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VIA HAND DELIVERY AND ELECTRONIC SUBMITTAL

November 8, 2021

Michael Belush, Planning and Zoning Manager
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **DRB21-0664** – Second Resubmittal Letter of Intent – Design
Review Approval with Regard to a Proposed New Tower at
3900-4000 Alton Road, Miami Beach, Florida

Dear Mr. Belush:

This law firm represents M 4000 Alton Owner, LLC (the "Applicant") in its application for design review approval of a new residential multi-family development located at 3900-4000 Alton Road. This letter serves as the required letter of intent for design review approval of the proposed development. Notably, this application seeks no waivers or variances.

Property and Existing Use Description. The subject property is uniquely located directly to the northwest of the intersection of Alton Road and 41st Street/Julia Tuttle Causeway. The subject property consists of three parcels: (1) 4000 Alton Road, which is further identified Miami-Dade County Folio No. 02-3222-011-0430 (the "Talmudic Parcel"), (2) the property identified by Miami-Dade County Folio No. 02-3222-011-0432 ("Developer Parcel"), and (3) a triangular parcel to the west of the Developer Parcel currently owned by the Florida Department of Transportation ("FDOT"),

which the Applicant has contracted to purchase (the "FDOT Parcel")¹ (collectively the "Property").

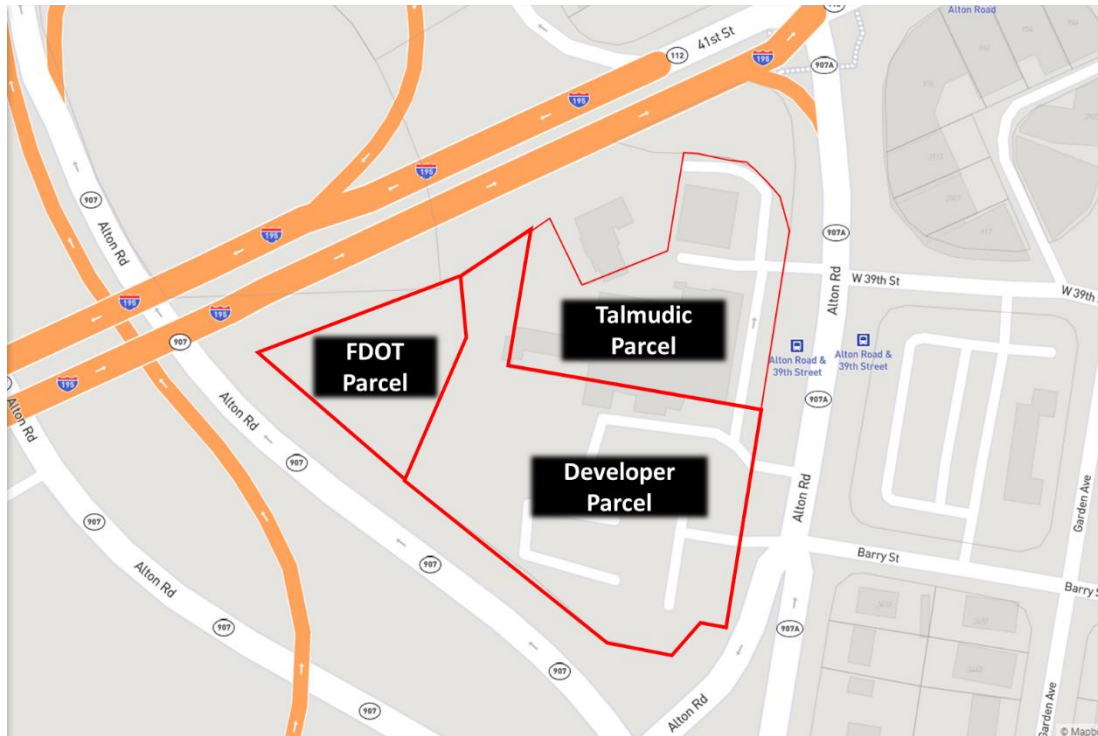


Figure 1, Aerial

The Developer Parcel and the Talmudic Parcel currently comprise a unified development site pursuant to a Declaration of Restrictive Covenants in Lieu of Unity of Title, recorded in Official Record Book 29338, Page 3635 of the Public Records of Miami-Dade County (the "CIL"). The Applicant intends to aggregate the Developer Parcel and the FDOT Parcel into the unified development site, and develop the project proposed by the application within the Developer Parcel and the FDOT Parcel (the "Project Site"). The Project Site is approximately 99,425 square feet (2.28 acres) in size, with the Developer Parcel comprising approximately 81,565 square feet, and the FDOT Parcel comprising approximately 17,860 square feet.

Currently, the Talmudic Parcel is used as Talmudic University and is improved with two (2) one-story buildings, a one-story structure, and an eight-story building. The Developer Parcel is currently improved with a temporary one-story sales center, and the FDOT parcel is currently vacant unimproved land.

¹ The FDOT Parcel is not currently assigned a Miami-Dade County Folio Number.

Prior DRB Approvals and Current Status. Development Approval History. Please find a summary of development approvals for the Property available through Miami-Dade County's Official Records search:

- Planning Board ("PB") File No. 1718 – On June 28, 2005, the PB approved of a conditional use permit ("CUP") for a religious educational institution, inclusive of residential uses for faculty and students.
- Zoning Board of Adjustment ("ZBA") File No. 3105 – On May 6, 2005, the ZBA approved of several variances to permit the construction of a three (3) story building and six (6) story building.
- PB File No. 1718 – On February 6 ,2014, the PB approved a modified CUP for the property, which permitted new five (5) and eight (8) story additions.
- PB File No. 2153 – On February 6 ,2014, the PB approved of a division of land/lot split , which resulted in the current configuration of land that consists of the Talmudic and Mast Parcels.
- DRB File No. 23026. – On March 4, 2014, the DRB approved plans for the construction of a new five (5) story addition and an eight (8) story detached multi-family building. On September 1, 2015 the DRB consolidated all prior approvals and approved modifications plans and variances for the phased construction of a new five story addition to an existing building on the Talmudic Parcel and construction of a new eight-story detached multi-family building on the Mast Parcel. The eight-story multifamily residential tower contained 72 units. The approved development was never permitted or developed.
- ZBA File No. 3688 – On March 7, 2014, the ZBA approved several variances to allow the construction of a seven (7) story addition to the existing building constructed in two (2) phases.
- DRB File No. 17-0166 – On October 3, 2017, the DRB approved the replacement of an existing fence and installation of a new fence along portions of the property and a variance to exceed the maximum allowed height for a fence within required yards.

Proposed Development. The Applicant proposes a modern curvilinear eight-story residential tower on the Project Site ("3900 Alton Road"). 3900 Alton Road proposes 176 units, ample amenities, and covered parking. Notably, the proposed design does not require waivers or

variances. 3900 Alton complies with the Code with respect to FAR, unit size, height, setbacks, and parking.²

The proposed designed responds appropriately to the unique site configuration between Alton Road and the Julia Tuttle Causeway by providing two wings on the east and west sides connected by a recessed central tower that breaks up the massing of the building and orients the spacious amenity deck towards the afternoon sun and Biscayne Bay. The modern curved façades with curved glass balcony railings along all elevations facilitate the flow of air and light around the building and serve to add variety and architectural interest to entrance of the 41st Street corridor.

Circulation For improved access to the site, the Applicant proposes a new right turn lane from the western portion of State Road 907/Alton Road, which will connect to an existing ingress egress driveway located on the east side of Alton Road. In addition, the existing central driveway between the Developer Parcel and the Talmudic Parcel will remain and service both developments, as provided in the CIL. Within the Project Site, internalized driveways lead to an elevated lobby and circulation area with an entrance/exit to the lobby level parking garage. A large terraced planter with abundant landscaping surrounds the elevated lobby area and vehicular ramps.

Vehicles enter and exit from the ground level parking garage via a driveway at the southeast corner of the site that connects to the east side of Alton Road. Along the north and south sides of the driveway along the east side of Alton Road, the proposed design provides pedestrian walkways that lead to the lobby level and ground floor bicycle storage, which serve to encourage pedestrianism and multimodal transport. The pedestrian walkway and lobby level will be lushly landscaped to provide screening of the lobby level ramps and improve the pedestrian experience approaching the building.

At level 1, 3900 Alton features a circular drop off area and residential elevated lobby, as well as the entrance to the residential parking garage. Level 2 features a spacious and lushly landscaped amenity deck that is oriented southwest to provide views of Biscayne Bay, as well as one, two, and three-bedroom units. Levels 3 through 8 contain the majority of the residential units, including one, two, and three-bedroom units between 575 and 1,440 square feet in size.

² The existing use of the Developer Parcel includes parking for the Talmudic University. Following development of 3900 Alton, 12 parking spaces will remain dedicated for use by the Talmudic University, while 257 parking spaces will service 3900 Alton Road. For clarity, the parking requirement of the Proposed Development alone is 194 spaces, while the parking requirement for the unified development site is 241 spaces (47 for Talmudic, 194 for 3900 Alton). 3900 Alton proposes 234 parking spaces in addition to the 35 existing spaces located on the Talmudic Parcel, for a total of 269 spaces.

Refinements to Proposed Design. In response to comments from staff and the Design Review Board ("DRB"), the Applicant has refined the design to further break down the massing of the long elevations and provide upgraded materials. Specifically, following the October 5, 2021 DRB meeting, the Applicant has made the following design upgrades:

- Broke up massing of long unified central elevation into two separate structures connected by a recessed stair tower with abundant fenestration;
- Modernized elevations with glass balcony railings inset within a cohesive geometric stucco pattern;
- Incorporated geometric white stucco pattern around entire building;
- Added parapet wall to entire roof level;
- Refined north elevation with angled geometric stucco pattern;
- Refined two-story garage elevation with a decorative screen comprised of angled white metal fins;
- Reduced width of the driveway from 30' to 22'; and
- Fully enclosed the loading area.

These refinements are in direct response to comments pertaining to the massing of the long elevations, cohesiveness of the design, and the architectural finishes on the two-story garage elevations. Notably, the newly proposed design broke down the massing of the long elevation by separating the two wings of the building at its midpoint and recessing the stair tower to provide planar movement. To improve the cohesiveness of the design, the Applicant eliminated the proposed bronze aluminum railings and instead utilized a modern glass railing system recessed within an angled geometric stucco pattern. The pattern consists of angled white stucco bands forming linked parallelograms that wrap around the building, which adds planar movement and architectural interest to all facades. Finally, the Applicant has revised the two-story garage/podium elevation with a sleek white metal screen with angled fins that add articulation and interest to the ground level/podium façade. Overall, the Proposed Development, inclusive of these refinements, responds appropriately to its challenging site conditions to provide an elegant building at the entrance to the 41st Street corridor that is consistent with the Design Review Criteria.

Sea Level Rise and Resiliency Criteria. The 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 Applicant will provide a recycling or salvage plan during permitting.

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

Hurricane proof impact windows are proposed for the entirety of 3900 Alton.

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

The Applicant proposes to include operable windows where appropriate. In addition, the abundant landscaping and permeable materials contribute to passive cooling, which represents a significant improvement from the existing paved surface parking lot.

(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.

The Applicant has worked with a landscape architect to provide landscaping that is appropriate for the Property, with plant species that are native, salt-tolerant, and Florida-friendly. The proposed plantings are appropriate for the area and specifically selected to increase flood resilience and improve stormwater drainage on the Property.

(5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

3900 Alton features no residentially habitable space below base flood elevation. Indeed, 3900 Alton provides an elevated lobby provides all residential units between levels 2 through 8, which are all significantly elevated.

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

Exterior improvements on the Property along Alton Road will take into consideration the raising of the public right-of-way and the proposed design details will be coordinated with the City.

(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.

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

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

It is not reasonably feasible to elevate the existing buildings.

(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 of 54 of the City Code.

Proper precautions will be taken to protect the Property from potential floods. There are no habitable spaces proposed below base flood elevation plus City Freeboard.

(10) As applicable to all new construction, water retention systems shall be provided.

3900 Alton will retain all stormwater on site, and utilize abundant Florida-friendly and drought tolerant landscaping to augment water retention and drainage.

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

Cool and/or porous pavement material will be utilized where appropriate.

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

The Applicant proposes cool pavement, a light-colored roof, and extensive landscaping that will minimize the heat island effect.

Conclusion. The proposed new residential tower will serve as a gateway to Mid-beach and revitalize the 41st Street Corridor. The design of 3900 Alton responds to unique and challenging site conditions in a manner that is fully compliant with the Code and appropriate for the existing "island" condition that characterizes the Property. In light of the above, we respectfully request your favorable review and recommendation. If you have any questions or comments, please call me at 305-377-6232.

Sincerely,



Michael W. Larkin

Enclosures:

CC: Camilo Miguel
Christina Cuervo
Andrew Guasch
Nicholas Rodriguez, Esq.