

From: [Belush, Michael](#)
To: [Ron Kaplan](#)
Cc: [Herrera, Miriam](#)
Subject: RE: Opposition to 1250 West Avenue zoning variances
Date: Monday, November 25, 2024 8:11:44 AM

Hello Ron,

Thank you for your email. I will forward to the Planning Board members.

There will be a virtual community meeting on December 19th at 5pm, and then the Planning Board is scheduled to review and provide a recommendation to the city commission on January 7th. It will then be scheduled for review by the city commission at 2 meetings, as well as another community meeting in-between the 2 commission meetings.

The Planning Board only provides a recommendation to the city commission. Once the first city commission meeting has been scheduled, I would suggest you email the city clerk, Rafael Granado RafaelGranado@miamibeachfl.gov, and ask that your email be forwarded to the mayor and city commissioners at that time.

Sincerely,

MIAMIBEACH

Michael Belush, *Planning & Design Officer*

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, FL 33139

Tel: 305.673.7000 ext. 26258 www.miamibeachfl.gov

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From: Ron Kaplan <ronkaplandc@gmail.com>
Sent: Monday, November 25, 2024 08:00 AM
To: Belush, Michael <MichaelBelush@miamibeachfl.gov>
Subject: Opposition to 1250 West Avenue zoning variances

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As a Miami Beach resident, I am writing to express my strong opposition to the proposed zoning variances for 1250 West Avenue. The staff erred in their evaluation of the proposal, which would have a deleterious impact on quality of life on West Avenue.

POINT BY POINT REVIEW/REBUTTAL OF PROPOSED

BONUSES

- **Height.** Staff states: “*The proposed height bonus should be limited to 150 feet, resulting in a total building height of 300 feet*” That’s the entire recommendation. No indication of where this number comes from, why the zoning height limit of 150’ is insufficient for a successful development, or why 300’ is somehow more logical than the 420’ the developer proposes. Staff has fallen for a classic “shift the center” maneuver. There is no legitimate public purpose.
 - Monad Terrace, immediately adjacent and by the same developer, proves that development does not need any significant zoning modifications to “result in enhanced urban design,” as staff phrased it. Most notably this includes height.
 - Staff notes that, “The current maximum FAR for the site (2.75) is contained within the first 11 floors of the proposed new building, including 31 apartment units and 180 restaurant seats.” Even with very generous ceilings, 11 floors will easily fit within 150’ height. Or another way to look at it, modest FAR bonuses (should any legitimate public purposes be proposed) could easily fit within the 150’ height. There is simply no rationale for 300’.
- **FAR bonus of 0.50 for no short term rentals.** Why is there *any* bonus for this, in a building where the average unit size is over 4,300 square feet? In all likelihood, the condo docs would ban short term rentals anyway—they almost always do in super-prime buildings—so the FAR is a complete giveaway. Moreover, if there were short-term rentals, they’d be at spectacularly high rates—who knows, \$1600 a night? \$7,500 a week?—for such large units, which is to say, they would not have any effect on the general supply and demand of apartments (i.e. the “legitimate public purpose” of such a ban). Banning short term rentals in a building like this contributes *nothing* to the public good.
- **FAR bonus of 0.50 for Baywalk** construction at the (neighboring) Bayview Terrace Condominium. This is the buying-off of a potential opponent. Please tell me that corruption this overt is not baked into the process. It’s also a classic “shifting the center” – the developer proposed a bonus of FAR 1.25, so the staff, instead of holding the “center” at zero, where it should be, proposes a “compromise.” Payola is not a legitimate public purpose.
- **FAR bonus of 1.0 for not exceeding a density of 55 units per acre.** The workaround here is having huge units – average 4,305 square feet, according to Mr. Mooney—which means that they will be affordable by only the super-rich. As we all know, in buildings this expensive, many of the purchases would be essentially currency sinks (“investments”) and some of these would, more than likely, involve money laundering.

It's true that very few of these units would be occupied by full-time residents, and most will be empty most of the time. That's not the "public good" that limitation on units per acre is aiming at. There is no legitimate public purpose served by a legalistic workaround that results in huge units.

- **FAR bonus of 1.25 for redeveloping a property across West Avenue into a public parking garage** and transferring some of the density to the proposed tower. One block south is a public parking garage that is never full, in fact never anywhere near full. How in the world is *yet more overcapacity*—with a sidewalk-deadening parking garage—a "public good"? Perhaps in general, elimination of transient uses is a worthwhile goal in primarily residential neighborhoods, but a Planning staff evaluation should consider the specifics. The current use on the site, a restaurant and an affordable hostel, serves the public better than an unneeded, empty parking garage.

I urge you to join me in opposing this project.

Sincerely,
Ron Kaplan
1330 West Avenue