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VIA ELECTRONIC & HAND-DELIVERY

June 1st, 2020

Thomas Mooney, Planning Director
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: PB20-0360 - Request for Conditional Use Permit for NIE at 1575 Alton Road, Miami Beach, Florida

Dear Tom:

This firm represents Groot Firestone (“Applicant”), the operator of the proposed Winker’s Day, Sushi Fly Chicken and Tooth fairy Bakery project at the 1575 Alton Road, Miami Beach (“Property”). This letter serves as the required letter of intent in connection with a request for a Conditional Use Permit for a Neighborhood Impact Establishment at the location.

Description of the Property. The Property is located on the west side of Alton Road just south of 16th Street. The Property is located in the CD-2, Commercial Zoning District, and is the location of the former Firestone tire and service center. The existing structure on the Property was built in 1935. There are multiple commercial uses in the surrounding area, as Alton Road is one of the main commercial corridors in the City.

Venue Operations. The Applicant is excited to introduce this new project at the re-imagined location of the iconic Firestone Auto Care on Alton Road. The project will include three (3) unique restaurant venues led by Winker’s Diner, a nod to American diner culture including iconic booths with leatherette seats. Additionally, the edgy and urban Sushi Fly Chicken will provide Japanese inspired sushi and fried chicken cuisine. Finally, Toothfairy bakery will give guests the opportunity to quench their sweet tooth with special treats and dessert offerings. While the restaurant operations will vary daily and include most hours of each day, the entertainment component will only include a DJ

at Winker's Diner on Wednesday through Saturday from 8pm - 1am and at Sushi Fly Chicken from Wednesday through Saturday from 11pm to close. Toothfairy bakery will be open daily until 9pm. All uses will be fully enclosed and indoors, including during all times when a DJ will be employed. The operation will include valet service that will operate during the hours that the venue is open. The full breakdown of the operations can be found in the Operations Plan attached. See Exhibit A, Operations Plan.

Satisfaction of Conditional Use Permit Review Criteria. The Applicant's request satisfies the two different sets of review criteria and guidelines as follows:

Conditional Use Standards in Section 118-192(a) of the Code of the City of Miami Beach (the "Code").

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

CONSISTENT - Restaurants and entertainment establishments are consistent with the comprehensive plan and the CD-2 zoning district permits neighborhood impact establishments through the conditional use process.

(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.

CONSISTENT - The proposed use location is in an ideal place for this type of commercial use and the City's review process, including traffic review will confirm that there are no level of service issues.

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

CONSISTENT - The structures and uses associated with the Applicant's request for a conditional use permit for a NIE with entertainment and dancing are consistent with the City's land development regulations (LDRs).

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

CONSISTENT - The Applicant proposes a mix of three exciting restaurant concepts at the Property. The property is fully enclosed and is not expected to negatively impact surrounding areas, and no outdoor entertainment is proposed.

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

CONSISTENT - The venue will not have any on-site parking and will utilize the independent valet parking services. There are also numerous other nearby parking lots and garages, and metered self-parking on surrounding streets. The Applicant further anticipates that many patrons will arrive by foot, ride-share services, or taxi.

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

CONSISTENT - The Applicant will carefully control and monitor the music at the establishment, ensuring that the music is contained within the building. The Applicant's staff will maintain patron areas and adjacent rights of way to protect the surrounding area. Security personnel will also ensure a safe nighttime operation.

(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.

CONSISTENT - The concentration of similar types of uses will not increase; therefore, there will not be any negative impact of the surrounding uses.

Neighborhood Impact Establishment Review Guidelines in Section 142-1362(a) of the Code - supplemental review guidelines.

(1) An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.

CONSISTENT - The Applicant has provided a business operations plan with the application that details the restaurant components and very limited entertainment.

(2) A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, selfpark, shared parking, after-hour metered spaces and the manner in which it is to be managed.

CONSISTENT - The restaurant will not have any on-site parking and will utilize the independent valet parking services. There are also numerous other nearby parking lots and garages, and metered self-parking on surrounding streets. The Applicant further anticipates that many patrons will arrive by foot, ride-share services, or taxi. The

Applicant has been in touch with the City's Parking Department about the proposed valet location and the City has advised that up to four spaces may be approved at the site, but advised that two may be approved if four is not required.

(3) An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises will be controlled.

CONSISTENT - A crowd control plan has been included with the application.

(4) A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.

CONSISTENT - Security personnel will maintain a constant presence during the hours of operation and numerous security cameras will be located at the entrance and exits. Reception staff at the entrance and all food and beverage wait staff will prevent underage alcohol consumption by checking for identification to verify the age of patrons requesting alcohol. All staff, including security staff, will be trained to ensure that all guests leaving the Property do so showing due consideration to the neighbors.

(5) A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.

CONSISTENT - A traffic analysis has been submitted with the application.

(6) A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.

CONSISTENT - Sanitation guidelines are included in the Operational Breakdown - Deliveries and Collections.

(7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance.

CONSISTENT - A noise study was not required with this application as all noise will be contained indoors with sufficient separation from the street.

(8) Proximity of proposed establishment to residential uses.

CONSISTENT - The Property is mostly surrounded by commercial uses on Alton Road, and through this portion of the CD-2 District. However, the Applicant is aware of the

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Flamingo Park Neighborhood residents to the east of the Property and will ensure that that the restaurants are operated in a responsible manner to not have any negative impacts to the residents.

(9) Cumulative effect of proposed establishment and adjacent pre-existing uses.

CONSISTENT - The majority of the uses in the immediate surrounding area are at peak use during the daytime hours and weekdays. While these restaurants will be open during some of those hours, the proposed hours for the Applicant's Property will likely occur during the late afternoon and evening hours.

Conclusion. The Applicant is excited has taken great care to ensure that the evening entertainment is properly controlled so the restaurant may coexist peacefully with its neighbors and operate successfully at this location. We respectfully request your recommendation of approval of the Applicant's request for this Neighborhood Impact Establishment. If you have any questions or comments about the application, please call me at 305-374-5300.

Sincerely,



Michael J. Marrero

Attachments