

December 30, 2019

Thomas Mooney  
City of Miami Beach  
Planning Department  
1700 Convention Center  
Drive, 2<sup>nd</sup> Floor  
Miami Beach, FL 33139

**RE: Letter of Intent: North Beach Town Center West Lot PB Final February 2020  
Submittal Redevelopment Proposal**

Dear Tom & Planning Staff,

North Beach Town Center Development, LLC, an affiliate of Pacific Star Capital, LLC (both hereinafter referred to as "Owner") is proposing a comprehensive redevelopment of a significant stretch of the North Beach Town Center comprising of approximately 49,820 square feet of land located; south of 71<sup>st</sup> Street, west of Abbott Avenue and east of Byron Avenue. The Owner's goal is to implement the vision of Plan NoBe and to transform the area from an underutilized collection of single-use buildings and surface parking lots into a vibrant pedestrian-oriented town center with new retail and multi-family units, while also providing much needed parking, for the surrounding community.

**Background**

Since the inception of Pacific Star Capital in June 2003, the Owner has developed and acquired a real estate portfolio totaling in excess of \$700 million. Recent major projects the Owner has successfully completed nationwide include: rehabilitation of an 1,100 unit apartment complex in Houston, Texas; renovation of a 265,000 square foot regional shopping center in Chicago, Illinois; development of an urban site for Whole Foods in Los Angeles; and renovation of a 116,000 square foot community shopping center in southern California. Locally, Pacific Star Capital developed a 44,000 square foot Whole Foods-anchored shopping center at 123<sup>rd</sup> Street and Biscayne Boulevard in North Miami.

In April 2017, the Owner acquired the properties owned by City National Bank on the south side of 71<sup>st</sup> Street within the North Beach Town Center area. Dr. Aria Mehrabi, principal of Pacific Star, is a thoughtful leader in innovative development who serves as a Governor of the Urban Land Institute and is on the advisory board of the Lusk Center at the University of Southern California, one of the country's premier graduate real estate development programs.

**The Project**

The Owner purchased these parcels to develop a cohesive and transformative project for the North Beach community. This one-block swath of land in the heart of the Town Center

represents a golden opportunity to inject new investment into the area and create a vibrant activity node. The Plan NoBe North Beach Master Plan ("NoBe Master Plan")<sup>1</sup> states that "***the Town Center is intended to be the center of activity for North Beach,***" and the Owner is committed to delivering a lively mixed-use project that can fulfill the directives of the NoBe Master Plan.

The Owner is proposing the following elements to realize this vision (collectively referred to as the "Project"):

- Redevelopment of Owner's properties between Abbott and Byron Avenues into a thriving retail and multi-family mixed-use center. The Owner is proposing one (1) retail establishment over 25,000 square feet; a ground floor Target Store to serve as the anchor for the Project. The Target Store will be approximately 30,089 square feet with 170 multi-family units above.
- Redevelopment of properties between Abbott and Byron Avenues would also include a parking garage with approximately 179 spaces, to serve customers of the retail tenants and apartment residents.
- The proposed structure will be over 125 feet in height. We plan to comply with Section 142-747.g – expedited development construction, in order to satisfy the required contribution to the public benefits program as detailed in Section 142-747 of the City of Miami Beach code. In the event Owner is unable to satisfy the expedited development construction, Owner will be required to contribute to the public benefits fund or satisfy one of the other public benefit options detailed in Section 142-747.

The Project will expand off the local Art Deco architectural heritage and create a surrounding atmosphere similar to Purdy Avenue in Sunset Harbour. North Beach needs additional retail options and is lacking national credit retailers. The combination of these large and small businesses will generate a lively shopping and gathering space in the Town Center.

In addition, residents of the apartment units will enjoy ample on-site amenities including; a Target urban store, a 3,634 square foot clubhouse and open green space located on the roof of the parking structure.

### **Sea Level Rise and Resiliency Criteria.**

The Owner's proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

1. A recycling or salvage plan for partial or total demolition shall be provided.

The Owner will provide a recycling or salvage plan during permitting.

2. Windows that are proposed to be replaced shall be hurricane proof impact windows.

The structure will have hurricane impact windows throughout the Property.

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

Passive cooling systems, such as operable windows & balcony doors, may be installed as appropriate.

4. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided in accordance with Chapter 126 of the City Code.

All new landscaping will consist of Florida friendly plants.

5. The project shall consider the adopted sea level rise projecting in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

In compliance with the TC-C land development code, the Project intentionally features outdoor activation: 10' clear pedestrian path and the green amenity space on Level 4. The Project will comply with all flood proofing requirements to maintain the ground floor area in accordance with the Florida Building Code. To build to BFE 8' NGVD, would require significant ramping & access. This would impede the ground floor 'activation' and be a significant detriment to the patrons of this Town Center Project. The Project has been designed with significant ground floor ceiling height to allow for future adaptation.

6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public right-of-way's and adjacent land.

The City has not proposed to raise the roadways in the near future, nor any committed sources of funding to facilitate any road raising and infrastructure improvements. However, the Project is designed with future street raising in mind so the slope into ground floor spaces will not require significant revision.

7. As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Where feasible, mechanical and electrical systems will be located above base flood elevation. Any mechanical and electrical systems located below base floor elevation will be floodproofed in accordance with Florida Building Code requirements.

8. Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not applicable. The subject site currently consists of surface parking lots.

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

The Project will feature wet or dry flood proof to the extent applicable.

10. As applicable to all new construction, stormwater retention systems shall be provided.

The Owner will study various water retention systems for the Project.

11. Cool pavement material or porous pavement materials shall be utilized.

The Project will feature cool pavement material as necessary.

12. The design of each project shall minimize the potential for heat island effects on-site.

Not applicable.

**Proposed Operational Plan: See Exhibit A attached.**

Prior to the issuance of a building permit for the project, the Owner shall submit an operational plan and narrative for the operation of the parking garage. This operational plan and narrative shall be subject to the review and approval of staff and, at a minimum, shall satisfy the following:

- a) That the garage may be in operation 24 hours per day, 7 days per week, as proposed by the Owner.

- b) There shall be monitoring of the garage during all hours of operation.
- c) Warning signs prohibiting horn honking or car alarm sounding shall be posted prominently in a location, subject to the review and approval of staff.

The following shall apply to the operation of the entire facility:

- a) All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
- b) Adequate air-conditioned and noise baffled trash room space shall be provided, in a manner to be approved by the Planning staff. Doors shall remain closed and secured when not in active use.
- c) Trash dumpster covers shall be closed at all times except when in active use.
- d) Delivery trucks shall not be allowed to idle in loading areas or in the alley.
- e) Trash pick-ups and deliveries shall only take place between 10:00 AM and 6:00 PM on Mondays through Fridays; and 10:00 AM and 6:00 PM on Saturdays and Sundays.
- f) Except as may be required for security, fire or building code/Life Safety Code purposes, no speakers affixed to or otherwise located on the exterior of the building shall be permitted.

### **Description of Requests:**

The Owner requests a conditional use permit from the Planning Board per Section 142- 741(a) of TC-C to construct one (1) retail establishment over 25,000 square feet. The ground level Target store will be approximately 30,089 square feet.

Section 118-192.a: Conditional use may be approved in accordance with the procedures and standards of this article provided that:

1. The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.  
See architectural plans. The proposed ground level conditional use is consistent with the NoBe Master Plan. The proposed Target store will be one of two available retail establishments over 25,000 square feet.
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.  
Not applicable to this Project.
3. Structures and uses associated with the request are consistent with these land development regulations.  
See architectural plans. The Project is consistent with the TC-C land development regulations given its mixed-use retail and residential uses.
4. The public health, safety, morals, and general welfare will not be adversely affected.  
Not applicable.
5. Adequate off-street parking facilities will be provided.  
The on-site parking is in excess of the code requirements.
6. Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.  
See architectural plans. The Project will incorporate safeguards that are customary for projects of similar size and use on Miami Beach.
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.

Not applicable.

Section 118-192.b. In reviewing an application for conditional use for new structures 50,000 square feet and over, the planning board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines listed in subsection above:

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 retail tenant occupying the Project will abide by Sec. 142-745.a.12. regarding TC-C specific loading hours of operation.

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.

The retail tenant will not be utilizing any loading trucks larger than WB-40 for our project. In addition, the retail tenant will comply with the hours and days of the loading schedule per Sec. 142-745.a.12. regarding TC-C specific loading.

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.

Not applicable.

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.

Refer to architectural sheet A3.2 & A3.3. A residential control gate is located on the 2<sup>nd</sup> floor to separate the dedicated Target parking stalls and the residents parking stalls. A gate key card should be distributed to residents to enable pass through of the control gate on level 2.

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

See architectural plans.

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.

The Project will be built with appropriate security measure for projects of similar size and scale. For example, key card access will be required for the upper floors of the multifamily building. Additionally, a roll up gate will secure the loading area when not in-use.

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.

Refer to updated traffic study from December 2019 and maneuverability plan in the architectural set.

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 Project features an internal loading zone & sanitation area; with structured parking located on Level 2 & 3. Loading shall be limited to the times specified in the City code.

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.

The Project will be built with appropriate sanitation facilities on-site, see Ground Floor Plan of the architectural set.

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.

Not applicable.

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

Not applicable.

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<sup>1</sup> See Page 1.5 of the NoBe Master Plan, adopted by the City Commission on October 19, 2016. <sup>2</sup> The Project lying between Abbott and Byron Avenues contains the following properties: 02-3211- 002-1050, 02-3211-002-1040, 02-3211-002-1030, 02-3211-002-1020, 02-3211-002-1010, 02-3211-002-0990, 02-3211-002-0970.

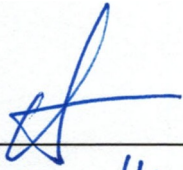
## **Conclusion**

In sum, this is an exciting and unique opportunity for the Owner to comprehensively redevelop a significant stretch of 71<sup>st</sup> Street in the North Beach Town Center. The Project will address and follow many of the recommendations in the NoBe Master Plan, to make the Town Center a true center of activity for North Beach. In addition to removing underutilized and economically stagnant parking lots for better quality development, the Project will celebrate the architectural heritage of the area and create new opportunities for the entire neighborhood to enjoy.

For all of the aforementioned reasons, we look forward to working with the City to bring the Project to the North Beach community.

Sincerely,

Aria Mehrabi

By:   
Name: Aria Mehrabi  
Title: Manager

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<sup>3</sup> See Page 2.5 of the NoBe Master Plan.

<sup>4</sup> See Pages 2.5, 2.12 and 2.66 of the NoBe Master Plan.

## **Exhibit A**

### **Proposed Operational Plan**

In accordance with Sec. 142-745.12. – *Loading*, the Project shall be designed as follows, in addition to the requirements for driveways:

- a. Loading shall at a minimum be setback behind the area required to be habitable for each street class designation.
- b. Loading for nonresidential uses that are on lots over 45,000 square feet shall provide for loading spaces that do not require vehicles to reverse into or out of the site, unless waived by the design review board.
- c. Driveways for parking and loading shall be combined, unless waived by the design review board.
- d. Loading areas shall be closed when not in use.
- e. Garbage rooms shall be noise-baffled, enclosed, and air-conditioned.
- f. Trash containers shall be located in loading areas.
- g. Trash containers shall utilize rubber tired wheels.
- h. Delivery trucks shall not be allowed to idle in the loading areas.
- i. Loading for commercial and hotel uses and trash pick-ups with vehicles of more than two axles may only commence between the hours of 6:00 a.m. and 7:00 a.m., 9:00 a.m. and 3:00 p.m., and 6:00 p.m. and 9:00 p.m. on weekdays; and 9:00 a.m. and 9:00 p.m. on weekends, unless waived by the planning board with conditional use approval. Notwithstanding the foregoing, hybrid or electric vehicles may commence loading at 5:00 a.m. instead of 6:00 a.m. on weekdays.
- j. Loading for commercial and hotel uses with vehicles of two axles or less may occur between the hours of 6:00 a.m. and 11:00 p.m. on weekdays and 9:00 a.m. and 11:00 p.m. on weekends. Notwithstanding the foregoing, hybrid or electric vehicles may commence loading at 5:00 a.m. instead of 6:00 a.m. on weekdays.
- k. Required off-street loading may be provided on another site within the TC-C district or within 1,500 feet of the site, provided it is not located in a residential district.
- l. The Target store will be like the 5<sup>th</sup> Street location; with a similar number of employees and site security features.