4.1 SUMMARY OF PLANNING ACTIVITIES
4.2 CURRENT CONDITIONS, PURPOSE AND SCOPE
4.3 ANALYSIS AND RECOMMENDATIONS
4.4 STATEMENT OF INTENT REGARDING TRAFFIC CONCURRENCY MITIGATION FEES AND PARKING IMPACT FEES

V. FIGURE INDEX

VI. BIBLIOGRAPHY

VII. APPENDICES

7.1 PROPERTIES LIST AND PHOTO DOCUMENTATION
7.2 PROPERTY OWNERSHIP AND PARKING ANAYSIS DATA
7.3 BUILDING DEPARTMENT PERMIT RECORDS AND DRAWINGS

I. Executive Summary

1.1 Introduction to Neighborhood Conservation Districts

Neighborhood Conservation Districts or NCDs were first initiated in the United States in 1975 and have become increasingly utilized as an overlay district technique in cities throughout the country. NCDs are often proposed for neighborhoods that are experiencing redevelopment pressure or where some rehabilitation and new infill construction may have already taken place.

NCD regulations are generally more flexible than those in local historic districts. Their purpose is to protect an area from inappropriate development by refining development regulations with regard to the form and massing of new construction. The design of additions and alterations to existing structures as well as limited protection from demolition may also be involved in an NCD designation. In essence, regulations are customized to address neighborhood needs.

The City of Miami Beach recently adopted a Neighborhood Conservation District enabling ordinance in 2004 and is exploring the creation of several NCDs throughout the city.

1.2 Background to the Bay Front Cul De Sac Study

In 2001, the Planning Department began to focus on that area of 'South Beach' west of Alton Road due to the intense urban conditions beginning to unfold as a result of a sharp residential construction boom. Of particular concern was the pace and character of redevelopment as well as its impact on traffic congestion and parking within the area.

In particular, the low scale neighborhoods west of Alton Road between 14th Street and Lincoln Road were becoming seriously impacted by new high rise development projects such as the Grand Flamingo at 1500 Bay Road and The Waverly at 1330 West Avenue; both 35 stories in height and offering a *high-end* luxury product that challenges the affordable economic viability and intimate pedestrian scale of the neighboring one and two story single-family and apartment structures in the area.

In an effort to begin engaging the public, the Planning Department sponsored a community workshop in December of 2001 at which several planning strategies were discussed and ranked in terms of resident interest. These strategies included creating overlay districts to foster the retention of lower scale existing structures through land use incentives such as Bed & Breakfast Inns and Residential Offices, as well as conservation and preservation overlays in areas which retained a high level of cohesiveness, such as the bay front *cul de sac* neighborhood of Lincoln Terrace and 16th Street.

This residential neighborhood fronting the 16th Street and Lincoln Terrace *cul-de-sac* street-ends, between Bay Road and Biscayne Bay was of particular interest because of the high level of uncertainty regarding its potential for redevelopment. Currently zoned at multi-family medium intensity (RM-2) which allows for waterfront structures to rise between 100 and 140 feet in height with a maximum FAR of 2.0, the ownership patterns of the subject blocks of two story buildings are primarily rental based, therefore transient in occupancy and easily susceptible to market driven redevelopment.

Originally developed in 1950 and arguably one of Miami Beach's earliest Post-War Planned Unit Developments or PUDs, the Lincoln Terrace Villas, designed by architect, Gilbert M. Fein, remains predominately intact today as it was first constructed some 50 years ago. The structures of this neighborhood are extremely cohesive in terms of their size, massing and style. Their significance is

also recognizable in terms of the recent efforts, especially in the 'North Beach' area, by the City to acknowledge its architectural heritage of Postwar Modern developments, commonly referred to as 'MIMo' (Miami Modernism). These two blocks in 'South Beach' are unique in that they form a distinct architectural enclave of two-story 'MIMo' apartment buildings which originally had direct access to the bay front. It may be observed that aside from those low-scale 'MIMo' properties located along the bay front which have been up-zoned at the request of their owners, such as those fronting Monad Terrace, or those enclaves dismantled through the modifications of redevelopment, the *Lincoln Terrace and Bay Lincoln (16th Street) Villas* form the only enclave of its type remaining in the 'South Beach' area. It is for this reason that particular regard should be taken for the degree to which transformation may occur within this special enclave despite the fact that its significance may not be easily recognizable based on the chaotic parking conditions presently inflicting the 16th Street and Bay Road area.

As a result of this initial community meeting, neighborhood surveys were completed by the residents and 71% of those 44 attendees expressed clear support for the concept of Neighborhood Conservation Districts in the area. In particular, the findings relative to the bay front *cul de sac* neighborhood, also referred to as the Gilbert Fein District, suggested clear community support for some level of preservation or conservation of the area. Therefore, staff's report, dated January 22, 2002, to the Planning Board describing the meeting findings, recommended the preparation of a designation report which at a minimum called for the creation of a Neighborhood Conservation District or at a maximum a Historic Preservation District, and that the report would be prepared after receiving comment from those property owners most directly affected by the initiative. The findings and recommendation of this strategy as well as the report in its entirety were approved by the Planning Board and staff was then instructed to begin developing the overlay district and meeting with property owners.

In affirming staff's recommendation to move forward with the study, the Planning Board recognized the following:

- the uniqueness and significance of this early Post War Planned Unit Development to the urban experience of Miami Beach.

- the impending threat to the neighborhood character posed by the burgeoning high-rise residential development pattern of adjacent bay front properties.

1.3 Property Owner Meetings

Two (2) meetings were held for the property owners in 2003. At these meetings the existing conditions impacting the area were discussed in terms of potential neighborhood options available toward maintaining and improving the low-scale character and quality of life within the area. The neighborhood planning options were presented in terms of their ability to address two main issues affecting the area; those being the character of recent redevelopment and its dissimilar relationship to the existing neighborhood and the poor street conditions existing most prominently along 16th street; both factors contributing to a generally negative perception for the neighborhood.

The first option presented was that of the current RM-2 zoning which was shown to generate a great deal of uncertainty in terms of what might occur due to the sharp disparity between its potential "as-of-right" development parameters and the existing neighborhood. Furthermore, it was suggested that none of the non-waterfront parcels (or dry lots) meet the minimum required square footage for redevelopment under the RM-2 zoning individually, and only through the assembly of two (2) or more parcels could redevelopment occur; once again dictating a new building fabric quite different from the existing consistently low-scale neighborhood.

During these property owner meetings staff presented several views of how the district might redevelop and although at one point it was suggested that an ideal scenario might call for the total assembly of all the lots and the complete redevelopment of the area similar to that of the Grand Flamingo site, it was shown to be evident that redevelopment in Miami Beach rarely occurs on such a scale in this way primarily due to the high property values attached to individually owned parcels. Instead, a more incremental assembly of lots occurs and in this instance, even if a developer were to assemble all of the lots, they would need to vacate the public rights-of-way cul de sac streets in order to fully reconfigure the neighborhood. This would be extremely difficult given both the municipal and county regulations in place toward conserving view corridors to Biscayne Bay.

The second approach reviewed was that of Historic Preservation which if adopted would be an overlay district upon the underlying RM-2 zoning and would ultimately strive to preserve the existing architectural experience to the greatest extent possible. Federal and County tax credits were identified as the incentives to designation and it was pointed out that because much of the rehabilitation which had occurred within the neighborhood had been faithful to its historic character and would meet the standards for Historic Preservation, the neighborhood would undoubtedly be eligible for designation. Of further note was the fact that no major additions had occurred to the existing structures over the years thus further strengthening the areas historic integrity.

The third and final option explored with the owners was that of Neighborhood Conservation which like Historic Preservation would entail an overlay district or refinement to the underlying RM-2 zoning. Its scope and intent, however, would not necessarily be to preserve actual structures but rather to maintain and enhance certain key elements of the neighborhood's character. These might include such characteristics as the consistent two story street wall experience of the *cul de sacs* or the shared side courtyards between the existing structures. It was also noted that the potential for identifying neighborhood streetscape or other neighborhood improvement projects could be blended into the Neighborhood Conservation District designation.

1.4 The Gilbert Fein Neighborhood Conservation District Steering Committee

As the Planning Department conducted its meetings with the property owners several residents from the neighborhood, interested in the study and the significance of the bay front cul-de-sacs, came forward and requested to take an active role in the study process. To this end, from the property owner meetings, the effort was then focused at developing an overlay designation at the steering committee level. Two additional meetings were held during which the parameters of the NCD designation were developed. The initial findings of the steering committee were as follows:

- The existing Bay Front PUD comprises a distinctive enclave of Post War, mid- 20th-century modern apartment buildings, which were predominately designed by the prolific Miami Beach architect, Gilbert M. Fein.

- The Gilbert M. Fein Bay Front PUD is extremely cohesive in terms of the height, scale, massing and architectural detail of the structures as well as the open spaces and quality neighborhood view corridors.

- The site planning of the Gilbert M. Fein PUD reflects a unique approach to community design whereby:

    - a condition of the City's Zoning Board approval, dated 1950, prohibited additions to be constructed beyond the existing building lines,

- thereby preserving side yards as common and to be shared by adjacent buildings,

- yet divided into parcels that remain individually owned and generally platted at the standard 50 by 100 feet.

- The above noted low scale and close-knit design of the enclave has established a desirable character and quality of life worthy of maintaining along the bay front.

- Current zoning reviews cannot address the development impact that new infill construction will have on the existing character and scale of the original PUD.

Furthermore, the committee found that the major elements of a Gilbert M. Fein Neighborhood Conservation District overlay should be as follows:

- NCD specific zoning regulations, which determine a building footprint for new construction that is substantially consistent with the standard found in the existing structures.

- The review by the Design Review Board or their staff of landscape design drawings towards the retention of all shared common side yards.

- The review by the Design Review Board or their staff of all new construction, demolition or alteration that affects architectural features visible from a public right-of-way.

Also, of particular note was the development of certain district specific programming for the bay front (waterfront) lot assembly where heights could rise significantly greater than the dry lots. Therefore, the draft NCD guidelines identified the preservation of 1491 Lincoln Terrace, a building designed by noted Miami Beach architect, Igor Polevitsky, and called for the taller new structures to be located to the south; closer to the Grand Flamingo site.

The steering committee further embraced the strategy of enhancing the existing parking condition along 16th Street where the current informal parallel and perpendicular configuration, which does not meet Municipal or County Code standards exists, and the committee agreed that the street should be beautified and made legal by employing the concept of a European shared parking court.

1.5 Finalization of the Gilbert M. Fein Neighborhood Conservation District

The aforementioned ideas and other concepts were embraced and included into the first ever Neighborhood Conservation District report, drafted for review by the City Commission pending their prior adoption of an NCD enabling ordinance, and while the process may seem to have been long, this was primarily due to the fact that it involved the creation of a new, consensus driven, neighborhood planning tool, never before utilized within the City.

1.6 Recent Developments

During the period of adoption of the Neighborhood Conservation District enabling ordinance, a project for the waterfront sites was submitted for approval by the Design Review Board and in May of 2004, demolition permits for three of the four waterfront structures were obtained. A demolition permit was not pulled for 1491 Lincoln Terrace due to the positive impact of the neighborhood meeting process and wishes expressed by residents about preserving this structure. Several of the strategies identified through the draft NCD as well as other elements were addressed within the

Development Review Order of the DRB. These included the restoration of 1491 Lincoln Terrace, subterranean parking, bay access for the public and an agreement by the developer to implement the much needed street improvements. The project was approved in July of 2004, and the development agreement will remain active until January, 2006.

1.7 Legislative Planning Process Timeline

Finally, as further background toward understanding the evolution of this initiative, a list of the legislative planning procedures which have occurred to date has been included as follows:

- **April 13, 2004** — The Historic Preservation Board discusses the historic designation of 1491 Lincoln Terrace.
- **April 14, 2004** — The City Commission discusses the area between 12th and 17th Streets, west of Alton Road, relative to traffic congestion and the scale and character of redevelopment and requests that the Historic Preservation Board review the "Gilbert Fein" Neighborhood relative to possible historic district designation.
- **May 11, 2004** — The Historic Preservation Board requests staff to place consideration of creating a Gilbert Fein Historic District on its June 8, 2004, agenda.
- **May 18, 2004** — The proposed 'Capri on the Bay' waterfront redevelopment project is first reviewed by the Design Review Board.
- **May 25, 2004** — Demolition permits for three of the four existing structures located on the water front sites within the potential district are obtained in conjunction with the 'Capri on the Bay Project'.
- **June 8, 2004** — The Historic Preservation Board initiates *zoning in progress* relative to further demolition within the proposed historic district by directing staff to commence preparation of a local Historic District Preliminary Evaluation, but following public comment, requests that staff defer the Board's formal consideration until after the City Commission has adopted a Neighborhood Conservation District (NCD) enabling ordinance.
- **July 20, 2004** — The Design Review Board approves the 'Capri on the Bay' project .
- **September 8, 2004** — The City Commission, based on recommendations from the Planning Board, Historic Preservation Board, Design Review Board and Planning Department, after discussions with the Community, adopts a NCD enabling ordinance addressing the unique planning issues impacting this and other potential NCD overlay districts citywide.

• **December 6, 2004**	The Historic Preservation Board in further considering the codified overlay district options available, formally initiates the process toward adopting a proposed Gilbert M. Fein Neighborhood Conservation District in accordance with Section 118-705 (a)(1) of the NCD enabling ordinance at a publicly noticed Community Workshop and the Board chooses not to rescind its previous direction to staff to continue the consideration of a possible Historic District until after the City Commission has held its Preliminary Public Hearing to review the merits of the proposed NCD.
• **February 8, 2005**	Planning staff presents the draft of the proposed Gilbert M. Fein Neighborhood Conservation District Designation Report, District Ordinance and Streetscape Improvement Plan to the Historic Preservation Board.
• **April 20, 2005**	The City Commission sets a preliminary public hearing for May 18, 2005, through Resolution No. 2005-25865 in accordance with Miami Beach City Code section 118-705(b)(1) in order to consider the benefits of the proposed NCD and determine whether to continue the NCD designation process.
• **May 18, 2005**	The City Commission holds the preliminary public hearing regarding the proposed NCD in accordance with City Code section 118-705(b)(2) and directs the Planning Department through Resolution No. 2005-25901 to continue finalizing its NCD report; instating the interim development review controls pursuant to City Code section 118-708.
• **June 23, 2005**	The Planning department sponsors an additional community workshop to review the NCD plan in accordance with City Code section 118-705(b)(3).
• **July 19, 2005**	The Design Review Board discusses the draft NCD plan and provides advisory comments in accordance with City Code section 118-705(d)(1).

- **August 23, 2005** — The Planning Board, following a duly noticed public hearing, unanimously recommends the proposed NCD Plan for adoption by the City Commission by a vote of (7-0) in favor.

- **October 19, 2005** — The City Commission, following a duly noticed public hearing, adopts the Gilbert M. Fein Neighborhood Conservation District by a vote of (6-0) in favor, 1 absent.

II. Designation Report

2.1 Statement of Intent

The Intent of this Neighborhood Conservation Designation is to establish a comprehensive series of protective and incentive legislative elements including zoning overlays, zoning revisions, design guidelines and other mechanisms provided for the Lincoln Terrace and 16th Street-end neighborhood of the City of Miami Beach to be known as the Gilbert M. Fein Neighborhood Conservation District.

2.2 Objectives

The purpose of establishing the Gilbert M. Fein Neighborhood Conservation District (NCD-1) is to ensure that future redevelopment within the 16th Street-end and Lincoln Terrace planned residential enclave enhances the existing residential experience of the *cul de sacs* by embracing the fundamental planning facets of this unique planned unit neighborhood. In particular, new construction projects should strive to achieve the following objectives:

(1) Preserve the street scale on both Lincoln Terrace and 16th Street to the greatest extent possible without seriously diminishing the existing property rights.

(2) Maintain and enhance the property values of adjacent structures through sympathetic redevelopment scenarios which do not necessitate speculative wholesale demolition.

(3) Preserve the sense of meaningful neighborhood space between the existing buildings to the greatest extent possible.

(4) Concentrate maximum new building height on the waterfront lots to the south to the greatest extent possible.

(5) Create and enhance physical and visual access from Lincoln Terrace and 16th Street to the Biscayne Bay front.

(6) Enhance the public *rights-of-way* for both 16th Street and Lincoln Terrace by facilitating the creation of a high quality landscaped pedestrian friendly neighborhood environment through the formalization of a significant street parking plan that may incorporate a limited amount of private land with the property owner's approval.

2.3 Effect of District Designation

The effect of the Gilbert M. Fein district designation will be to:

(1) Create an illustrative neighborhood master plan to accurately inform and streamline the development review process with regard to neighborhood redevelopment and improvement projects.

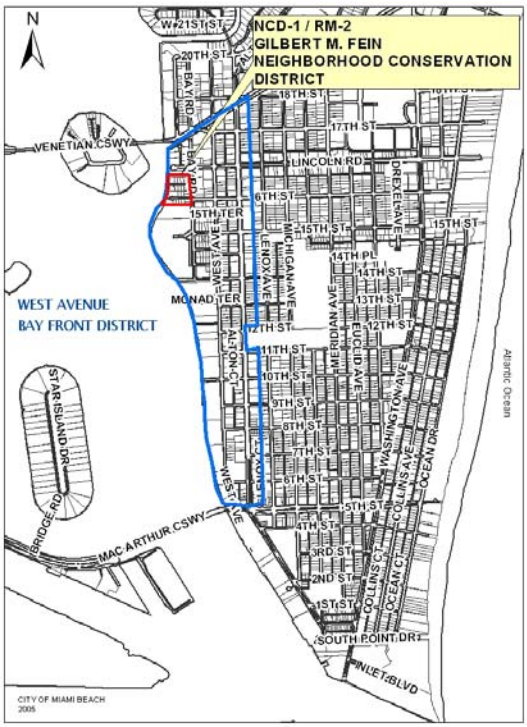
(2) Modify certain aspects of the existing RM-2 zoning regulations through the NCD overlay to better address the existing conditions.

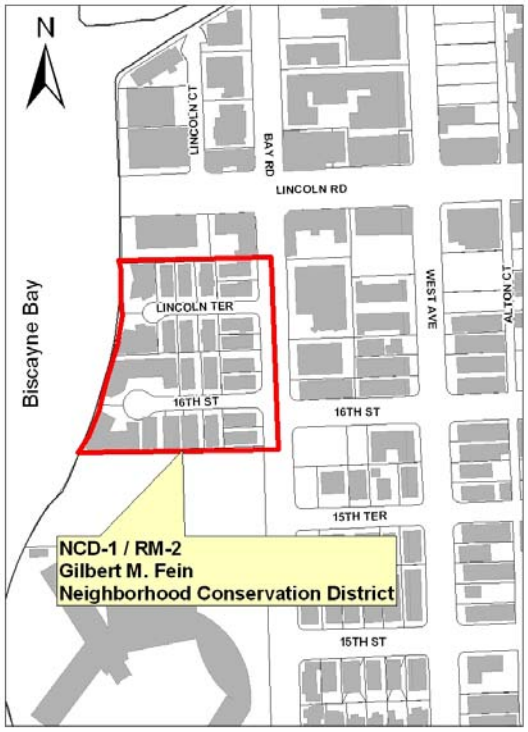
(3) Enact district specific design guidelines to maintain the special close-knit character of the enclave and enhance the overall streetscape character.

2.4 Boundary Description

(a) General Boundary Description

The Gilbert M. Fein Neighborhood Conservation District shall be bounded by the centerline of Bay Road to the east, the bulkhead line of Biscayne Bay to the west, the northern lot lines of the northern properties fronting Lincoln Terrace to the north, and the southern lot lines of the southern properties fronting 16th Street to the south.





(b) Detailed District Boundaries

NCD-1/ RM-2: The boundaries of the Gilbert M. Fein Neighborhood Conservation District include those properties of Block 43, ALTON BEACH BAY FRONT SUBDIVISION, recorded in Plat Book 4, at page 125, Public Records of Miami-Dade County, Florida fronting or abutting Bay Road, Lincoln Terrace and 16th Street and commences at the point of intersection of the northern lot line of Lot 1 of the LINCOLN TERRACE SUBDIVISION, and the bulkhead line of Biscayne Bay as recorded in Plat Book 49, at page 100, Public Records of Miami-Dade County, Florida. Said point being the POINT OF BEGINNING of the tract(s) of land herein described; thence run easterly, along the northern lot line of Lot 1 and its easterly extension to the point of intersection with the centerline of Bay Road; thence run southerly, along the centerline of Bay Road to the point of intersection with the Easterly extension of the south lot line of Lot 15 of the BAY LINCOLN SUBDIVISION, recorded in Plat Book 58, at page 86, Public Records of Miami-Dade County, Florida; thence run westerly, along the south lot line of Lot 15 and its easterly extension to the point of intersection with the bulkhead line of Biscayne Bay; thence run northerly, along the bulkhead line to the POINT OF BEGINNING. Said lands located, lying and being in the City of Miami Beach, Miami-Dade County, Florida.

2.5 Qualification

In order for a Neighborhood Conservation District to be officially designated, the area must first satisfy one (1) of five (5) criteria. The proposed Gilbert M. Fein NCD satisfies several of the category requirements for eligibility as set forth in Section 118-704 of the NCD enabling ordinance. Of particular note is the fact that this early Post–War Modern planned residential development remains predominately intact today as it was originally conceived some fifty years ago despite the continuing robust, market driven residential and tourist environment that has come to embody the West Avenue Bay Front area. Whether the existing original enclave is able to remain substantially intact or begins to redevelop similarly to the neighboring urban environment to the south, the presence of this quaint, low scale bay front neighborhood has come to symbolize an effort to conserve certain desirable and definable residential qualities that are inherent and clearly apparent in the existing neighborhoods of the west side of south Miami Beach. Any new redevelopment within this subject district should be reflective of that urban tradition.

(1) A special urban scale and context, or historic or architectural character present in the defined area;
- Satisfied

In retrospect, it is Miami Beach developer Carl Fisher (1874-1939) who may be credited as the first visionary to create a distinctive bay front image for the southern end of Miami Beach. In 1918, Fisher's Alton Beach Realty Company filed the Alton Beach Bay Front subdivision. This subdivision spanned from Lincoln Road to just south of 9th Street between Alton Road and Biscayne Bay. On the last day of 1920, Fisher opened his first major hotel, the Flamingo, at 1500 Bay Road on Biscayne Bay. Only a year after the Flamingo Hotel had opened, he added a glass dome to the top of the 11-story hotel. Illuminated at night with changing colors, it was a landmark. In addition to the hotel, Fisher also constructed a series of private cottages on the grounds.

The Flamingo Hotel with its conspicuous lighted dome helped to lure interest from mainland

Recent view west over the district.

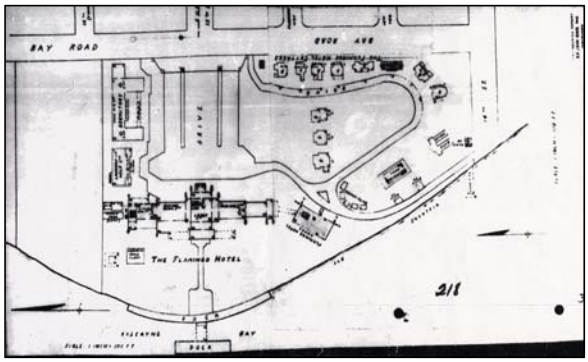
Aerial of the district looking east.

View of the bay front during the late 1920s. Carl Fisher's Flamingo Hotel at center.

Miami across the bay to a utopian leisure environment. This opulent hotel was surrounded by private residences and cottages all set within lush tropical gardens. Fisher would later repeat this site design concept in 1923 when he constructed the Nautilus Hotel with nearby cottages just north of 41st Street on the bay. This early planning technique whereby large hotels were surrounded by low-scale garden architecture ensured expansive and desirable views from the hotels.

View north of the Flamingo Hotel , circa 1920s.

Fisher's Flamingo Hotel created a new luxurious image for Miami Beach from a mangrove jungle just years before. It was the first hotel of this size and elegance in Miami Beach. Following the Flamingo Hotel, other developers built two separate major hotels on the bay front south of Lincoln Road: the Fleetwood Hotel at 8th Street in 1924 and the Floridian Hotel slightly south of 6th Street in 1925. The guests of these three grand hotels on the bay had an excellent vantage point for Fisher's motor boat races.



1922 site plan of the Flamingo Hotel.

Just north of the Flamingo Hotel and within the present-day Lincoln Terrace and Bay Lincoln neighborhood, Theodore Dickinson had a large single-family home constructed at 1600 Bay Road around 1922. The approximately 2.5-acre site was located on Lots 4 and 5, and the southern 5 feet of Lot 3, of Block 43, of the Alton Beach Bay Front subdivision. The property was later sold to Bertha Evans around 1932.

The area from Lincoln Road to just south of 16th Street between Bay Road and Biscayne Bay was originally zoned for single-family estates. However, by January of 1946, the owners of the vacant land on Lot 2 and the northern 112.9 feet of Lot 3, of Block 43, of the Alton Beach Bay Front subdivision petitioned the City of Miami Beach to rezone their property from single-family estate to multi-family. The City expanded the area of their request to include Lots 1 through 5 in order to give proper consideration to the classification of the surrounding property. The petitioners, Leon and Alyce Ell together with Shepard and Ruth Broad, maintained that the neighborhood had changed dramatically, and it was no longer suitable for large singe-

Miami Beach Regatta, 1928.

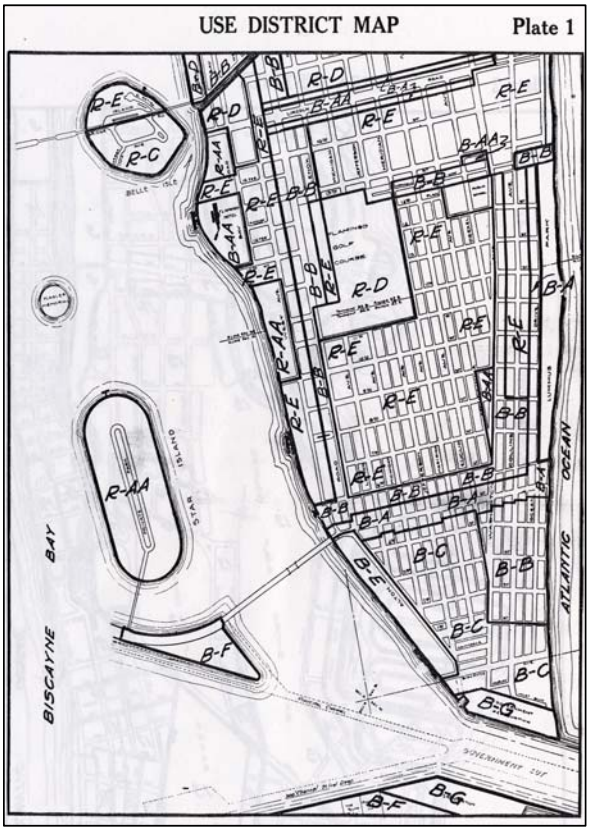
family estates due to nearby multi-family and commercial development. Bertha Evans, the then owner of the single-family residence at 1600 Bay Road on Lots 4 and 5, and the southern 5 feet of Lot 3, strongly opposed the rezoning of the area. She argued that the rezoning to multi-family would destroy her property value. Upon recommendation of denial from the Zoning Board of Adjustment, the City Council (now City Commission) denied the petitioners request to rezone the area on April 16, 1947.

In October of 1947, Leon and Alyce Ell together with Shepard and Ruth Broad requested again that the City of Miami Beach rezone Lots 1 through 5, of Block 43, of the Alton Beach Bay Front subdivision from single-family estate to multi-family. Despite objections by Miss Evans and others, the Zoning Board of Adjustment recommended to the City Council to approve the rezoning of Lots 2 through 5 (Lot 1 was excluded) from single-family estate to multi-family because of the changing conditions in the area. It was approved by the City Council on May 19, 1948.

Two years after the area was rezoned, John Myers and Abraham Lefkowitz of the Lincoln-Bay Corporation submitted a permit application to the Building Department. They proposed to replat Lot 2 and the northern 112.9 feet of Lot 3, Block 43, of the Alton Beach Bay Front subdivision into 12 small lots and to build 12 small, low-scale apartment houses on a new cul-de-sac street (Lincoln Terrace). The Building Department initially denied the permit application because the project did not conform to the multi-family setbacks in place at the time. Only upon appeal did the Zoning Board of Adjustment on February 6, 1950, grant setback variances for the construction of the Lincoln Terrace Villas. On March 15, 1950, the City Council approved the resubdivision of Lot 2 and the northern 112.9 feet of Lot 3. The Lincoln-Bay Corporation filed for record the Lincoln Terrace subdivision on April 5, 1950.

In 1954, a permit application by Allen Goldberg, Charles Weinberg, and Colonel N. Rood of the Bay Lincoln Corporation was submitted to the Building Department. They proposed to replat Lots 4 and 5, and the southern 5 feet of Lot 3, of

Bay front estates as viewed north from the Flamingo Hotel.



As seen in this map from the 1930 Zoning Ordnance, the present day Fein District was originally zoned single-family estate.

Block 43, of the Alton Beach Bay Front subdivision into 15 small lots and to build low-scale apartment houses on a new cul-de-sac street (the western extension of 16th Street). (The Bay Lincoln Corporation purchased the property at 1600 Bay Road from Bertha Evans around this time.) Similar to the Lincoln Terrace Villas project, the application was initially denied by the Building Department because the project did not conform to the multi-family setbacks then in place. Upon appeal, the Zoning Board of Adjustment granted the setback variances for the construction of the 16th Street Bay Lincoln Development on February 12, 1954 (revised May 7, 1954). The City Council approved the resubdivision of Lots 4 and 5, and the southern 5 feet of Lot 3, on June 16, 1954. Attorney Irving Nathanson, as trustee, filed for record the Bay Lincoln subdivision on June 30, 1954.

In May of 1954, a permit was issued by the City for the demolition of the single-family residence at 1600 Bay Road (Lots 4 and 5, and the southern 5 feet of Lot 3). Today the only remaining traces of the former estate are two coral rock walls located on the northern and southern lot lines of the property and within the boundaries of the district.

Between 1950 and 1956, there were 24 apartment houses constructed within the Lincoln Terrace and Bay Lincoln subdivisions. Of these 24 structures, 18 were designed by Gilbert M. Fein, three by Maurice S. Weintraub, two by Robert M. Nordin, and one by Igor B. Polevitzky. All of these buildings were designed in the Post War Modern or Miami Modern (MiMo) style of architecture.

The Lincoln Terrace Villas and the later 16th Street Bay Lincoln Development, both designed by architect Gilbert M. Fein, are noteworthy in terms of their contribution to the legacy of Miami Beach residential architecture. They represent an early example of an evolving post-war 1950s residential typology in Miami Beach in which the success of increasingly dense PUDs relied on the creation of semi-private outdoor garden space directly adjacent and accessible to each dwelling unit. In this regard, the Lincoln Terrace Villas neighborhood plan of 1950, which

Architect's rendering of the Lincoln Terrace Villas, Miami News, 1950.

Coral rock wall existing from the former single-family estate.

Aerial atlas photo of the district, 1959.

consisted of a simple pairing of open porch structures facing each other across tropically landscaped courts, was a predecessor to the later proscenium and catwalk garden style apartments characteristic of the celebrated Miami Modern (MiMo) style.

So too is the architect of this early post-war PUD noteworthy, as Mr. Fein may be credited with being a true master of the new architectural movement, designing some 800 buildings citywide and over 10 percent of all buildings in North Beach. In fact, in addition to Mr. Fein designing 18 of the 24 buildings of the subject two bay front cul-de-sacs, he also designed the neighborhood plan itself with its landscaped side courts and promenade walks. It is for this reason that this bay front neighborhood is proposed to be named in his honor.

(2) Natural or historic landscape features such as water features, golf course and/ or open space areas, public or private landscape themes prevalent in the area; - Satisfied

Further contemplation of the area suggests that the urban planning inspiration for the Lincoln Terrace and 16th Street Bay Lincoln neighborhood may be traced back to the *Neighborhood Unit Concept* as proposed in the writings of Clarence Perry in the late 1920s and 1930s. Perry felt that the natural and landscape benefits commonly associated with the planning of single-family neighborhoods should be brought to all levels of the urban dweller in the hope of assuring neighborly social relationships. In this regard, the redevelopment of single-family waterfront estates into a multi-family waterfront district may be directly associated with the Neighborhood Unit Concept.

Biscayne Bay, arguably the second most valuable natural resource in Miami Beach after the ocean, provides the stage for some of the most stunning views associated with Miami: its aquatic experience, skyline, and sunsets. The bay is the signature feature of Miami Beach's west side, and undoubtedly the focus of the Lincoln Terrace and 16th Street Bay Lincoln neighborhood plan. In fact, the planned

Architectural rendering of 1491 Lincoln Terrace by Igor Polevitzky, built in 1950.

View of shared side courtyards, Lincoln Terrace, 2002.

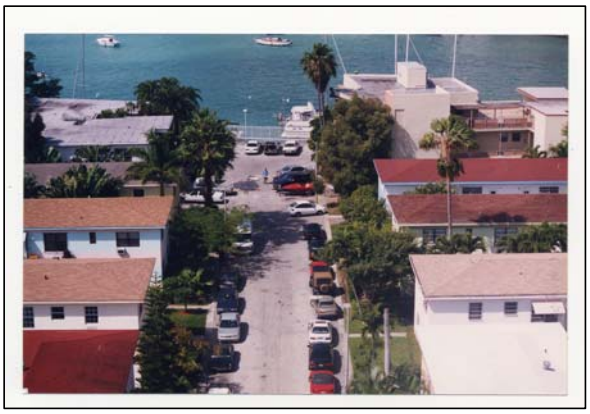
Post-War Modern/Garden Style Apartment with proscenium entrance feature, Gilbert M. Fein, Architect.

residential community was designed along two cul-de-sacs oriented perpendicular to the shoreline, providing desirable view corridors to the Bay from the streets and villas. (In this instance, *villas* is defined as a semi-detached urban residence with a yard and garden space.) This design premise once again strengthens the notion that new apartment neighborhoods and multi-family communities designed to take advantage of major natural landscape features might better foster and solidify healthy social interaction in the urban environment. Furthermore, the bay front properties and their proximity to Lincoln Road identified the neighborhood as a select opportunity to experience an "in town" waterfront lifestyle. A ***Miami News*** article, dated April 24, 1950, regarding the Lincoln Terrace Villas states, *"A colorfully tiled kidney shaped pool, overlooking the bay is a unique feature of the villas. A spacious lounge dock fronts the bay for over 50 feet and extends into the water for 25 feet."* Intended for the enjoyment of all tenants, the bay front and its recreational amenities were marketed as a highly desirable aspect of the planned community.

(3) Specialized commerce. For example, a concentration of residential office, gallery or design districts, or specific economic development objectives;
- Not Applicable

(4) A unique development plan that is specifically noteworthy for its design concept and because it serves the community in some qualitative way;
- Satisfied

More than any other single factor, it is the extremely coherent neighborhood plan designed by Gilbert M. Fein for these two developments which defines the district and its intimate low-scale residential character. As noted earlier, the ideology of planned multi-family communities had long been in the psyche of the mainstream American planning disciplines through the writings of Clarence Perry. In works such as ***Housing for the Machine Age***, published in 1939, Perry notes that new multi-family dwellings need to be set in



View west along Lincoln Terrace.

View to Biscayne Bay from 1470 16th Street.

Aerial of the district looking west.

a suitable environment for the proper development of family life, and that apartment houses can create neighborliness through a relationship with usable outdoor space. The Neighborhood Unit Concept was conceived as a new plan for apartment living where convenient accessibility to a common environmental amenity would assure neighborly social relationship. Gilbert Fein's plan for the Villas was designed to embody many of the tenets of social equality. As stated in the ***Miami News*** article regarding the economics of ownership within the Villas, *"The buildings, including property, will be available for purchase individually. The buyer would become a stockholder in the corporation which will own the swimming pool and cabana club."* Although conceived with an almost socialist tone reminiscent of Perry's Depression-era Neighborhood Unit Concept and strangely evocative of an early cooperative housing technique, the major impetus for projects such as Gilbert Fein's Villas was to provide decent housing that was modern and economical at a time when it was desperately needed as a result of the post-World War II era housing shortage.

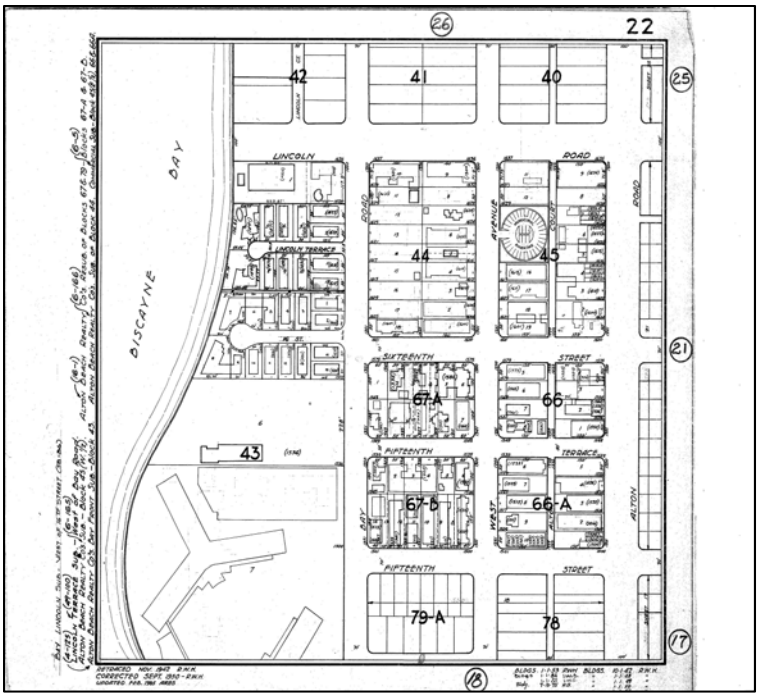
Finally, the ***Miami News*** article further states, *"Everything has been planned for indoor comfort and outdoor relaxation. Tropically landscaped promenade walks will stretch between the buildings to give maximum space, privacy and ventilation to all apartments."* More than any other feature of the existing neighborhood, which remains predominately intact today as it was initially built, it is the spirit of a low-scale multi-family apartment unit development, laid out in a simple, pure orthogonal plan around gardens and the bay front that is of great significance and merit to the enduring residential experience of Miami Beach.

(5) Other cultural or significant features such as monuments, notable infrastructure improvements, or special public amenities that directly contribute to the aesthetic character and quality of life of a community;
- Not Applicable, however, see qualification #2.

View of shared side courtyards, Lincoln Terrace.

Lincoln Terrace is characterized by a narrow street cross section and low-scale architecture.

1451 Lincoln Terrace



Current City atlas and aerial photo of the district, 2002, 2000.

III. District Ordinance

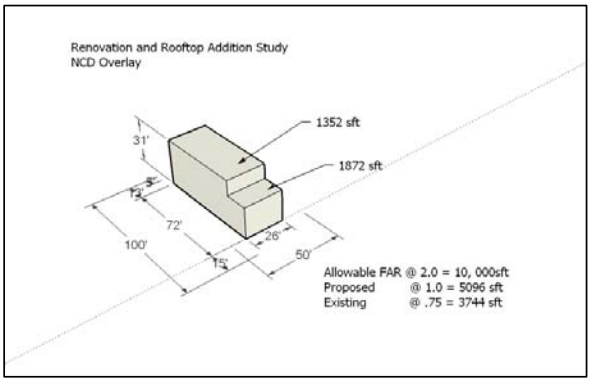
3.1 Building Addition, Renovation and Replacement Regulations

(a) The retention and renovation of the existing structures of the Gilbert M. Fein NCD is strongly encouraged and should be performed in accordance with the Post War Modern/ MIMo Design Guidelines being prepared by the City of Miami Beach. Rooftop and other additions to existing structures are permitted and may not require Design Review Board approval but may be approved at the administrative level when their construction does not call for the demolition of more than ten percent (10%) of the original building envelope to include exterior walls and their appurtenances, such as porches and stairs. Their location, scale and design character shall meet the following criteria:

(1) Rooftop additions to existing structures shall be limited to one (1) floor with a maximum floor to ceiling height of ten (10) feet and shall be setback from the front façade fifteen (15) feet. The exception shall be for single story rooftop additions to corner properties located along Bay Road where that portion of the single story addition fronting 16th Street or Lincoln Terrace may be differentiated from the main building façade through design and or setback techniques as reviewed and approved by the Design Review Board in issuing a Certificate of Compliance (COC) for the project.

(2) All other additions outside the original building footprints shall require a minimum lot aggregation as outlined in the following Minimum/ Maximum Developable Lot Regulations section of this NCD ordinance.

(b) Where catastrophic damage to the existing structure warrants substantial or total reconstruction, new construction upon the original 5000 sft. and 5250 sft. lots shall be allowed as provided by Code, however, the allowable square footage shall be the effective square footage of the original building with the



Model depicting the building envelope and square footage requirements for rooftop additions that may be approved administratively.

allowance of the square footage of a single story rooftop addition or an effective FAR of (1.0), whichever is less, otherwise the new structure shall conform to the Minimum/ Maximum Developable Lot Regulations section of this NCD ordinance.

3.2 Land Use Regulations

The land use regulations for the G. M. Fein NCD shall be in accordance with the provisions of the underlying RM-2, Residential Multifamily Medium Intensity Zoning District (Code Sections 142-212 through 142-215) as well as the West Avenue Bay Front Overlay District (Code Sections 142-842 through 142-845) as applicable with regard to uses except that commercial and noncommercial parking lots and garages shall not be permitted.

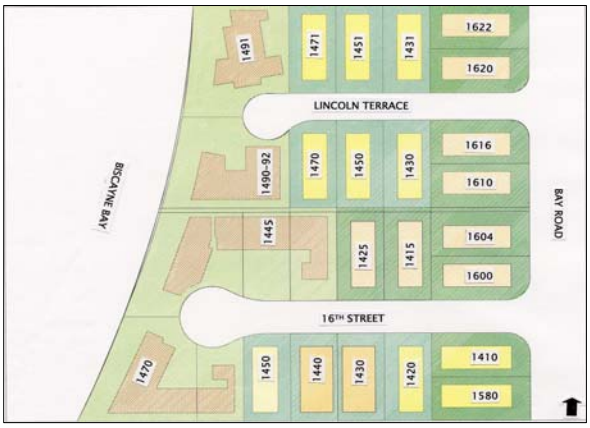
3.3 Land Development Regulations

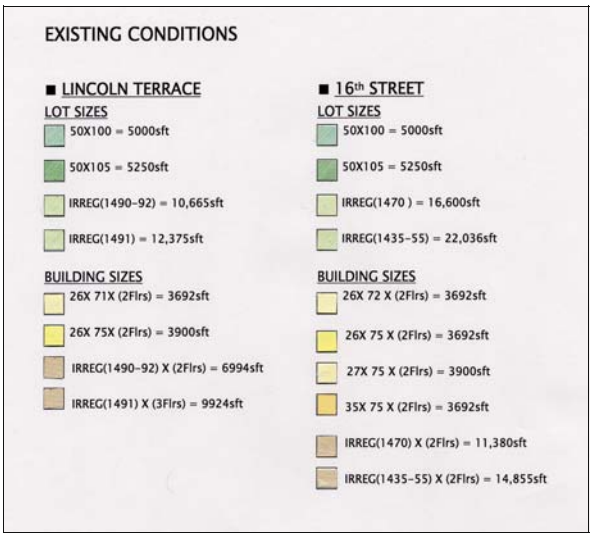
The land development regulations for the G.M. Fein NCD shall be in accordance with the underlying RM-2 zoning parameters with regard to FAR and overall height. However, the NCD designation shall incorporate neighborhood specific height, lot size and building massing setback parameters in order to ensure that new construction is in context with the existing structures within the original planned neighborhood and shall strive to maintain the pedestrian scale, massing and view corridors of the existing planned unit neighborhood to the greatest extent possible.

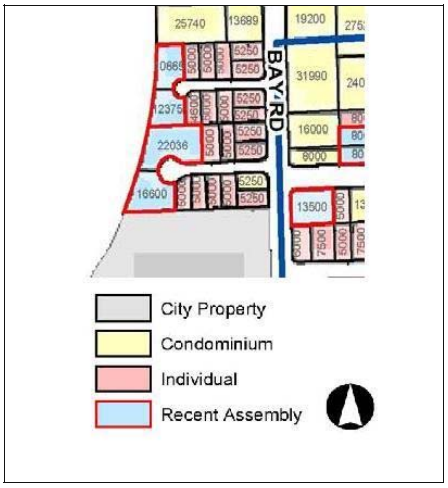
The primary goal in further defining the zoning envelope for new construction in the NCD will be to maintain the low scale neighborhood experience at street level. In general, the lot configuration and building height and setback regulations will be defined as follows:

(a) Minimum/ Maximum Developable Lot Regulations

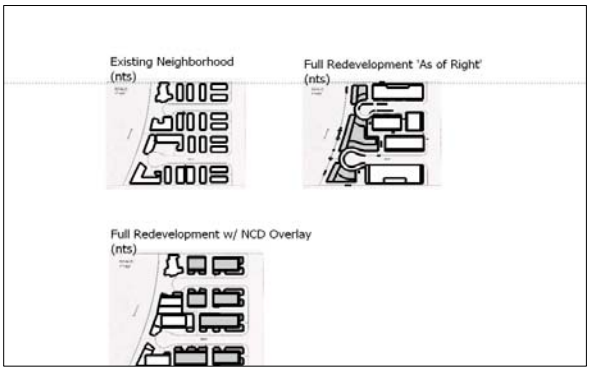
(1) In order to maintain the rhythm and variety of individually owned and maintained structures it is encouraged that the existing minimum lot size for parcels with regard to



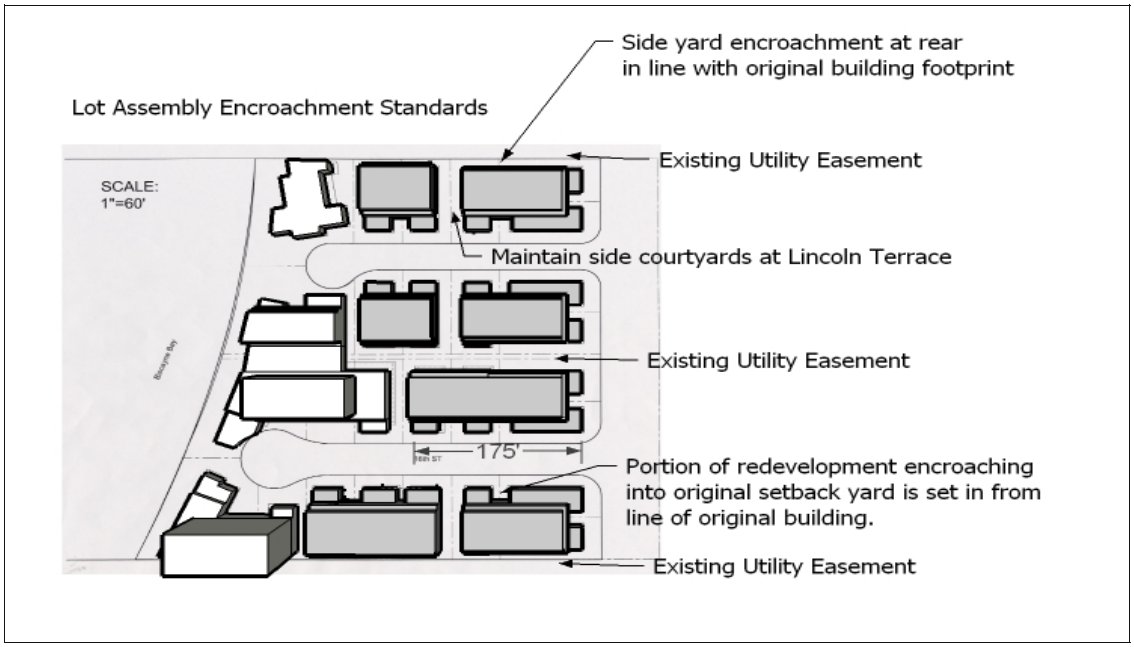




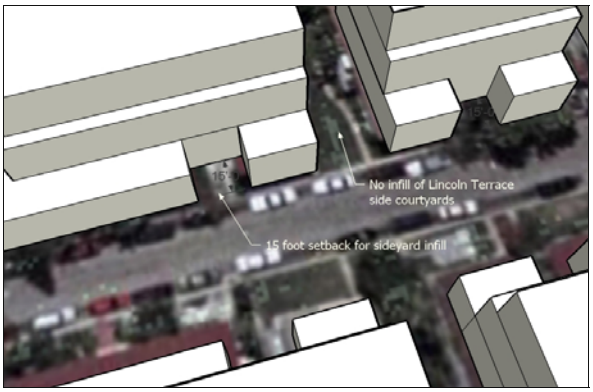
renovation and additions to existing structures in the G. M. Fein NCD be maintained at 5000 sft.



(2) However, in order to address redevelopment scenarios and to establish a minimum lot size requirement in accordance with the underlying RM-2 development regulations, the minimum lot size for redevelopment will be 10,000 sft. or the assemblage of at least two lots. Lot assemblies shall occur in increments the size of original lot configurations. Lot splits



or other redevelopment scenarios which do not respect the original increment of parcelization shall not be permitted. In this regard, the generation of new property ownership lines and the siting of new structures shall be based on original property lines and original building footprint setbacks.



In practice this will require that those portions of the infill structure which encroach into what was originally a setback yard be set in from the line of the original building footprint generally in the following manner:

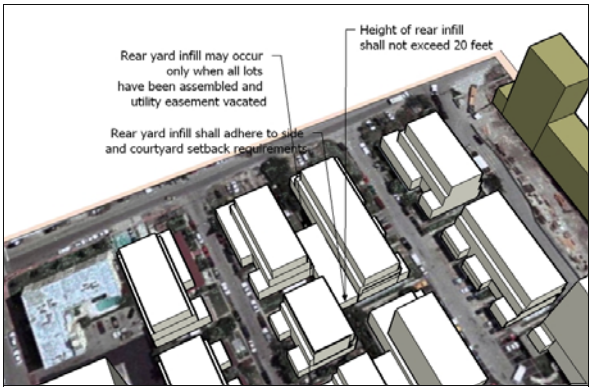
a. Front and Side Facing a Street
That portion of the new infill structure which encroaches into the area which was originally the side yards between assembled lots shall be setback fifteen (15) feet from the line of the original front or street facing façade.

b. Side
Infill structures fronting onto Lincoln Terrace shall not encroach into those side yards that were originally planned and built as side courtyards providing main circulation routes to the original structures. The side courtyards are generally thirty (30) feet in width and comprised of two (2), fifteen (15) foot side yards and extend to the rear yard setback. Furthermore, the courtyards incorporate the primary entrance elevation of the original structures. This provision shall not apply to the properties fronting 16th Street, however, in all cases the new infill structure shall not exceed 175 feet in length or depth.

c. Rear
Infill structures shall not encroach past the line of the original rear building setback where a utility easement exists. The exceptions shall be where all of the lots abutting the utility easement have been contiguously assembled and the length of the utility easement is vacated and relocated or where the waterfront property rear yards have been contiguously assembled and that portion of the easement can be vacated and relocated without complication to the existing properties abutting the easement. That portion of the new infill structure which encroaches into what was originally the rear yards between assembled lots shall be in line with the side elevation of the original building footprints. The height of this portion of the structure shall not exceed the height of the roof eaves of the original structure, generally 20-22 feet.

(b) Demolition of Existing Structures
Demolition of existing structures is permitted. However, permits for demolition may only be

Existing Lincoln Terrace courtyard. Primary building facades and entrances occur at courtyards.



Demolition of 1470 16th Street is proposed with the recent *Capri on the Bay* development agreement.

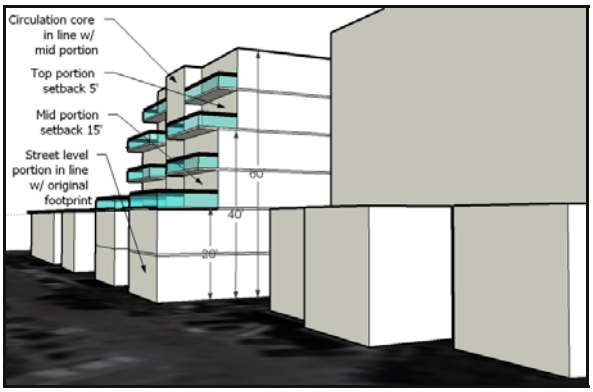
issued after the Design Review Board or Planning Department staff issues a Certificate of Compliance (COC) for redevelopment, and after the Building Department issues a building permit for the redevelopment. Demolition solely for the purpose of creating vacant land or an at-grade parking lot is prohibited. In the event the demolition of an existing structure becomes part of a parcel assemblage scenario whereby the site of one or more of the existing structures is to be programmed for parking, the design shall follow the regulations as set forth in the Off-Street Parking Regulations section of this NCD ordinance.

(c) Building Setback and Height Regulations

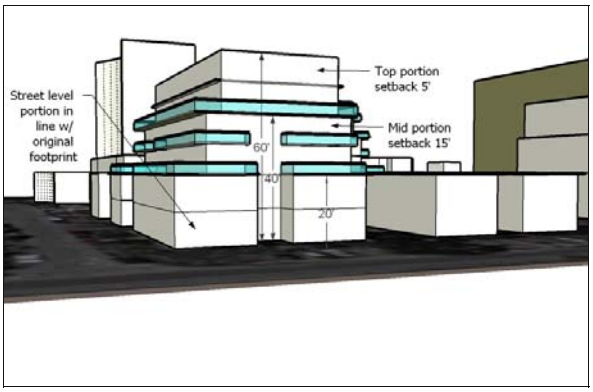
(1) Front and Side Facing a Street

a. Non-Bay Front Structures

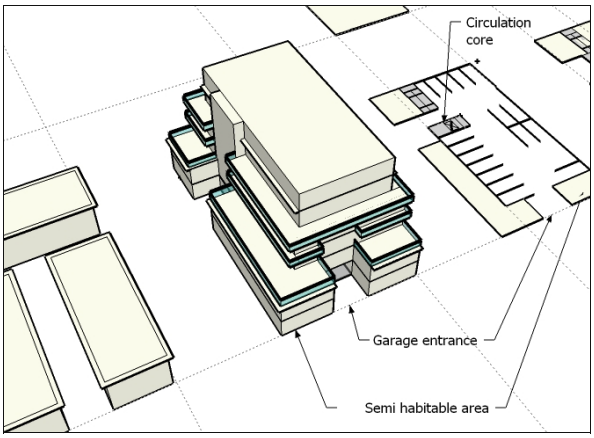
New construction upon the original non-bay front (rectangular) lots of the neighborhood whether assembled through *unity of title* with bay-front lots or not shall be in accordance with the height regulations for non-bay front properties as defined in the underlying RM-2 development regulations and shall be limited to sixty (60) feet in height. The new infill structure shall be set back in line with the front elevation of the original building footprint to a depth of fifteen (15) feet. Where retention of the street facing portion of the original structure is proposed, the depth shall be that of the main front room of the original structure as determined by the Planning Director or his designee and not less than fifteen (15) feet in depth. In both instances the height of the front portion shall remain consistent with the height of the roof eaves of the original structure, generally 20-22 feet. Those portions of the new structure greater than 20-22 feet in height but less than forty (40) feet in height may rise from the above noted setback depth. Those portions above forty (40) feet shall be further setback from the mid-height portion of the structure by an additional minimum depth of five (5) feet. Thirty percent (30%) of the front elevation above forty (40) feet may remain in line with the mid-portion setback in order to accommodate the circulation core of the



Model depicting front yard setback regulations applied to 1450-70 Lincoln Terrace.



Model of front and side yard facing a street set-back regulations applied to 1600-04 Bay Road/ 1415 16th Street.



Model depicting 1600-04 Bay Road/ 1415 16th Street original building footprints with potential RM-2 infill and ground floor building program.

structure. The new structure shall include habitable or semi-habitable space facing the street which is, at a minimum, fifteen (15) feet in depth and encompasses the full height of the base volume. Parking shall be accommodated within the building envelope as identified in the Off-Street Parking Regulations section of this NCD ordinance.

b. Bay Front Pedestal

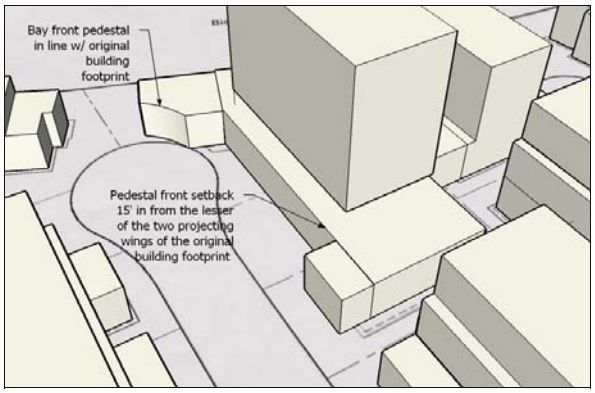
The pedestal portion of new construction which is sited upon the original irregular lots adjacent to Biscayne Bay shall follow the line of the original building footprint to a depth of fifteen (15) feet measured in from the lesser of the two projecting wings at the front. The pedestal shall be constructed to a height consistent with the height of the roof eaves of the original structure; generally 20-22 feet and shall include habitable or semi-habitable space fronting the street which is, at a minimum, fifteen (15) feet in depth and encompasses the full height of the volume. Parking shall be fully subterranean to the greatest extent possible as identified in the Off-Street Parking Regulations section of this NCD ordinance.

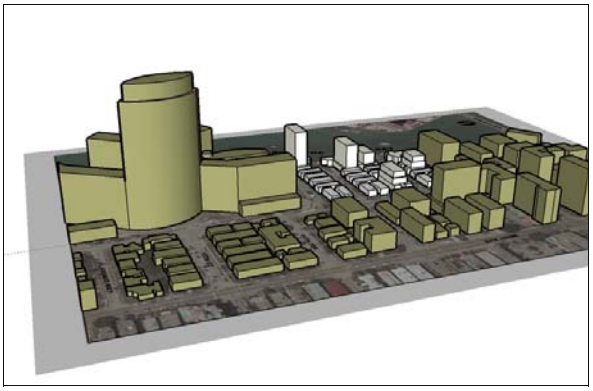
c. Bay Front Tower (s)

Where a contiguous assembly of the original irregular bay front lots has produced a development parcel in excess of 45,000 sft., along the bay front, all portions of the new structure above the 20-22 foot pedestal shall be limited to towers no greater than forty-five (45) feet in width and one hundred (100) feet in depth and not located within seventy (70) feet of any adjacent construction over sixty (60) feet in height. The longer dimension of the tower shall be oriented on an east west axis and designed to the following parameters at the following original address locations:

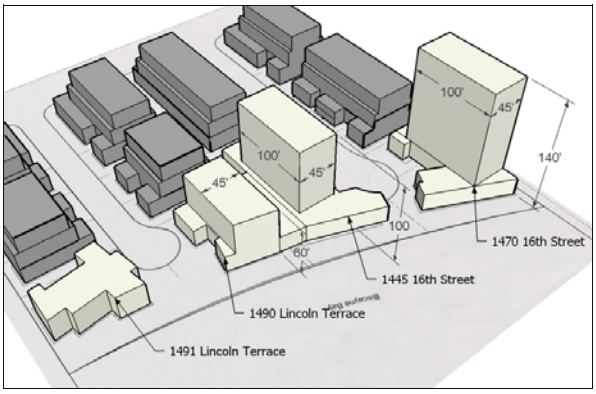
1. 1470 16th Street - The maximum height shall not exceed 140 feet and shall be located to the southwest corner of the pedestal.

2. 1445 16th Street - The maximum height shall not exceed 100 feet and shall be





Neighborhood context model viewed west depicting taller bay front tower height located to south.



Full redevelopment model delineating bay front tower regulations.

centered within the pedestal.

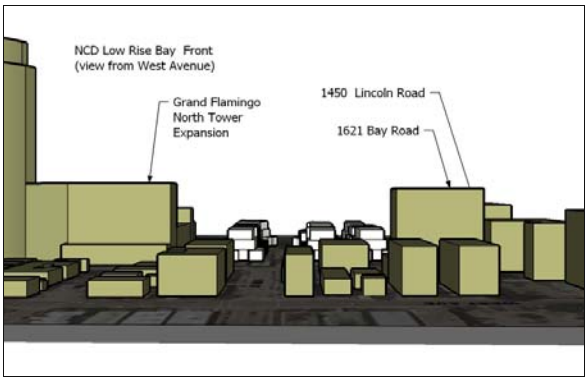
3. 1490 Lincoln Terrace - The maximum height shall not exceed sixty (60) feet and shall be centered within the pedestal.

4. 1491 Lincoln Terrace - Preservation and rehabilitation of the existing structure consistent with the special historic character of the original building shall be required when assembled under *unity of title* with other bay front lots, otherwise, the maximum height is limited to sixty (60) feet coupled with the setback parameters as set forth for non-bay front lots. However, demolition of all or portions of the existing structure may be subject to further review and may not receive approval if determined to be of merit by the Design Review Board.

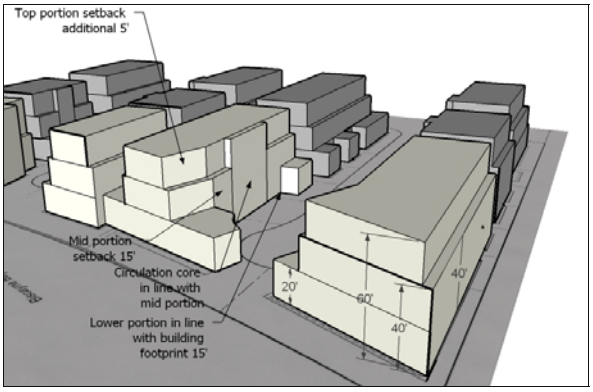
(d) Bay Front Low Rise Development

Similar to the setback regulations for non-bay front lots, new low rise construction which is sited upon the original irregular lots adjacent to Biscayne Bay shall be limited to sixty (60) feet in height. The pedestal of the new structure shall be set back in line with the front elevation of the original building footprint to a depth of fifteen (15) feet, measured in from the lesser of the two projecting wings. Where retention of the street facing portion of the original structure is proposed, the depth shall be that of the main front room of the original structure as determined by the Planning Director or his designee. In both instances the height of the front portion shall remain consistent with the height of the roof eaves of the original structure, generally 20-22 feet. Those portions of the new structure greater than 20-22 feet in height but less than forty (40) feet in height may rise from the above noted setback depth. Those portions above forty (40) feet shall be further setback from the mid-height portion of the structure by an additional minimum depth of five (5) feet. Thirty percent (30%) of the front elevation above forty (40) feet may remain in line with the mid-portion setback in order to accommodate the circulation core of the structure. The new structure shall include

Architect's rendering of rehabilitated 1491 structure as viewed from Biscayne Bay.



Neighborhood context model viewed west depicting low rise bay front redevelopment.



Full redevelopment model delineating low rise bay front regulations.

habitable or semi-habitable space facing the street which is, at a minimum, fifteen (15) feet in depth and encompasses the full height of the volume. Parking shall be fully subterranean to the greatest extent possible as identified in the Off-street Parking Regulations section of this NCD ordinance.

(2) Side Setbacks

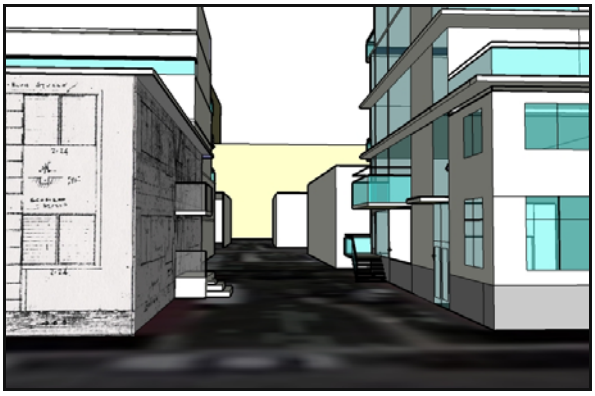
a. Non-Bay Front Structures
The side elevations of new construction sited upon the original rectangular lots of the neighborhood shall be designed to follow a setback in line with the original building foot print, which may be as great as fifteen (15) feet for side elevations which were designed to be primary elevations or as little as five (5) feet for secondary elevations. The design of new side elevations should be developed to relate to the elevation of the original building in terms of its architectural hierarchy of importance, (i.e. primary vs. utilitarian).

b. Bay Front Structures
The side elevation for new construction upon the original irregular lots of the neighborhood shall be designed to follow a setback in line with the original building foot print to a height consistent with the height of the original structure. Similarly, those portions of the pedestal facing the bay shall be setback to a depth in line with the footprint of the original buildings; generally thirty (30) feet, and shall include habitable or semi-habitable space encompassing the full height of the volume.

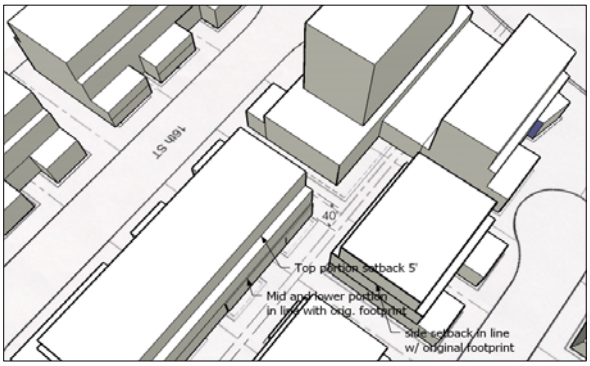
(3) Rear Setbacks

a. Bay Front and Non-Bay Front Structures
Rear elevation setbacks for new construction shall follow the line of the original building footprint to a height not to exceed forty (40) feet. Those portions above forty (40) feet shall be set back an additional five (5) feet.

b. Biscayne Bay
Variance from the Biscayne Bay

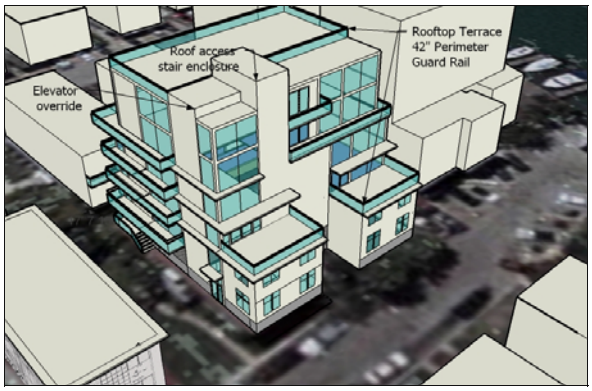


Courtyard elevations for new infill structures shall be developed as primary entrance elevations similar to the existing structures.



Architect's rendering depicting an improved level of public amenity along the bay front.

Management - Shoreline Development Review Criteria regarding setbacks from the Bay may be supported where new construction at the rear of the original irregular lots is designed in accordance with the aforementioned building setback and height regulations and where significant view corridor and public access are provided to the bay front from both the 16th Street and Lincoln Terrace street ends and include a public boardwalk running the length of the subject irregular lots along Biscayne Bay for use by the general public.



3.4 Supplementary District Regulations

(a) Bay Front and Non-Bay Front Structures

(1) Rooftop Terraces

a. Rooftop terraces shall be permitted and projections shall be limited to the following:

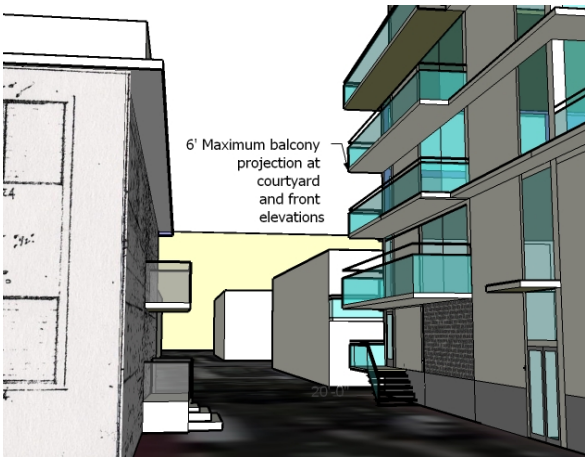
1. A perimeter guard rail, simple and transparent in design, shall be provided and the height shall not exceed the minimum Code requirement 42 inches.

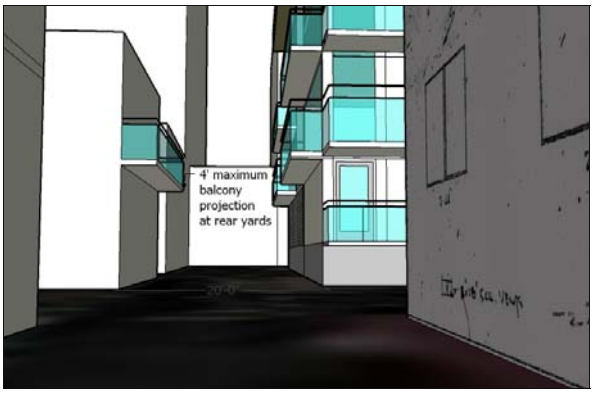
b. Rooftop terrace projections above the maximum height limit shall be limited to the additional following:

1. One roof top elevator override when necessary not to exceed 42 inches in height when located along an exterior wall or one elevator enclosure pursuant to Section 142-1132(o) of the Code when located to the center of the building footprint and not to exceed ten (10) feet in height.

2. One rooftop access stairwell enclosure provided pursuant to Section 142-1132(o) of the Code not to exceed ten (10) feet in height.

3. All further rooftop projections other than landscape material shall be limited to mechanical, electrical, HVAC and satellite telecommunications equipment whose rooftop location is explicitly required by Code and shall be located to the center of





the building footprint and adequately screened from view in accordance with Design Review Guidelines and procedures.

(2) Balcony Projections

a. Shall not exceed six (6) feet from the building face from which they are accessed at the front (mid-portion and above), bay front, primary side courtyard and side yard facing a street elevations.

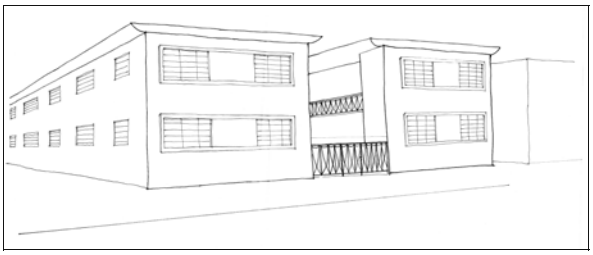
b. Shall not exceed four (4) feet from the building face at non-primary side and rear yard elevations.

(3) Fences and walls

a. Shall be set back behind the front elevation of the original building footprint line a minimum of one (1) foot and shall not exceed six (6) feet in height when located at the front or side facing a street.

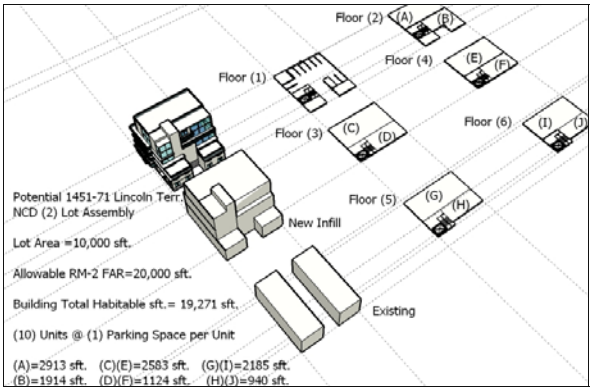
b. Fencing at the rear and side yards shall retain and preserve the original existing coral rock walls within the utility easement areas and new fencing shall not exceed six (6) feet in height where permitted.

c. Fences and walls which divide the entrance courtyards shall be prohibited. In all instances the design of new fences and walls shall follow the Design Guidelines for Post War Modern/ MiMo structures.



Recommended

Not Recommended



3.5 Off-Street Parking Regulations

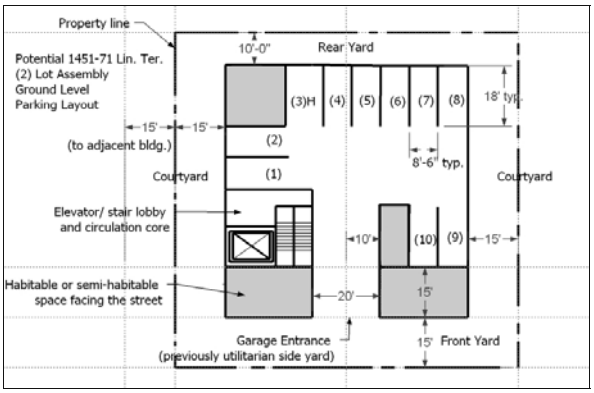
(a) The off-street parking to dwelling unit ratio requirements for structures located within the G. M. Fein NCD shall be as follows:

(1) Existing structures and reconstruction of existing structures

a. No requirement, zero (0) spaces per unit.

(2) Additions to existing structures

a. No requirement, zero (0) spaces per



additional unit provided no more than ten percent (10%) of the original structure is demolished.

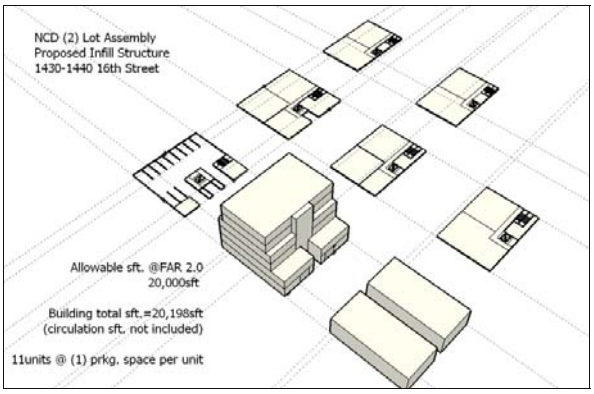
(3) New construction within the G.M.Fein NCD

a. Assembled lots under 45,000 sft. –One (1) space per unit where the front portion of the original structure has been retained pursuant to the Front Setback Regulations section of this NCD ordinance. Otherwise, two (2) spaces per unit with the provision that the development may reduce the requirement to one (1) space per unit through participation in the Parking Impact Fee Program as outlined in Section 130-131 of the Code and the fee shall be captured for the intent purpose of upgrading and maintaining the Neighborhood Streetscape as outlined in the Streetscape Improvement Plan recommendations of this NCD.

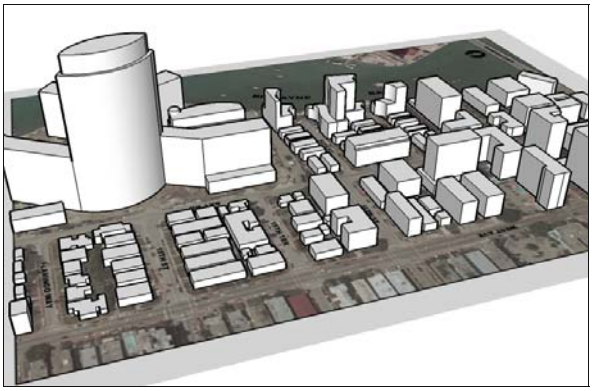
b. Assembled lots over 45,000 sft. – Two (2) spaces per unit with further provision that parking shall be fully subterranean to the greatest extent possible.

(b) In general, off-street parking shall be designed to occur within the structure and may be incorporated into the envelope of existing structures. The parking pedestal shall incorporate enclosed habitable or semi-habitable space facing the street which follows the footprint of the original building and is consistent with the height of the original structure upon that parcel and shall be designed to a minimum depth of fifteen (15) feet or equal to that of the front room of the original structure as outlined in the Building Height and Setback Regulations section of this NCD ordinance.

(c) Garage entry locations shall be located within the recessed portion of the infill structure occupying the original side yard between building footprints. The exception will be where an assembly of 1430 and 1440 16th Street occurs and the side yard between the two original building footprints does not allow the minimum eleven (11) foot driveway, therefore dictating access to occur within the projecting



Example of the type of redevelopment scenario which should not be permitted (above) as compared to an example which maintains the view corridors (below).



front portions of the two lot assembly.

3.6 Conservation of View Corridors

The existing view corridors to Biscayne Bay from the public rights-of-way of 16th Street and Lincoln Terrace shall remain completely unimpeded visually and physically, and free of building structures in accordance with Section 33D-38(D) of the Biscayne Bay Management, Shoreline Development Action Review Criteria regarding visual corridors. Recreational structures which may encroach into the view corridors shall be limited to pools, pedestrian walkways and other at grade surface features as defined in Section 142-1133 of the Miami Beach City Code.

3.7 Conservation of the Cul De Sac Street Plan

Requests for the Vacation of Lincoln Terrace or 16th Street from Bay Road to Biscayne Bay or any portion of these *cul de sac* streets shall be prohibited and pedestrian circulation within the original *cul de sac* street plan shall be further enhanced by providing public access to the bay front from both the 16th Street and Lincoln Terrace street ends to a public boardwalk running the length of the irregular waterfront lots along Biscayne Bay for use by the general public.

IV Streetscape Improvement Plan

4.1 Summary of Planning Activities

Pursuant with the Objectives section of this NCD, the Planning Department has identified the following neighborhood streetscape and parking plan as the most practical and amicable method toward improving the existing street conditions. The current informal parking conditions occurring most notably along the 16th Street *cul de sac* can be said to be the most prominent factor contributing to an overall negative perception for the area. In addressing this issue in a comprehensive manner, staff began to research potential design solutions which could accommodate the existing parking configuration while improving and beautifying the open space experience. The initial premise suggested that the favored method would undoubtedly involve an integration of the private front yard area and the public-right-of-way into a unified and functional space. The most compelling prototype identified was that of the parking court concept commonly utilized throughout Europe and most

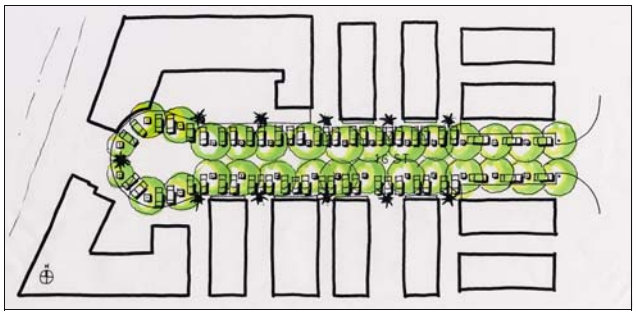
16th Street existing condition

Rendering of the 16th Street/ Lincoln Terrace Shared On-Street Parking Court Concept

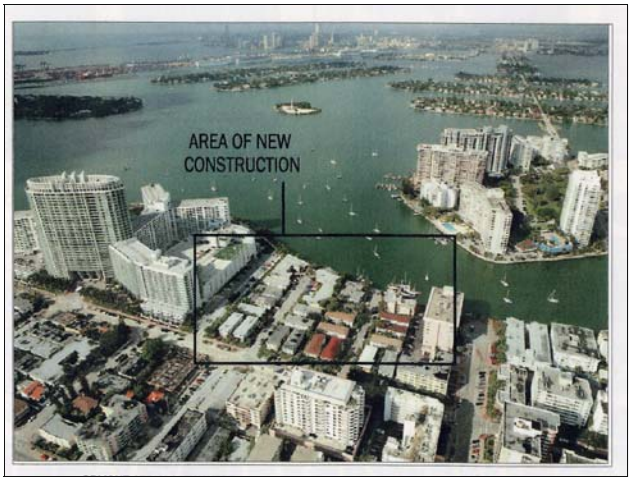
A "*Woonerf*" in Holland

notably in the Dutch *"Woonerf"* or ("Street for living"). This particular street is created to be a common space shared by pedestrians, bicyclists, and low speed motor vehicles. Typically the streets are designed without curbs and sidewalks, and vehicles are slowed by placing trees, planters, parking areas, and other obstacles in the street. Motorists become the intruders and must travel at very low speeds below ten (10) mph. This makes a street available for public use that is essentially only intended for local residents. This approach is particularly appropriate to Lincoln Terrace and 16th Street west of Bay Road because both of these streets are relatively short *cul de sacs.*

The concept was then developed into a series of illustrative renderings to be presented to the property owners with prior affirmation from City officials. It was accepted favorably at all of the neighborhood public meetings and was viewed as a significant and creatively positive component of the proposed Neighborhood Conservation District. Staff has since been further developing the concept interdepartmentally and in coordination with developers to effectively implement this planning strategy so vital to the successful evolution of the proposed district.



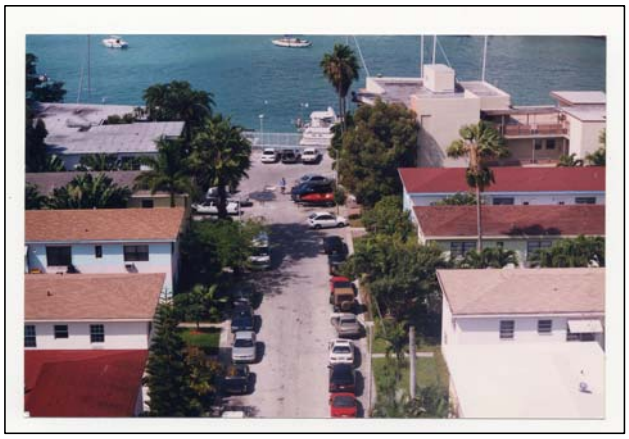
Initial concept plan for the 16th Street shared parking court.



4.2 Current Conditions, Purpose and Scope

As stated previously, the proposed Gilbert M. Fein Neighborhood Conservation District consists of a planned unit development of twenty-four (24) low-scale apartment buildings assembled onto two *cul de sac* streets.

The first of the *cul de sac* streets, Lincoln Terrace is characterized by a 30.8' foot wide right-of-way extending west from Bay Road approximately 255' feet and terminating in a 50' foot wide circle. The configuration of the street remains intact today as it was originally constructed with a concrete sidewalk approximately 4" inches



Lincoln Terrace existing condition view west

in height and 18" inches in width flanking both sides of the asphalt roadway. Parking is configured parallel to the curb on both sides of the street thus reducing the effective travel lane to 13.8' feet or one-way traffic and therefore does not conform to current code standards. In addition to the parallel parking pattern along the street, the bay front terminus is characterized by an expanse of asphalt constructed from the *cul de sac* to the seawall to accommodate private off-street parking.

The second *cul de sac* street, 16th Street is characterized by a 36.9' foot wide right-of-way extending west from Bay Road approximately 331' feet and terminating in a 50' foot wide circle. The current configuration of the street is indicative of a poorly defined edge treatment between the private property zone and the public roadway. The disintegration of this line has over time produced a condition of informal parking, generally perpendicular in orientation, with little regard for landscape improvements or other aesthetic considerations. Furthermore, those bay front properties located at the terminus of the 16th Street *cul de sac* have included additional tandem spaces further generating an unmitigated expanse of asphalt and autos.

The purpose of the planning effort for both *cul de sac* streets will be to refine the existing circulation and better structure the parking patterns while improving the overall aesthetic image of the neighborhood through landscape and hardscape beautification. The reconfiguration for Lincoln Terrace will not be similar to 16th Street because the narrow cross-section of Lincoln Terrace functions in an entirely different manner. The primary effort will be to bring Lincoln Terrace into Code compliance with regard to travel lane width and to beautify the roadway and its terminus through landscape, hardscape and public access to the bay front. With regard to 16th Street, the planning and design initiative will be to formalize and

16th Street recent view east.

16th Street informal parking condition.

BAY FRONT CUL-DE-SAC
PARKING SURVEY
07.31.02

	9:30am	1:00pm	4:30pm	8:00pm	11:30pm	Average
16TH Street	48	41	41	46	57	47*
Bay Road	19	19	12	20	25	19
Lincoln Terrace	35	31	34	48	49	39
Total	**102**	**91**	**87**	**114**	**131**	**105**

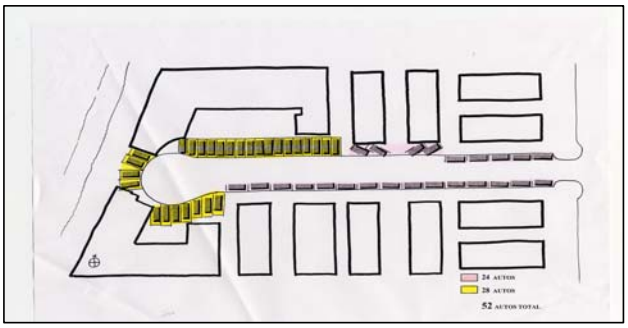
* Parking count for courtyard concept on 16th Street is **53** autos total.

beautify the existing perpendicular off-street parking configuration utilizing the European parking court concept.

4.3 Analysis and Recommendations

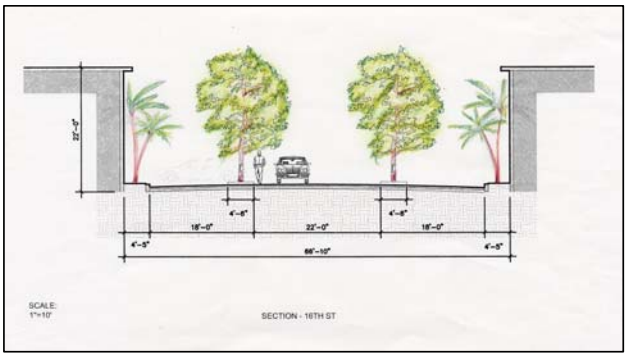
In collecting the necessary data for this project, two factors needed to be addressed in order to achieve a viable plan. The first involved accepting the reality that autos must be accommodated into the plan to a high degree based on both legally *permitted* and existing *non-permitted* conditions. The second factor involved the accommodation of that number into an efficient and aesthetically pleasing arrangement. Referring to the chart on the preceding page, a windshield survey of the parking conditions along both streets was performed at several times throughout the mid-week day of Wednesday and the findings suggested that the highest counts occurred in the evenings after 11:00 pm. In this regard, the task then centered on accommodating as many of the 57 autos associated with 16th Street at peak hours into a parking plan which would equitably and attractively permit to some degree the existing configuration. To this end, a review of the City's building permit records revealed that only two properties did indeed have *permitted* off-street parking in the front yard setback; generally two (2) spaces, and that all other off-street spaces were in fact *not permitted*. The exception was that of the waterfront properties which had a total of 28 *permitted* spaces but over time had informally increased that number to 36 through the addition of tandem spaces. All other spaces were originally to be on-street, therefore bringing the total legal count to 52.

In creating a concept plan for 16th Street the ideal would have called to restore the 15' feet of landscaped lawn areas to the front yards of all of the buildings. Instead, the intention was to foster the economic viability of the existing structures by taking a more practical view toward parking in this dense urban environment *(see Property Ownership and Parking Analysis Data -*



Permitted parking layout
(yellow indicates parking associated with 1445-1470 16th St. Street)

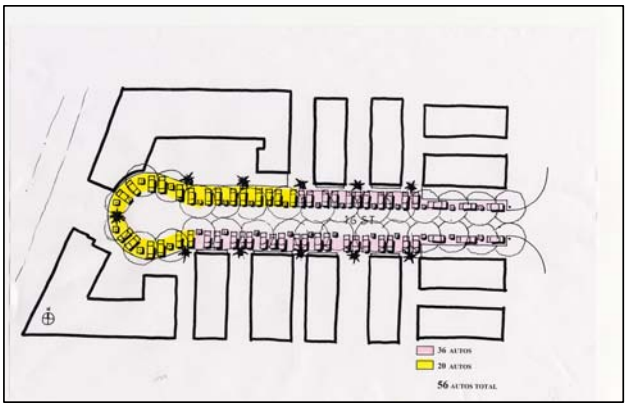
City of Miami Beach aerial atlas, 1959.



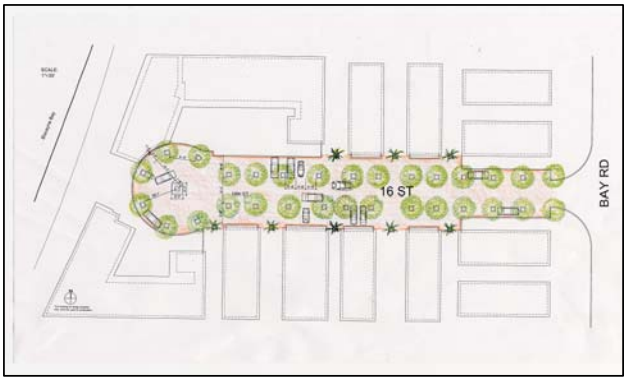
Proposed 16th Street cross section.

Appendix 7.2) and thereby embracing, to a certain extent, the existing pattern of perpendicular parking. The logic of this approach was further based on findings from research into aerial photos of the neighborhood which revealed that parking had been occurring in this manner as early as 1959; effectively the beginning of the development. In particular, the 1959 aerial photos suggests that the layout was very similar to that of today except that it was more formalized in terms of a definition between public and private zones.

In developing the parking court concept, staff devised a technique whereby the entire street cross-section from building face to building face would be comprehensively planned to efficiently accommodate and beautify the neighborhood streetscape. The concept would involve a hardscaping technique in which the roadway would be designed with the same decorative approach as that of the off-street parking area. Not unlike the existing condition, this would require a shared approach to the open space realm whereby some of the public improvements might be accommodated on private property and conversely some of the private improvements accommodated on public property. It is important to note that with this proposed scheme the creation of landscaped areas adjacent to the building and interspersed within the parking zones is crucial to the success of the concept. Therefore, the integration of medium canopy trees in tree wells fortified with structural soil and located at regular intervals, not to exceed 25' feet on center, is required to provide the desired street tree canopy. Furthermore, pedestrian level street lighting for both streets which is compatible in design with the existing *MIMo* architectural style of the District shall be installed at regular intervals within the decorative paver roadway and off-street parking areas. Decorative pavers, set in sand where appropriate, have been identified as the ideal hardscape material for both streets because they are durable,



Shared Parking Layout "A"
(Perpendicular parking at 16th Street-end)



Shared Parking Layout "B" with Traffic Circulation
(Parallel parking at 16th Street-end)

Recent design development rendering of the 16th Street shared parking court.

pervious and attractive and the selected pattern shall, like the pedestrian street lighting, also be compatible with the existing *MIMo* architectural style of the District.

Finally, although the initial concept design has been viewed favorably at all neighborhood meetings and public hearings there remain several issues impacting the final design with regard to the permitting, public easement and funding aspects of the project. These issues will be carefully resolved through the design development and construction document phases of the project.

4.4 Statement of Intent Regarding Traffic Concurrency Mitigation Fees and Parking Impact Fees

It is the intention of this NCD ordinance to identify and collect funds toward the design development, construction and maintenance of the aforementioned neighborhood streetscape improvement scenario. Said funds may include any and all portions of fees associated with traffic concurrency, parking impact mitigation and development review order exactions collected from private redevelopment projects within the Gilbert M. Fein NCD.

V. FIGURE INDEX

(available upon request)

VI. BIBLIOGRAPHY

(available upon request)

VII. APPENDICES

(available upon request)

JGG\WHC\RNC