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Thomas R. Mooney  
Planning and Zoning Director  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

**Re: Letter of Intent for Conditional Use Approval for a Structure Over 50,000 Square Feet for Property Located at 400 Collins Avenue, Miami Beach, Florida**  
**File No. PB19-0269**

Dear Mr. Mooney:

This firm represents Savoy Hotel Partners, LLC, the applicant ("Applicant") and owner of the property located at 400 Collins Avenue (the "Property"). Please accept this correspondence as the Applicant's letter of intent for the attached application seeking conditional use approval from the Planning Board ("Board") for a structure exceeding 50,000 square feet.

The Property is zoned C-PS2. Pursuant to Section 142-693 of the City of Miami Beach ("City") Land Development Regulations ("LDRs"), any structure of 50,000 square feet or more requires conditional use review by the Board prior to review by any other land development board. The proposed project ("Project") will replace a surface parking lot with a 96,966 square-foot primary use parking garage containing commercial and residential uses. Located on the northwest corner of Collins Avenue and 4<sup>th</sup> Street, the Project will create a lively pedestrian realm with approximately 4,500 square feet of commercial retail space and a 60-seat restaurant on the ground floor. Approximately 15 residential units will occupy the top three floors of the structure, promoting a mix of uses and enhancing the walkability of the neighborhood.

The Board previously approved a similar but larger project on this Property on June 28, 2016 through Planning Board Order 0416-0012 (File No. 2333). That approval remains active and valid. Subsequent to that approval, the City adopted the Alternative Parking Incentives found in Section 130-40 of the LDRs to encourage projects to incorporate parking for alternative vehicles to encourage their use as an alternative to cars, to recognize the rise of the use of ridesharing services such as Uber and Lyft, and to minimize the bulk and scale of parking facilities. This Project fully implements those Alternative Parking Incentives and is therefore able to reduce the size of the parking structure facing Collins Avenue by a full floor, dramatically improving its response to the street and the neighboring historic buildings. The Applicant has been collaborating with City staff on the current design for the better part of a year and is

excited to present it to the Board, as everyone who has seen it, including SOFNA and the City Commissioners, have appreciated and approved of this new design.

The 120-space parking garage was thoughtfully designed to echo the art deco architecture and pastel color palette of the surrounding Ocean Beach Historic District. As noted above, the design also incorporates many of the City's Alternative Parking Incentives for residents and patrons of the commercial space in response to the increasing use of rideshare services and alternative means of transportation. The Project contains 45 long-term bicycle parking spaces and 30 short-term bicycle spaces in addition to designated carpool and scooter parking spaces. Rideshare drop-off spaces are located along 4<sup>th</sup> Street to the south of the Project.

The primary vehicular access to the site is located on 4<sup>th</sup> Street with valet service available for residents and patrons of the commercial space. Off-street loading will occur in the northwest corner of the Property off of the commercial alley to the west. The proposed Project is a relatively small structure that will be in character with the neighborhood and surrounding commercial uses while providing much-needed parking south of 5<sup>th</sup> Street.

#### **Conditional Use - Section 118-92(a)**

The Applicant requests conditional use permit approval pursuant to Section 118-192(a) of the City's LDRs. Under this Section, the Planning Board shall consider the following criteria when considering an application for conditional use:

- (1) *The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.*

The Property has a future land use designation of "CPS-2 Commercial performance standard, general mixed use", which permits residential and commercial uses along with certain conditional uses. The Project contains only residential and commercial uses and is consistent with the Comprehensive Plan.

- (2) *The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the comprehensive plan.*

The Project will meet all applicable levels of service levels and will pay all applicable connection and mitigation fees in the transportation concurrency management area.

- (3) *Structures and uses associated with the request are consistent with these land development regulations.*

As noted above, the Property has a zoning designation of CSP-2, which permits residential and commercial uses along with certain conditional uses. The proposed structure and uses are consistent with the LDRs although it seeks approval of a three-foot height variance from the Historic Preservation Board in order to accommodate the ramping heights and lengths within the parking garage required for proper circulation within the physical dimensions of the site.

- (4) *The public health, safety, morals, and general welfare will not be adversely affected.*



The proposed Project will greatly enhance this area of the Collins Avenue corridor for Miami Beach residents and visitors. Replacing an inactive surface level parking lot, this Project will provide increased street-level activation, pedestrian activity, and residential and commercial uses needed in this area.

- (5) *Adequate off-street parking facilities will be provided.*

The primary use of the proposed Project is a parking garage. For the parking spaces required by the additional uses on site, the Project will provide the required spaces in addition to the City's recently adopted Alternative Parking Incentives including bicycle parking, carpool and scooter parking, and rideshare drop-off zones.

- (6) *Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.*

The Project includes extensive landscape buffering, protecting the only directly abutting property to the north.

- (7) *The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.*

There are very few parking facilities located in the immediate vicinity. The nearest parking garage south of 5<sup>th</sup> Street is the 17 Collins Avenue Garage south of 1<sup>st</sup> Street and Collins Avenue.

- (8) *The structure and site complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.*

The Project complies with the sea level rise and resiliency review criteria including incorporating the Freeboard encouraged by the City. More detailed responses to the review criteria are included below.

#### **Conditional Use for New Structure Over 50,000 SF - Section 118-92(b)**

Pursuant to Section 118-192(b), in reviewing an application for conditional use for new structures of 50,000 square feet and over, the Board shall apply the following supplemental review guidelines:

- (1) *Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.*

The proposed Project is relatively small, consisting of 120 parking spaces, 15 residential dwelling units, and approximately 8,142 square feet of commercial space. The Project faces Collins Avenue and 4th Street and has vehicular access from only 4th Street and the commercial alley to the west. Accordingly, the Project will have minimal impact on the residential area to the south, which already faces the commercial parking lot currently on site that is operated on a 24-hour basis and other commercial and hotel uses to the north and west.

It is anticipated that the small commercial space will operate during normal business hours. Because no tenants have been identified at this point, the Applicant cannot provide an accurate number of employees expected, although the small square footage dedicated to the commercial space limits the possible number of employees. It is also likely that at least some of the employees will live in the surrounding neighborhoods and most will arrive by bike or public transit, taking advantage of the Project's alternative parking incentives.

- (2) *Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan will mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.*

As the amount of commercial space is limited to a total of only 8,142 square feet, there is no mass delivery anticipated at this site as would be the case if a majority of the building space was put to commercial retail use. All deliveries to the commercial space will be done through the alley on the west so the impact will be minimal on the surrounding area. There are already commercial deliveries in that alley, which is one way northbound so all exiting movements are to 5th street. At the present time there is no building on the site to shield the residential uses from the view of and noise of those deliveries that already occur. With the construction of the Project, those residences will actually be better shielded from any noise associated with deliveries in the alley.

- (3) *Whether the scale of the proposed use is compatible with the urban character of the surrounding area and create adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.*

The proposed Project contains only 15 dwelling units and 8,142 square feet of small-scale commercial space and is in keeping with the scale of the neighborhood. The project represents an appropriate transition to the Collins Avenue and 4th Street corridors. Within the next block in all directions there is a mix of taller structures and to the west and north there are existing commercial uses.

- (4) *Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.*



The proposed Project will have as its primary use a parking garage. The Project meets all parking requirements of the proposed uses within the structure and, in addition, will incorporate the City's alternative parking incentives as described above.

- (5) *Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.*

All pedestrian access and egress to the commercial space is from the Collins Avenue sidewalk and vehicular access is limited to entry and exiting on 4th Street.

- (6) *Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.*

Commercial tenants will provide their own security on-site. The residential owners will ultimately decide whether they want to hire staff to man the lobby. It is designed to operate either as manned space or unmanned with electronic controls as they wish. Necessary security measures will be implemented in the parking garage as appropriate.

- (7) *Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.*

A traffic analysis and garage operational analysis have been provided and have undergone peer review by the City consultants. Please see those studies for additional information.

- (8) *Whether a noise attenuation plan has been provided that addresses how noise will be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.*

The proposed Project is small with only fifteen dwelling units on the top three floors and a small amount of commercial space on the ground floor. Noise will be absorbed within the context of Collins Avenue and its existing commercial uses. There is no need for an unusual noise attenuation plan.

- (9) *Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.*

With only 15 dwelling units and a small amount of ground-level commercial space, there is no need for unusual sanitation provisions. Garbage service pick-up frequency will be adjusted to reflect the Project and tenant needs over time.

- (10) *Whether the proximity of the proposed structure to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated.*

The proposed Project is a primary use parking garage with only 15 residential dwelling units and 8,142 square feet of small scale commercial space. It is in keeping with the scale of the neighborhood and represents an appropriate transition to the Collins Avenue and 4th Street corridors. Within the next block in all directions there is a mix of taller and shorter structures.

- (11) *Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect will be addressed.*

This site is one of the few remaining ground level parking lots in the area and it has operated as such 24 hours a day for over a decade. The City has made it clear that it does not want this site to continue to operate as a ground level parking lot in many discussions. The proposed Project is designed to be compatible with the neighborhood and is a primary use parking garage with all parking internal to the structure, accompanied by only 15 dwelling units and limited ground-level commercial use.

#### **Sea Level Rise and Resiliency Criteria - Section 133-50(a)**

- (1) *A recycling or salvage plan for partial or total demolition shall be provided.*

There are no existing structures on the Property. The Applicant will work with the City to ensure pavement removed from the existing parking lot on site is properly disposed of or recycled.

- (2) *Windows that are proposed to be replaced shall be hurricane proof impact windows.*

The Project, which consists only of new construction, will meet all Florida Building Code requirements.

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

The architecture will respond to the local climate. An extruded aluminum façade system for the parking garage offers shade for vehicles while still allowing natural ventilation. Protruding overhangs at the apartment levels will offer shade from the sun. Window walls will be operable to allow natural ventilation.

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

Landscaping will include native plant varieties that thrive in the Miami Beach climate.



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

Based on the Project's location and in response to sea level rise projections, the Applicant has elected to raise the finished floor elevation to NGVD +9'0", where base flood elevation is +8'0" and the City's minimum street elevation is NGVD +5'3", to accommodate future adaptation measures.

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

See response above. The Project's finished floor elevation will be NGVD +9'0". The ground floor, driveways, and ramping will accommodate future raising of public right-of-ways.

- (7) *Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.*

With the exception of the FPL electrical room, which FPL requires to be located at street level, all critical mechanical systems will be located at base flood elevation +1'0" or higher.

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

There are no existing buildings on this site.

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

No habitable space will be located below base flood elevation plus freeboard.


- (10) *Where feasible and appropriate, water retention systems shall be provided.*

The site and building are well landscaped, minimizing stormwater runoff. Any stormwater runoff is retained within two sediment tanks and drainage wells, one located beneath the loading dock and the other located beneath the car parking entrance ramp. All water that falls within the site will be drained into one of these tanks. Additionally, the parking garage will incorporate storm drains that drain to a French drain located beneath the boardwalk outside of the ground floor retail on the eastern edge of the site.

### Conclusion

The proposed Project complements the surrounding neighborhood's existing developments and is in keeping with the character and spirit of the area. For the foregoing reasons, we respectfully request the Board support this application. Thank you for your consideration and please do not hesitate to contact me should you need additional information.

Sincerely,

for   
Carter N. McDowell

CNM/Enclosures