

Exhibit C

HISTORIC PRESERVATION BOARD AGENDA
1700 CONVENTION CENTER DRIVE 3RD FL.

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MEETING BEFORE: HISTORIC PRESERVATION BOARD

DATE: DECEMBER 13, 2021

TIME: 9:00 a.m. - 12:40 p.m.

PLACE: MIAMI BEACH CITY HALL
1700 CONVENTION CENTER DRIVE 3RD

REPORTED BY: CHELSEA HLAVACH, NOTARY PUBLIC, STATE
OF FLORIDA

1 A P P E A R A N C E S:

2
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14 BOARD MEMBERS

15
16 JACK FINGLASS

BARRY KLEIN

17 NANCY LEIBMAN

MAX LITT

18 LAURA WEINSTEIN-BERMAN

KIRK PASCAL

19
20 ALSO PRESENT

21
22 NICHOLAS KALLERGIS

DEBORAH TACKETT, City Planning Staff

P R O C E E D I N G S

* * * * *

MS. TACKETT: This first application on the agenda is HPB 210457. This is One Lincoln Road and 1671 Collins Avenue. An application has been filed requesting the certificate of appropriateness for the partial demolition and renovation of two buildings on this site, the total demolition of one building, the construction of an attached ground level addition at the northeast corner of the site, and the construction of an attached addition and modifications to the rear yard site plan.

This particular property is located within the Ocean Drive-Collins Avenue Local Historic District. It is also located within the Miami Beach Architectural District listed at the National Register of Historic Places.

The subject site contains three contributing buildings. The Ritz-Carlton Hotel, originally known as the DiLido Hotel, that's located at One Lincoln Road; the One Lincoln Road building, which is at the intersection of Lincoln Road and Collins Avenue; and the Sagamore Hotel located at 1671 Collins Avenue.

The applicant is proposing some modifications to two of the buildings, the Sagamore and the

1 Ritz-Carlton, as well as the construction of a new
2 ground level 200 foot tower addition.

3 The Sagamore Hotel was originally constructed in
4 1948 and designed by Albert Anis in the Post War
5 Modern style of architecture. The applicant is
6 currently proposing to renovate the existing hotel,
7 including the substantial restoration of the original
8 1948 Albert Anis design front facade. So that's the
9 Collins Avenue facade that had been altered and added
10 onto in the 1950s, so staff is very pleased that the
11 applicant is proposing to restore that back to its
12 original design as we feel like the 1950 addition
13 actually was insensitively designed and has a negative
14 impact on the integrity of the -- the existing
15 building.

16 They're also proposing to restore the original
17 hotel lobby and reconfigure the ground level amenity
18 spaces. Again, staff is very supportive of the
19 proposed modifications for the Sagamore, which we
20 believe will enhance the City's architectural
21 district.

22 The applicant is proposing the new 200 foot tall
23 residential tower located between the Ritz-Carlton and
24 the Sagamore. That will require the total demolition
25 of a four-story bungalow that is located on the

1 Sagamore site. That bungalow was constructed in 1998,
2 and therefore staff has no objection to that request.

3 In general, staff is supportive of the design
4 language in the architecture proposed for the new
5 tower addition. It is located behind the -- primarily
6 behind the Sagamore Hotel. In the rear of the
7 Sagamore it's important to note what you see today is
8 a 1998 rear addition. So we do not believe that the
9 location of the new tower is obscuring any original
10 historic features.

11 We do have some recommendations with regard to
12 trying to minimize the perceived height, including
13 removing the decorative roof top element and reducing
14 the mechanical equipment to the greatest extent
15 possible.

16 With regards to the modifications of the
17 Ritz-Carlton portion of the site, the applicant is
18 proposing to demolish a portion of the three story
19 rear cabana and that is in order -- that was
20 constructed in 2003 when the rooftop addition project
21 went onto the DiLido, so staff is not objecting to the
22 level of demolition and they're doing that, it's
23 important to note, because currently a rooftop
24 addition -- so we have a three story rear addition to
25 the Ritz-Carlton. They wish to put a fourth story on

1 that portion; however, within this portion of the
2 City, rooftop additions are not allowed. Ground level
3 additions are allowed. Therefore the applicant is
4 proposing to demolish a section of that to build a --
5 a four story ground level addition in its location.
6 Because this -- again, this was constructed in 2003,
7 staff does not believe it has any significant
8 historical architectural features and does not believe
9 it will have any adverse impact on the contributing
10 buildings or the historic district.

11 Additionally there is a proposal to connect the
12 two properties via a stair and elevator. This -- this
13 structure, this new circulation structure has been set
14 back over 200 feet from the front property line which
15 minimizes its -- its visibility significantly from
16 Collins Avenue. We do not believe this will have any
17 adverse impact and we understand the operational
18 concerns of the property owner and have no objection
19 to the construction of this particular component of
20 the project.

21 The -- there are also site enhancements proposed,
22 particularly in the rear yard. Staff has no objection
23 to the design of these and we believe they do satisfy
24 the certificate of appropriateness criteria. We have
25 noted, however, that the setbacks for the pool do not

1 currently appear to comply with the regulations for
2 the oceanfront overlay, so we do have a condition in
3 our draft order that we're asking the board to
4 consider, including in the order if -- if an order is
5 entered into for the project, that would require that
6 particular feature to comply with the -- with the
7 regulation in the oceanfront overlay.

8 In summary, staff is supportive of the proposed
9 project and recommends approval, subject to the
10 conditions in the draft report that is attached.
11 Thank you.

12 MR. FINGLASS: Thank you.

13 MS. TACKETT: It's a large project. Even though
14 there -- there's not a significant scope of work for
15 the existing contributing buildings, there are -- you
16 know, there are three contributing buildings on this
17 site and it is quite an extensive new addition as well
18 so.

19 MR. FINGLASS: I have a -- you --

20 MR. KALLERGIS: Oh, no. Go ahead. I just have
21 two points I'd like to make before I --

22 MR. FINGLASS: I just have a question. Will
23 Mr. Mooney be attending this morning?

24 MS. TACKETT: Yeah. And if I can point out,
25 there is a court reporter present for this particular

1 application, so if we can all speak on our microphones
2 and as clearly as possible.

3 The planning director, Tom Mooney, I believe
4 is -- is going to be joining via Zoom. I'm not sure
5 if he is currently on but he -- he will be monitoring
6 from Zoom, and if you have any specific questions for
7 Mr. Mooney, I can certainly see if he's available.

8 MR. FINGLASS: I do because I'd like an
9 explanation of the extra height and also the
10 transferring of height from the adjacent aligned
11 property, et cetera, because he has been written to
12 about this and I don't think he --

13 MS. TACKETT: Correct. So the board members did
14 receive a -- a letter from -- in opposition from a
15 neighboring property owner requesting a zoning
16 interpretation. The planning director is solely
17 responsible for zoning interpretations. This
18 particular board does not have that authority to
19 interpret the zoning code.

20 A challenge to the director's interpretation
21 would be heard by the board of adjustment, which is
22 the -- the Zoning Board of Adjustment. So there is a
23 jurisdictional board that is charged with that task
24 but it would not be the Historic Preservation Board.

25 MR. KLEIN: So we can't get clarification for

1 what Jack is referring to?

2 MS. TACKETT: What is the specific clarification?

3 MR. KLEIN: Well, I will wait until he comes.

4 MS. TACKETT: Okay. I will -- I will reach out
5 and see if he's available to -- to attend.

6 MR. KALLERGIS: And, Mr. Chairman, I would just
7 ask, given the level of interest in this application
8 if we could do board disclosures at the outset, that
9 will give the -- the applicant and -- and -- and any
10 other interested parties the opportunity to -- to
11 Cross-Examine later if they need to.

12 So can I ask the board if anyone has any
13 disclosures to make?

14 MR. FINGLASS: I think I've talked to everyone in
15 this room just about -- the MBPLs, Tucker Gibbs,
16 Mr. Paul -- I forget this last name.

17 MR. KALLERGIS: Paul Savage.

18 MR. FINGLASS: Paul Savage.

19 MR. KALLERGIS: Okay.

20 MR. FINGLASS: And of course the parties present
21 here today, the lawyers.

22 MR. KALLERGIS: The applicant. Okay.

23 Anyone else. Nancy?

24 MS. LIEBMAN: Can I have -- I -- there's a lot of
25 things that have changed. The name of -- Alex?

1 MR. GONZALEZ: Alfredo.

2 MS. LIEBMAN: With Alfredo.

3 MR. GONZALEZ: Alex is good too. That's my
4 brother's name.

5 MR. KALLERGIS: Anyone else?

6 MR. KLEIN: Other than just a slew of e-mails and
7 a couple texts, most of which I -- I really haven't
8 even read. I'd prefer to see the information here, so
9 I don't -- I'm unbiased.

10 MR. KALLERGIS: Okay.

11 MR. LITT: I had an agenda review meeting with
12 City Staff to discuss this application and I've
13 received a number of e-mails. Did not respond to any
14 of them.

15 MR. PASKAL: I haven't had any individual
16 communications. I've only received the same e-mails.

17 MR. KALLERGIS: Okay. And those -- and those
18 e-mails, any e-mails that have been forwarded to -- to
19 staff or to me are in the public record and have been
20 uploaded to Novis and those have -- those have been
21 distributed to -- to the rest of you.

22 The next -- the next point I wanted to make is,
23 given the complexity of the application, is I wanted
24 to ask the applicant if he'll be requesting additional
25 time at the outset so I can -- so we have an accurate

1 clock.

2 MR. GONZALEZ: For the record, Alfredo Gonzalez,
3 333 Southeast Second Avenue, Greenberg Traurig.

4 The answer would be, yes, we will be asking for
5 additional time. But I also, prior to even starting
6 our application, I do have two questions that I'd like
7 to -- procedural questions that I'd like to raise.

8 MR. KALLERGIS: Okay. How much time you
9 requesting?

10 MR. GONZALEZ: I would just need like three
11 minutes to raise them.

12 MR. KALLERGIS: No. No. How much time for your
13 application?

14 MR. GONZALEZ: I would say let's start at 15
15 minutes.

16 MR. KALLERGIS: Is that good with the chair?

17 MR. FINGLASS: Normally I would say no, but in
18 this case it's so complex and there's so much
19 information, I think that they should have as much
20 time as they need to present their case. It's only
21 fair.

22 MR. KALLERGIS: Okay.

23 MR. FINGLASS: What's your second issue?

24 MR. GONZALEZ: You want me --

25 MR. FINGLASS: No. You said you had two issues.

1 MR. GONZALEZ: I have two procedures questions to
2 ask. If you want me to ask -- ask it now, I'd be more
3 than happy to ask it now.

4 MR. KALLERGIS: Sure.

5 MR. GONZALEZ: I know you already started having
6 the discussion regarding the Delano's counsel raised
7 some questions and whether or not they're appropriate
8 for this board and the legitimacy of the questions so
9 you were waiting for Tom Mooney to respond.

10 I know, Debbie, you outlined that it's not in
11 this board's jurisdiction and unfortunately it's under
12 the jurisdiction of the Board of Adjustment if there
13 were any disputed responses from Tom Mooney or action.
14 So I just wanted to make clear that point before we
15 proceed.

16 Is that fine, Nick?

17 MR. KALLERGIS: So what -- what the chairman was
18 referring to, I believe, was -- was a letter from
19 Mr. Savage requesting certain administrative
20 interpretations. I think that if there's -- if
21 there's an opportunity for -- for the plan -- if the
22 plan director is going to be responding -- I don't
23 know if we want to address that one right now -- but
24 the -- the question -- the question is, certain --
25 certain -- I'm sorry. There are certain questions

1 about the calculation of the project's floor area
2 ratio that were raised in a request for administrative
3 determination. That request is pending. Staff is
4 reviewing that request and researching it. That
5 request does not operate to -- to -- to block the
6 board or -- or impede the board from otherwise ruling
7 on this application. It's not to say board members
8 may have individual questions about it because I've
9 already heard two of you indicate you have questions
10 about it, and -- and, you know, and -- and I defer to
11 staff on -- on certain of the more technical aspects,
12 but -- but -- but that pending request for
13 administrative determination does not get in the way
14 of the board's consideration of the application for a
15 certificate of appropriateness, which is before you
16 this morning.

17 MR. FINGLASS: Okay. But what -- what would
18 happen if his response to the City's response
19 contradicts what we decide?

20 MR. KALLERGIS: Well, there's -- they're really
21 separate questions altogether. What is before you
22 is -- is an application like any other for a
23 certificate of appropriateness. Separately, a
24 neighboring property owner has requested an
25 administrative determination about the project's floor

1 area calculations, but this board doesn't rule on
2 floor area calculations. You're not involved in that,
3 in that math. It's not within your appropriateness
4 criteria.

5 MR. FINGLASS: Nancy?

6 MS. LIEBMAN: That's -- maybe in legal language,
7 that sounds fine; however, how are we to react to this
8 project, which is very complicated without knowing,
9 knowing the floor area? What is so difficult about
10 knowing floor area? Not that we're all going to jump
11 up and raise our hands and say -- oh, here. The
12 expert just walked in -- I think -- I think that at
13 least we should know everything that's attached to
14 this project.

15 MR. KALLERGIS: Of course. And that was not --
16 that was not my point. My point was more that -- that
17 the -- that the math involved in the floor area
18 calculations is a determination that staff makes, but,
19 Tom, I don't know if you want to weigh in now or later
20 but --

21 MR. MOONEY: I can answer any questions.

22 MR. KALLERGIS: Okay.

23 MS. LIEBMAN: Even the math, even the math, just
24 so we understand why whoever wanted to know about
25 floor area ratio. It doesn't affect our board. It

1 just gives us clarity.

2 MR. FINGLASS: Thank you. Welcome. Sorry to
3 drag you down here.

4 MR. MOONEY: No problem.

5 MR. KALLERGIS: Mr. Mooney, do you swear the
6 testimony you are about to give is the truth, the
7 whole truth, and nothing but the truth?

8 MR. MOONEY: I do.

9 MR. KALLERGIS: Thank you.

10 MR. MOONEY: Are there any specific questions
11 or -- well, I heard some of what was being discussed.
12 I think Nick explained it very well. If there's
13 anything that I can clarify, I'm happy to do so.

14 MR. KLEIN: Just a point of clarification, if I
15 could, as someone who sat on the board in a similar
16 situation, anything that we do here up or down, our
17 vote will then get clarified there or before?

18 MR. MOONEY: No. If there's an appeal of any
19 decision that you make based upon Chapter 118 Article
20 10, any appeal of your decision regarding the
21 certificate of appropriateness would be appealed to a
22 special magistrate and then any appeal of a special
23 magistrate would go to an appellate court. So that's
24 the process of the certificate of appropriateness.

25 MS. LIEBMAN: But that's not what was brought up

1 before Tom walked in the room. It's just that this
2 board is asking or some of the people are asking about
3 how large a project it is, or the space. That's --
4 that's it. It's no -- why is it a big deal that we
5 have to waste time talking about it?

6 MR. FINGLASS: I have a question relating to the
7 overhang. I don't think I've ever seen anything quite
8 like that in six years, eight years, and how -- how
9 does that affect -- I'm just very confused about that
10 since it's overhanging another piece of property and
11 it hasn't been, to my knowledge -- what's the proper
12 term? -- deeded -- the whole thing was not put under
13 one ownership. If we're talking about something that
14 overhangs two properties here, is that a certainty
15 that that would happen?

16 MR. MOONEY: It would have to happen in order to
17 move forward and obtain a building permit. It would
18 not be able to move forward and obtain a building
19 permit unless they formally unify the site. Meaning
20 they either unify it with either a unity in title or a
21 covenant in lieu.

22 So what's before you assumes that they will
23 effectuate whatever legal mechanism is required to
24 wholly unify that site.

25 MR. FINGLASS: Nancy, do you have anything?

1 MS. LIEBMAN: That explains it, unless I'm
2 missing -- is this what they're asking?

3 MR. KALLERGIS: Okay. Well, what I would
4 recommend, Mr. Chairman, is, you know, I think we
5 should -- we should follow the -- the order of --
6 of -- of the hearing that is provided for in the city
7 code. I think we should allow the applicant to
8 make -- make a presentation. The applicant, you know,
9 can -- can -- can -- can present the case in chief.

10 After the applicant's presentation, then we'll
11 open the public hearing and -- and allow any other
12 interested parties to speak. Then the applicant can
13 close with a rebuttal. Obviously at any time board
14 members are allowed to ask questions, but I would
15 recommend that we follow the order in the hearing
16 code.

17 MR. GONZALEZ: Okay. Can I just ask -- I want a
18 clarify -- because I think this can help clarify. Our
19 application as submitted to staff from the very
20 beginning has to be reviewed and a determination made
21 whether it meets the FAR. If it wasn't for the FAR,
22 we wouldn't be here today and it wouldn't be
23 advertised. So at least to that point, this
24 application is proper before you today, regardless of
25 any new questions that may be raised now or in the

1 future by any parties.

2 MR. FINGLASS: And you will be discussing the
3 20,000 square foot issues?

4 MR.GONZALEZ: Those issues, I was not prepared to
5 get into those issues since I -- it is under the
6 review of Tom Mooney at this point, and in addition to
7 the fact that he has to determine whether or not, A,
8 they're legitimate questions, 2, if those questions
9 have been asked and answered, and if there is any
10 ability to appeal any decision he makes on any of
11 those questions and it's under a separate process
12 under 118-9 so -- but I'm happy to answer any
13 questions the board may have --

14 MR. FINGLASS: Thank you.

15 MR. GONZALEZ: -- on that.

16 MR. FINGLASS: Thank you. Thank you. Thank you
17 very much.

18 Okay. Go on with your presentation, please.

19 MR. GONZALEZ: I had the second question. I'm
20 sorry and hopefully it will be much quicker.

21 The -- the second issue, I just wanted to, for
22 the record, restate the -- the last minute what
23 appeared to be expert report by the attorneys of the
24 Delano that failed to meet 30 days as required by the
25 code under 118-6. In my opinion -- in my opinion, my

1 review, these are unfortunately no different -- these
2 expert reports are being submitted as expert reports,
3 and as such, in opposition to our application, it
4 would require 30 days.

5 I know that the National Hotel submitted some
6 reports. We continued the item and it satisfied that
7 issue and made it a moot point, but that does not
8 address the existing reports by the Delano Hotel.

9 MR. KALLERGIS: So for the benefit of the board,
10 Mr. Gonzalez is -- is raising an objection, a
11 procedural objection, to a report submitted and -- and
12 your procedural objection is -- is omnibus, right? Is
13 what you distributed?

14 MR. GONZALEZ: Yes, sir.

15 MR. KALLERGIS: Okay. As -- as to -- as to a
16 report submitted by the Delano Hotel owners under a
17 provision of the code that requires that -- that
18 reports be submitted 30 days prior to the hearing. We
19 do not believe -- and when I say we, I've discussed
20 this with staff -- we do not believe that that is a
21 rebuttal report to a required expert report that --
22 that is subject to that 30 day deadline.

23 Debbie, do you have anything else you would add
24 to that? I don't think that report was submitted
25 untimely.

1 MS. TACKETT: Thank you, Nick. That is correct.
2 So we believe that, you know, that was submitted
3 properly, and you can certainly take that into
4 consideration.

5 MR. GONZALEZ: So it's not treated as an expert
6 report then, correct?

7 MS. TACKETT: Correct.

8 MR. GONZALEZ: That's the -- okay. I just wanted
9 that clear on the record, that the report submitted
10 was not an expert report by the Delano.

11 MR. KALLERGIS: And I think, to clarify, it may
12 well be an expert report, but it's not an -- an expert
13 report submitted in rebuttal to a required report,
14 which is -- which is what are subject to a 30 -- I
15 know. I'm sorry. I know these issues are -- are --
16 you know, but -- but I just want to get that on the
17 record, that we do not believe that this is a rebuttal
18 to a required expert report.

19 MR. GONZALEZ: Okay. I guess that's a new
20 position from last year, but staff has the ability to
21 make any change.

22 MR. FINGLASS: I have a question. So that means
23 that we can read it and use it in our judgment?

24 MR. KALLERGIS: Yes.

25 MR. FINGLASS: Okay. Because I just -- I -- to

1 me, it's kind of like in a -- I watch Perry Mason a
2 lot. It's kind of like when a prosecuting -- or a
3 defense attorney says something and we need to
4 withdraw it but the damage is already done. It's a
5 slippery thing.

6 Okay. Thank you. Thank you.

7 MR. GONZALEZ: Those were our procedural
8 questions, Mr. Chairman, board. I would like to start
9 with our presentation at this point.

10 MR. FINGLASS: Welcome. And we're eager to hear
11 what you have to say.

12 MR. GONZALEZ: Good morning. Again, just really
13 quick, with me here today we have from ownership
14 Dayssi --

15 MS. KANAVOS: Just Dayssi.

16 MR. GONZALEZ: Dayssi Kanavos, Diego Lowenstein,
17 Ronny Ben-Josef from ownership; Kobi Karp and his
18 team; we have Arthur Marcus, historical consultant,
19 Deborah Vicente historical consultant; and Debbie --
20 sorry, Devon Vickers from our office.

21 We're standing here today to reunify this parcel.
22 As everyone has seen, this parcel, originally Carl
23 Fisher sold it to James Seiberling, the founder of
24 Goodyear Tire, and the building's an estate. Carl
25 Fisher's estate was across the street which now is

1 Decoplage.

2 Over years the site went through many ups and
3 downs and was divided up, planned to be unified, not
4 unified. So today we're happy that this proposed
5 project is bringing this entire site back together as
6 it originally was. And, in addition, with touches
7 from famous architects like as Morris Lapidus, Melvin
8 Grossman, Igor Plevitzky, and Norman Giller.

9 The far -- the five star Ritz-Carlton flag will
10 now include the Sagamore Hotel. That's basically what
11 we're doing, is adding the Sagamore under the
12 Ritz-Carlton umbrella, bringing 110 hotel rooms,
13 reducing them from a maximum of 60 hotel suites in an
14 historic building and up to 50 residential units in
15 the tower.

16 I think this is especially exciting with this
17 whole movement of residents first, and we've seen from
18 the last election that there's been a movement now to
19 repurpose this area, call it the development of the
20 Cultural Art Deco District that's being renewed, and
21 really bringing a high caliber of product to the --
22 this area and emphasizing the arts, culture, history
23 and residential into the mix, which is I think the
24 direction the City wants to go, and we achieve this by
25 only demolishing or proposing to demolish

1 non-contributing portions of -- of the site and
2 restoring the contributing sections on the Sagamore
3 and, as Debbie had suggested, bringing back that --
4 the front facade that was originally at the hotel.

5 And we're not asking for any variances or waivers
6 from the code. We're asking, as a matter of fact,
7 under the existing RF3 regulations, and I think the --
8 at this time what I'd like to do is really quickly
9 introduce a representative of each of the three
10 families to quickly give you a comment on why this
11 project is so important to them and their involvement
12 in -- in Miami Beach over -- over 50 years.

13 With that, Mr. Lowenstein.

14 MR. LOWENSTEIN: Good morning, chair, board
15 members and residents and stakeholders of Miami Beach.

16 My name is Diego Lowenstein. My family has been
17 an owner of hotels and buildings in Miami Beach since
18 1966. My grandfather and father acquired the DiLido
19 Beach Hotel in 1971 and now 50 years and going, four
20 generations of our family have been stewards of this
21 Morris Lapidus gem. We are one, if not the longest,
22 of a group having owned hospitality properties in
23 Miami Beach since this City's inception.

24 Many tell me that my grandfather and father were
25 geniuses for having acquired this property. I always

1 reply that they were geniuses for having kept it
2 standing during the most difficult of times,
3 particularly the darker periods of Miami Beach in the
4 '70s and '80s. Back then, there was no designation
5 for historic buildings and demolition was an option,
6 and somebody -- some took that option.

7 Our family made it our mission to maintain and
8 preserve these historic MiMo period structures. Over
9 20 years ago, we committed with our partners to
10 redevelop the DiLido into the Ritz-Carlton hotel, the
11 market's first true luxury hotel property and one that
12 was a catalyst for the redevelopment of so many
13 historic properties neighboring us.

14 At that, historical assets is a pivotal part of
15 my family business. We have transformed over the last
16 decade many landmark buildings, including a 1928 bank
17 building in Chicago, a 570 year old UNESCO World
18 Heritage site in Tuscany, and a 700 year old convent
19 in Florence. We are experienced in preservation and
20 it matters for us. We define ourselves as custodians
21 of these legacy assets, ones that constantly need to
22 be nurtured to be kept relevant for the ever evolving
23 needs of our customers and to be openly enjoyed and
24 treasured by our communities.

25 Now I'd like to introduce my partner, Dayssi

1 Kanavos, who will share her thoughts. Thank you very
2 much.

3 MR. FINGLASS: Thank you.

4 MS. KANAVOS: Hello, chairman and board members.

5 MR. FINGLASS: Good morning. Nice to see you
6 again.

7 MS. KANAVOS: Good to see you too. Very proud to
8 be here.

9 As -- as Diego said, our family has also been in
10 the hospitality business for over 70 years. We've
11 built some of the first Marriott Hotels in the country
12 in Boston, and we've also been stewards of many
13 historical properties, one of which is 55 Wall Street
14 which was built in the 1800s, and it is known today as
15 one of the most wonderful restorations of a historic
16 landmark into a hotel. It opened in 2001.

17 In addition to that restoration, we were also
18 involved in other restorations around the country. We
19 started out in -- in -- in Miami Beach by developing
20 the Ritz-Carlton in Coconut Grove. We were selected
21 by the Marriott family through a 70 year relationship
22 to be a strategic developer and bring Ritz-Carlton to
23 Miami. With that, we completed the Ritz-Carlton in
24 Coconut Grove in 2001 and then we partnered with the
25 Lowenstein family to bring luxury to Miami Beach.

1 Our restoration project was so meaningful to
2 Morris Lapidus that he personally came and appeared
3 before the HPB board to speak about our renovation.
4 We had to strike a delicate balance between the needs
5 of a Ritz-Carlton, which wanted Queen Anne style
6 furniture, and bring in instead more of a MiMo style
7 hotel furniture and millwork package.

8 Subsequently, after the Hurricane Irma, we went a
9 step further and restored the curved wall to its
10 original lighter color, which we can see in all of the
11 historic pictures, and really brought it back to life
12 in a way that I think Morris Lapidus would have been
13 proud.

14 In 2014 we were also stewards of the Shelborne
15 Hotel. The Shelborne that was built in the 1940s,
16 subsequently had an addition by Morris Lapidus, but in
17 the '70s and -- '60s and '70s, the lobby was
18 completely covered in sheetrock. You couldn't see the
19 Polevitzky beautiful stair. The mezzanine was
20 completely sheetrocked. There was no two stories.

21 I convinced our partners, which was no small
22 feat -- Russell Galbut -- to buy the condominiums in
23 the -- in that lobby portion and to completely
24 demolish them and not have the income from these --
25 the condominiums so that we could restore the original

1 lobby.

2 We discovered the octagonal columns that were
3 original to the lobby, we preserved the Tennessee
4 granite marble, and searched high and wide to make
5 sure that the restoration was not only complete but
6 that it was -- but that it had the highest integrity.
7 Today, you can go back and visit that lobby and see
8 how beautiful it is to see the Plevitzky stair and
9 the original mezzanine restored to its original
10 beauty.

11 Restoring properties isn't just pridefully
12 expedient to us. As a board member of Save Venice, I
13 am deeply passionate about restoring art and
14 architecture. The similarities between Miami Beach
15 and Save Venice are -- are obvious to us all. Save
16 Venice was -- it is the largest private organization
17 that restores art and architecture in Venice, and it
18 started because of the 1966 floods. So it's something
19 that is near and dear to our heart.

20 And -- and I'm also proud to introduce to you the
21 third family here, Ronny Ben-Josef, to talk to you
22 about how we're going to continue contributing to our
23 communities.

24 MR. FINGLASS: Thank you.

25 MR. BEN-JOSEF: Good morning.

1 MR. FINGLASS: Good morning.

2 MR. BEN-JOSEF: Honorable chairman and members of
3 the board, my name is Ronny Ben-Josef, and I'm proud
4 to announce that this December is the 20th anniversary
5 of the Art Basel, famous Art Basel brunch held at the
6 Sagamore Hotel.

7 The Ben-Josef family has made a substantial
8 commitment and has successfully -- successfully
9 deepened the Sagamore's role to the arts and the local
10 community and Miami at large. By collaborating with
11 the Perez Museum, the Miami History Museum, the South
12 Florida Symphony, as well as the New World Symphony,
13 and many, many more, we have positioned the Sagamore
14 as a platform for local artists and museums.

15 We're especially proud that during the height of
16 COVID last year, as all of us may remember, the
17 Sagamore was the only hotel to offer any arts and
18 cultural events, was the only one in Miami supporting
19 local artists, local institutions. To achieve -- to
20 achieve all of that takes a great amount of
21 commitment, resources, and our own money.

22 Before -- before this project, the Sagamore was
23 poised to increase the room count as of right, we had
24 an increase of room count to 138 rooms. Instead, our
25 proposal reduces 138 rooms approximately to 2 --

1 approximately 60 hotel rooms plus 50 residential
2 units. This is significant reduction in rooms and
3 increasing highly converted residential units. We
4 have unique opportunity to reduce density, create
5 residential building whose residents will be committed
6 to improvement of our neighborhood.

7 We view -- we view this as the best way to secure
8 the ability to commit to more arts to our local
9 community. We look at this as a rare opportunity to
10 deepen our interest, ties with the local businesses,
11 artists, residents, and Miami Beach as a whole.

12 Although our project is as of right now asking
13 for no variances, we're happy to extend a hand to our
14 community and neighbors in order to address any
15 reasonable concerns they might have. Miami Beach need
16 for restoration throughout -- through South Florida
17 development, and we are committed to do so.

18 Thank you very much for your time.

19 MR. GONZALEZ: Kobi will now start his
20 presentation.

21 MR. FINGLASS: Good morning, Kobi. How are you?

22 MR. KARP: Good morning, Jack. Thank you for
23 having me here this morning.

24 MR. FINGLASS: Thank you for coming.

25 MR. GONZALEZ: I am going to -- Mr. Chairman, I'm

1 going to request a little additional time.

2 MR. FINGLASS: This is very important. This is
3 probably one of the most important things we've had
4 before us, and you need to take the time that you need
5 to take.

6 MR. GONZALEZ: Thank you, Mr. Chairman.

7 MR. KARP: Thank you so much for your time this
8 morning. Kirk, Barry, Jack, everybody, good to see
9 you. My name is Kobi Karp, 571 Northwest 28th Street
10 for the record, and I wanted to take time and --
11 because I've met with some of you, Jack and Nancy, and
12 I wanted to show you the images that we have and I
13 want to take a minute and give you the thought process
14 of how it is that we are where we are today.

15 So basically just on the Sagamore, this is the
16 original sketch that shows the four levels and this
17 shows the addition. So this addition is what we are
18 proposing to modify and bring back to the way it was,
19 which is a step-back effect. This is the sketch,
20 these are the photos, and that's what we have decided
21 to do.

22 Specifically, what is interesting here, is that
23 you have an opportunity second to none to really
24 create a combination to bring -- and you can see here,
25 this is a rendering showing the step-back, and the

1 reason we have that is because, as was mentioned
2 before, this property was united, it was residential,
3 and now it's hospitality, meaning the whole block
4 historically, whether it's the Delano or whether it's
5 the National, they were always designed as vertical
6 high rise structures designed to be approximately 150
7 to 180 feet. The neighbor that we have right here,
8 the Decoplage, is approximately that height. The Igor
9 Polevitzky is right here, and this is the Ritz with
10 the addition.

11 So when we looked at the geometry of the
12 buildings, we felt that there is an opportunity to
13 look at a couple of things which were quite
14 interesting. When we met with staff, and I give you
15 these images and they're part of the packet but I
16 wanted to discuss them with you face to face, you do
17 not see this building from the public right of way off
18 the streets. You don't see it from Collins Avenue,
19 you don't see it from Lincoln Road, and you don't see
20 it from the other court. So that's the purpose of
21 these images, which are right here in front of you.

22 If you allow me to fly like a bird 150 feet up in
23 the air, you can see it here in the background.
24 That's what we are showing, and this is the step down
25 of the Sagamore being implemented in there. And

1 that's really why we're showing that. We're showing
2 the contextual relationship of the massing. You can
3 see the width of the buildings and you can see the
4 height of the buildings, and whether they're 150, 170
5 or 180, you can clearly see it in the submission that
6 we made on the elevation, but, in essence, what we are
7 trying to do is take the available square footage, and
8 there is, as was discussed, a building on the east
9 side. It's in the backyard. And right now it touches
10 the east facade of the Sagamore. So when we
11 discussed, we saw an opportunity to disengage it and
12 bring the east facade of the Sagamore back to its
13 original stand alone design.

14 So what did we do? We took our new building and
15 we said if we can't see it from the street, because it
16 was set back so nicely, why don't we look at how it
17 sits on the site. So we studied a few things, and you
18 can see this angled facade here on the Sagamore. On
19 the Morris Lapidus there's also an angled facade, and
20 they reflect the angle of Collins Avenue and how it
21 meets Lincoln Road.

22 And so you heard about the ownership. Ownership
23 has owned these properties years, decades. They're
24 not going anywhere. They have hotels here, and this
25 is the first time, really through sheer luck, that two

1 individuals who own the two properties, went to high
2 school together, and they have talked and found a way
3 to bring this property back together, which is
4 important because if you walk along the public right
5 of way along the beach, you will see how open it is,
6 yet how it is that now, more so than ever before with
7 the new building floating up and disengaging the
8 existing structure of the Sagamore based facade, you
9 have an opportunity to combine the sites, open them
10 up, but most important, you have an opportunity to
11 create an open space that would be used by the public
12 that cannot only see the buildings from the boardwalk
13 but also can access them. That is the uniqueness of
14 the site. It's both hospitality and residences in
15 this element right here.

16 And this image right here is an important image
17 because it shows how the building floats up in the air
18 at 20 feet and let's the open space and the
19 landscaping come underneath, so that the idea is that
20 it has a very light footprint in the backyard and
21 allows the light and air to come in. And the reason
22 we did it, we did it, quite frankly, so that we can
23 disengage from the east facade of the Sagamore and
24 also stay further away from the east facade of the
25 Ritz. So the further away we can do it and give you

1 the skinny side, and that's when we thought about the
2 cantilever.

3 The cantilever allows us to really create the
4 most open space and to set this tower as far south as
5 possible and as far away from these facades, and you
6 can clearly see that the east facade of the Sagamore
7 the east facade of the Ritz is easterly of the
8 National and the Delano, and what's interesting about
9 it is it allows more open space that connects properly
10 to Lincoln Road more so than ever before so that folks
11 can enjoy the building, come into the Sagamore, come
12 into the Ritz and walk through it and come to the
13 backyard and enjoy the backyard whether it's for
14 cafecitos in the morning or for a drink in the
15 afternoon, the public has a site that is so much more
16 porous than ever before. So that's where the thought
17 process about the location came about.

18 The context in relationship -- this is obviously
19 again up in the air and we go up in the air so we can
20 show the full impact of the building because if I'm on
21 the ground there's landscaping and there's trees and
22 you don't get to see as much of the building as you
23 would up in the air.

24 This image is an interesting image because it
25 reverts back to the discussion that we had about the

1 cantilever. The building has right here the
2 residential plates and it has an open space below
3 right here and this is the Sagamore. So it allows us
4 to disengage from the historical background because
5 right now it's connected by the addition that was
6 built a few years ago. So we're looking to break up
7 that addition, and then start the new building.

8 But when we start the new building, we don't want
9 to start it at the ground level. We want to float it
10 up in the air so that when you walk along the public
11 boardwalk, you can see through to the backyard of the
12 Shel- -- of the Ritz and the backyard of the Sagamore.

13 It's interesting because the architectural design
14 of these images, we made this collage in the office.
15 You can see the porte-coch?re by Morris Lapidus. You
16 can see the porte-coch?re on the Sagamore right here.
17 You can see how what we did is float up the building
18 in the same DNA up in the air so that the context is
19 not only graphic, it's not only three dimensional on
20 the site and the angle to the site, but it also
21 relates the front yard to the backyard in a way that
22 potentially can work quite well.

23 There are cupolas, as you have seen, and so
24 what's interesting -- I'll just take a second. This
25 is an image, it's a black and white image when the

1 National and the Delano was built, and you can see
2 that historically the ocean was right there. So the
3 buildings always had a context of relating closely to
4 the ocean. The -- this is the first time, and you can
5 see in this image, that you have an opportunity to
6 combine the sites and bring them together. When you
7 do that -- let me just jump to this for a second --
8 and if you want to stop anytime, Jack, I'll stop,
9 okay? -- is that this open space right here is the
10 open space that connects the Sagamore with the open
11 space of the Ritz along the -- this is the boardwalk,
12 this is the foot of the boardwalk right here. So as
13 you walk, and if you walk there, there's no big trees
14 hiding the back elevations. There's no big bushes.
15 You can see it. It's transparent.

16 I walked it together with Jack, I walked it with
17 other folks, and I believe that if we are allowed to
18 restore the Sagamore to what it was with -- let me
19 step this over so I'm not blocking anybody's view,
20 forgive me for that, Debbie -- the step-back effect on
21 the Sagamore, and setting the building all the way in
22 the back, I -- and, again, this building has a
23 footprint of approximately -- how big is it, Matt?
24 I'm allowed 15 -- I'm allowed 15,000. How --

25 MR. MOONEY: 8,200.

1 MR. KARP: 8,200. So what we decided to do is,
2 how can we be as skinny as possible and push it as far
3 away from the Sagamore's facade? So instead of making
4 it 15,000 square foot plates or 10,000 square foot
5 plates, making it shorter, we felt for our benefit on
6 the east facade of the Ritz, on the east facade of the
7 Sagamore, as well as our neighbors to the north, that
8 the skinnier I would be, the further I would be in
9 three dimension from that facade, it would help to
10 bring the spatial disengagement of the lightened air
11 to allow it to come in.

12 MR. FINGLASS: I have a question.

13 MR. KARP: Anything, anytime, Jack. This is a
14 diaglogue. It's log not a monologue.

15 MR. FINGLASS: Thank you. I just have a question
16 based on that drawing. I have a question based on
17 that photograph. To me you've done a great job in
18 trying to make the building disappear. It is glass
19 separated by the materials. It is really a very nice
20 building.

21 MR. KARP: Thank you, Jack.

22 MR. FINGLASS: But in this picture I think
23 it's -- don't you think it's a bit misleading to show
24 it as almost a vacuous cloud in the sky that has no
25 mass? You're showing it as a glass box. Well,

1 obviously there's things in the box -- furniture,
2 concrete, walls. It's really not going to look like
3 that.

4 MR. KARP: So that's a good point and the glass
5 on this building is the same glass as I have on the
6 Surf Club, which is intended to be white and silver to
7 reflect the ambiance, and that's why I have multiple
8 images, which I will show you of the building, because
9 I don't want you to think that for one second we don't
10 have a building there. Right? You can clearly see
11 here actually. And --

12 MR. FINGLASS: I understand. And, also, I guess
13 hopefully in the last part of your talk you're going
14 to talk about its effect from the beach side because
15 that's very important.

16 MR. KARP: I think the beach side is very
17 important. We walked it together, you and I, and we
18 felt that by raising it up, I'm able to see to the
19 backyard. And, on the contrary, this image, this
20 building here's 180 feet because it has a little bit
21 of an angle to this photo, we actually raised it
22 because if I was to take too long in coming across,
23 the building would look shorter.

24 So what we did, we actually took a panorama
25 image. It's not a straight on elevation. The

1 straight on elevation is right here. And so that's
2 why the building here, arguable, looks taller than it
3 would in reality, because it's the perspective of the
4 photo. That's why we took the time and we put
5 underneath the black and white elevation to show that
6 the building is within context of its existing
7 neighbors to the north and to the south.

8 MR. FINGLASS: I -- I just want to clarify why I
9 mentioned that, it's because in the past we've been
10 shown other buildings, the fingers in the sky as a
11 friend of mine calls them, that I think do false
12 advertisement about how big they are and what effect
13 they have on the skyline, which is our prime concern
14 here. So I just want to make sure that in your
15 presentation you show us that this is not --

16 MR. KARP: And -- and, Jack, I think your point
17 is very well taken, and you can clearly see here the
18 building. It has the silver reflective glass that
19 we're seeking with the white matte modernization, and
20 we're seeking that, again, to make it look as
21 translucent as possible.

22 Will it be translucent? No. But will it be here
23 and reflective? Yes. And you can see that I could
24 have selected a black glass or a copper or bronze
25 material --

1 MR. FINGLASS: Your building is spectacular I
2 think.

3 MR. KARP: Jack, I -- I'm just trying to be clear
4 because I know that my dear friends are going to come
5 and attack me in a couple of minutes. I just want to
6 be, you know, clear -- clear about it, because, you
7 know -- and so what happens is that this glass
8 actually, and I'll be happy to submit it, has a full
9 reflection of the -- of the community, of the
10 surrounding area, and that's why I think it's
11 important for me, if I may just show you something, if
12 I may, please. Just give me a second. Because what
13 Jack was talking about is that now this is a view on
14 the property looking back to the Sagamore, which will
15 be opened up, and this is a view from the Sagamore
16 looking back again with the footed columns to give you
17 that overhang, or as Alon Shulman called it a tong or
18 a cantilever like Morris Lapidus had, to see the ocean
19 more so than ever before. And if nothing else, if you
20 can walk by the -- because you're not going to see the
21 building from Collins Avenue. You're not going to see
22 it from Lincoln Road. It's important to understand
23 that when you see it from the ocean, we have taken
24 every step possible to make it as -- as correct as
25 possible.

1 And what is important here is that you have an
2 opportunity to restore -- this is the lobby and the
3 public areas, and this is an image, again, up in the
4 air so you can clearly see the spatial relationship
5 between these two buildings because once I bring you
6 down to the ground, you're going to be able to see the
7 other buildings in the background as well.

8 This is an important image because it clearly
9 shows the separation between the east facade of the
10 Ritz and the Sagamore and the west facade of this new
11 building.

12 I wanted to do this on boards so that I can
13 briefly show you what it is that we're talking about.
14 I took the geometries -- give me a second, please.

15 MR. FINGLASS: How much time do you think you
16 might need?

17 MR. KARP: Sixty seconds, max.

18 MR. FINGLASS: Okay

19 MR. KARP: So -- because we are on the beach and
20 we like the sand and the sand is glass and glass is
21 sand, but I don't get into that whole discussion,
22 right, but that's where the inspiration and
23 environmental is coming from, and we felt that because
24 the beach was so close and because these high rises
25 were always designed to be as tall and slender as

1 possible, what we had an opportunity is to take the
2 geometry of the original Sagamore, whether it's the
3 canopy or the vertical and the horizontal, or even the
4 angled walls on Lapidus and implement it into the
5 building. And I gave you blogs of these images in
6 relationship to the Igor Plevitzky geometry, which is
7 quite nice and strong, to the angled walls of how the
8 building sits on the site, and they allow -- the
9 ability now, more so than ever before, to open it up
10 and make it as porous as possible with the two
11 properties combined together, which has not existed
12 since the original residence were built there.

13 Thank you very much for your time.

14 MR. FINGLASS: I want to compliment you on your
15 beautiful presentation. You did a really good job and
16 I think it is very enlightening and it has raised many
17 qu- -- many, many questions in my mind, which we'll
18 get into. Thank you.

19 MR. GONZALEZ: And, Mr. Chairman, with that, that
20 concludes our primary presentation. I would like to
21 reserve rebuttal --

22 MR. FINGLASS: You said the primary presentation?

23 MR. GONZALEZ: Well, the rebuttal after the
24 public comments, but yes, we -- I could give you
25 another presentation if you want me to repeat it.

1 MR. FINGLASS: I think whatever you'd like to do,
2 we're happy to hear it.

3 MR. GONZALEZ: Thank you, Mr. Chairman. With
4 that, we conclude our presentation.

5 MR. FINGLASS: Thank you very much. Very, very,
6 very well done.

7 MS. TACKETT: Mr. Chair, if the board does not
8 have any specific questions, I think we can open it up
9 to the public.

10 MR. FINGLASS: Does the board have any specific
11 questions?

12 I do have one little one, hopefully. I was told
13 when I visited the site, and I just want to make this
14 clear for the other board members who may not have
15 heard this or understand this, that the new building
16 that you proposed to replace the building that is
17 there and on the ocean side will be the exact same
18 footprint as what is there, forget the overhang, but
19 the actual caliber will be the exact same footprint as
20 the building that's there from --

21 MR. GONZALEZ: Oh, actually, we -- it's set --
22 it's going to be less.

23 MR. FINGLASS: Less?

24 MR. GONZALEZ: There's a reduction of about --
25 about ten feet towards the -- the south. So since the

1 building cantilevers --

2 MR. FINGLASS: Towards the south? Which --

3 MR. GONZALEZ: So if you're looking at the rear
4 of the Sagamore today, the -- the cabana structure
5 opens up and actually connects -- almost connects into
6 the rear of the Sagamore. So by demolishing that,
7 you're first creating a 50 foot separation between our
8 tower and the rear of the Sagamore, and when it
9 cantilevers over, over half the building is over the
10 Ritz-Carlton side and the current setbacks, that it
11 actually opens up so that if you're standing at the
12 beach walk, you will see more of the rear of the
13 Sagamore than you do today.

14 MR. FINGLASS: And when you say it opens up, the
15 view corridor of 17 stories versus 8 or 9 now?

16 MR. GONZALEZ: Correct.

17 MR. FINGLASS: Thank you.

18 MR. GONZALEZ: You're welcome.

19 MR. FINGLASS: Anybody else have any questions?

20 MR. PASCAL: I have a question, I guess probably
21 for the architect. I'm obviously going through lots
22 and lots of paperwork. I'm just trying to get a
23 clearer sense of the uses.

24 I get that the Sagamore lobby becomes the
25 residential lobby. The Ritz-Carlton remains -- the

1 DiLido remains hotel use. The front section, the
2 historical section of the Sagamore is hotel use,
3 correct?

4 MR. KARP: Yes.

5 MR. PASCAL: And what about, I mean, in terms of
6 amenities, restaurants, that sort of thing? Can you
7 just give an overview of how this works as well as
8 parking for -- for residents in the tower and all of
9 that sort of thing, access points. I just want to
10 understand the big picture and how it all functions.

11 MR. GONZALEZ: While he's doing-- while he's
12 getting the board, Kobi, let me clarify. The Sagamore
13 lobby will be both for residents and hotel guests
14 because the historic Sagamore building will become
15 Ritz-Carlton suites and Kobi will walk you through how
16 you still check in at the Ritz-Carlton, the main
17 lobby, the Morris Lapidus lobby, and access all the
18 site.

19 MR. KARP: So just to be straightforward, the
20 Sagamore stays open to the public as well as the Ritz.
21 So you and I can go walk through the lobby of the
22 Sagamore or the Ritz, connect onto the backyard, walk
23 through the backyard, walk to the beach, and from the
24 beach back into the property. So the site becomes
25 more porous and ultimately more open as originally

1 combined.

2 Most important is that because you saw the
3 section that has the cantilever, that's where the
4 residential component is. So the residential
5 component is sitting in a -- here it is. So this is
6 the cantilever. Right here on top of this roof we're
7 building the pool and amenity area for the residences
8 which allows us then to connect also into the Ritz.
9 So the residences, which this building will be only
10 residential, and the rest of the project shall stay a
11 hotel.

12 So specifically as was mentioned, there's
13 currently hotel rooms in the Sagamore. We will make
14 them bigger, there will be less of them, there will be
15 60 of them, and then there will be 50 non-residential
16 units in total. The rooftop will be the amenity area.
17 And this is how they enter. They enter right here in
18 the Sagamore, walk on through, public, public,
19 straight on through to the beach.

20 Yet, if you live there and it's your unit, you
21 come to this point, you make a right, and you walk
22 within a garden and you'll enter the court. So you
23 only enter the elevators and staircases. The only
24 thing that comes down to that level are the elevators
25 and staircases. Everything else floats up in the air.

1 And the reason is to allow you to come in and also
2 right here there's a doorway that connects you to the
3 garage, to the existing garage on the building.

4 MR. GONZALEZ: You asked about the parking as
5 well. The parking, there is sufficient parking within
6 the Ritz-Carlton to satisfy any parking requirement in
7 our proposed project. So it would be housed in the
8 current garage.

9 Did that answer your questions?

10 MR. PASCAL: Yeah. Thank you.

11 MR. KARP: And just as a note, so this is the
12 open space that we have and it opens up more from the
13 Sagamore because, like Jack said, are you confirming
14 to me the width of the tower because the tower is like
15 60 feet wide, and so what it does is cantilevers 30
16 feet over the Ritz and stays 30 feet over the Sagamore
17 for round numbers and this opens up so much more comes
18 around and lets the public in. This right here is the
19 pool for the residents only.

20 MR. FINGLASS: Anyone else have a question before
21 we --

22 MR. KLEIN: Kirk hit on something about amenities
23 and restaurants. How does that affect the Sagamore?

24 MR. GONZALEZ: Right now the F&B programming as
25 existing today at the Ritz-Carlton will continue.

1 There's some restaurants at the Sagamore and bars.
2 That will be remaining. It will be repurposed and
3 then -- and -- but the overall site is not going to
4 intensify for additional venues. So it will be
5 tweaked; however, it will be all under the
6 Ritz-Carlton hotel flag, whether it's a bar at the
7 Sagamore lobby or the Ritz-Carlton lobby or on the
8 property.

9 Does that answer --

10 MR. KLEIN: Yes.

11 MR. GONZALEZ: Any more questions?

12 MR. FINGLASS: Yeah, I do.

13 MR. GONZALEZ: Sure.

14 MR. FINGLASS: One more.

15 MR. GONZALEZ: As many as you'd like, Jack.

16 MR. FINGLASS: I don't want to delve into your
17 economics because it's not germane particularly to
18 this discussion, but an underlying question that I
19 have is how did you decide on the height of the new
20 tower?

21 MR. GONZALEZ: And I could let Kobi elaborate,
22 but I know that ownership was very much concerned
23 about the impacts in the area and they were trying to
24 find the smallest footprint to accommodate the
25 residential plates.

1 MR. FINGLASS: I'm not talking about the smallest
2 footprint. I'm talking about the height.

3 MR. GONZALEZ: Right. If we were happy to have a
4 short, much larger type of --

5 MR. FINGLASS: You're heading in the same
6 direction as everyone else who comes before us.

7 MR. GONZALEZ: Okay.

8 MR. FINGLASS: And it's in a direction that I
9 don't like and I never have before. But why not five
10 stories? Why not eight stories? Why not ten stories?
11 Why do we have to have another big finger sticking in
12 the sky when the buildings that exist there operate
13 perfectly normally the way they are?

14 That is my underlying complaint about all of
15 these proposals that come before us. It's just
16 apparently about money and we're here to preserve
17 buildings and not to deal with the issue of money.
18 It's very important. It makes the world go round.
19 But it is a finger in the sky that is really not
20 necessary and I question why it has to be so high.

21 I mean, it says -- it says you can up have up to,
22 what is it, 200 feet. It's not by right. You have to
23 earn it. You have to get this board's approval. You
24 don't have it by right, and it bothers me that -- I
25 know we're not supposed to compare one side to

1 another, but it's apparent in everything that has come
2 before us, one after another after another tries to
3 capitalize on the ability to gain height and that's
4 really clouding our postcard view and it's -- it's
5 just not the way to be.

6 So why -- I'm asking the question: Why is it as
7 high as it is?

8 MR. KARP: If you'll allow me to jump in, Jack?
9 Because when we walked the site, and in this section
10 you can see, what we basically have, we have one, two,
11 three, four, five, six, seven, eight, nine, ten,
12 eleven, twelve floors of residential right here on
13 this existing fault.

14 By cutting it down, right, and disengaging from
15 the east side of the Sagamore, we take the floor and
16 put it on top of each other, it's eight floors, right?
17 So what did we try to do? We tried to say let us push
18 it as far back as possible.

19 But your question is how did you get to the
20 height? Why can't you make it shorter? Because we
21 wanted the space between the east facade of the
22 Sagamore and the east facade of the Ritz, which by
23 definition is also the east facade of the National, is
24 to move it as far away to the east as possible. So if
25 I -- I'm allowed to make plates that are bigger, I

1 decided, we decided all of us together -- you see I
2 have clients that are pretty sophisticated -- they
3 decided with us to make the plates as small as
4 possible and to increase the cantilevers as much as
5 possible, and the reason for that is that you have an
6 ability to have a greater space open between the
7 historic buildings and the new building. So that's
8 where the logic came from.

9 Does that answer your question?

10 MR. FINGLASS: Not really.

11 MR. KARP: Okay. Anything else I could do?

12 MR. FINGLASS: Yeah. We'll get into that. Okay.
13 Okay. Thank you for the answer.

14 Okay. Anybody else have any questions? No.
15 Okay.

16 MS. TACKETT: Yeah. If the board would like to
17 open it to the public, right now I don't see anyone on
18 Zoom. So if there are any members of the public on
19 Zoom wishing to comment, please raise your hand and we
20 will call on you.

21 Mr. Chair, if you want to begin with members of
22 the public who are present in chambers?

23 MR. FINGLASS: Sure. Anyone from the public
24 would like to come up and speak? Good morning.

25 MR. GIBBS: Good morning. My name is Tucker

1 Gibbs and I represent the National Hotel, law offices
2 at 3835 Utopia Court in Coconut Grove.

3 The National and the Delano would like to make
4 presentations in tandem, if possible. Is that --

5 MR. FINGLASS: Yes.

6 MR. GIBBS: Therefore, so the orders of the
7 presentation, so you all will know, would be first
8 Mr. Steven Avdakov who is the principal of Heritage
9 Architectural Associates, our expert witness. He
10 would be followed by Paul Savage. He represents -- is
11 representing the Delano -- he represents the Delano.
12 And by Tucker Gibbs who represents the National.

13 So I'd like to introduce to you Mr. Avdakov.

14 MR. AVDAKOV: Thank you, Tucker. Good morning.

15 MR. FINGLASS: Good morning.

16 MR. AVDAKOV: Mr. Chair, members of the board,
17 it's a pleasure to speak before you, to be present.
18 For the record, I am Steven Avdakov, principal at
19 Heritage Architectural Associates, 4300 Biscayne
20 Boulevard, Miami.

21 As I previously mentioned in other presentations
22 to this board, I'm a registered architect and my
23 architectural preservation expertise meets federal
24 criteria. My firm prepared and submitted reports on
25 behalf of the National and the Delano to analyze the

1 compatibility with the proposed design of the Sagamore
2 with the historic context of the historic district,
3 including the adjacent and common properties.

4 We reviewed this proposed design in accordance
5 with the certificate of appropriateness criteria of
6 the ordinance, including the secretary of the interior
7 standards. I'll provide a brief Power Point
8 presentation, which we sent to you earlier, of our
9 analysis and the findings.

10 In summary, in our expert opinion, the design of
11 this project does not comply with the certificate of
12 appropriateness criteria as defined in the ordinance.
13 So, with that, can we please have the Power Point
14 slides? There we go. Next slide, please?

15 To start, I think it's essential to take a step
16 back to consider the intent and purpose of the
17 historic preservation ordinance itself. Preservation
18 and conservation of the historic and architectural
19 merit are the cornerstones of the intent and have been
20 formulated as public policy of the city in the
21 interest of its future prosperity. These are the
22 reasons that there is a historic preservation board.
23 These are the reasons why we're here today: To
24 preserve and conserve by protecting historic sites, by
25 assuring compatibility of work, restoring,

1 rehabilitating, redesign within the scope.

2 Next image, please.

3 And there it is, the postcard view of the
4 skyline. The postcard view of the skyline. The
5 proposed project is located at the heart of this
6 section of the district. This part of the district
7 has an iconic level of significance. The design must
8 be viewed with a consideration of 360 degrees of
9 visibility. Not just from one perspective on Collins
10 Avenue.

11 By its very nature, as you can see, this is
12 actually a postcard. The skyline is viewed thus from
13 distance to take in the significance of the crown
14 jewels of the district -- the National, the Delano,
15 and the Ritz. The vantage point of the greatest
16 perspective to view this postcard skyline is from the
17 east, from the boardwalk as a pedestrian, as a
18 rollerblader, as a bicyclist, like myself, who can
19 pause to take in the experience of this iconic
20 skyline.

21 I have to note the historic districts are not
22 museums. They need to evolve and accommodate
23 appropriate development and redesign, and in an
24 historic district, that design needs to be contextual,
25 it needs to be deferential to the surrounding historic

1 architecture, it needs to be referenced and
2 interpreted by that architecture, and especially it
3 needs to be compatible with architecture in the
4 surrounding district.

5 And the location of this -- next image, please.
6 This just shows the location; that it's within the
7 heart of the Ocean Drive-Collins Avenue historic
8 district, as well as the National Register District.

9 As it was noted earlier, the three historic
10 buildings have been designed by prominent architects,
11 including Polevitzky, the building on the corner,
12 Grossman and Lapidus who did the DiLido, which was
13 modified in 2004 and became the Ritz-Carlton, and the
14 Sagamore, which was built in 1948 and designed by
15 Albert Amis. Next slide, please.

16 Consider the proposed design. There is a 200
17 foot tall tower in that context. When notably
18 discussing the postcard image, a design within any of
19 the historic district, it needs to be contextual and
20 it needs to establish a deferential dialog with the
21 existing story of the fabric and be referential to
22 that, and, above all else, be compatible.

23 The proposed design depicted here, in my expert
24 opinion, does the opposite of that. It is not
25 deferential in the contextual design, it does not

1 infer by imposing its will upon its iconic neighbors
2 and neighborhood. It does not comply with the
3 regulations and the requirements of the ordinance. In
4 my opinion, it's not compatible.

5 Next image, please.

6 So let's further consume the impact of the
7 proposed upon the historic contributing resources of
8 the historic district. This is the Sagamore. We've
9 seen that from the east. It's six stories tall.

10 Next image, please.

11 Now, this rend- -- this is a rendering that
12 depicts the proposed tower and its impact upon the
13 site, which is nearly obscured there. According to
14 the Secretary of the Interior's Standards, Number 9:
15 New additions, exterior alterations, or related new
16 construction shall not destroy historic materials that
17 characterize the property. The new work shall be
18 differentiated from the old and shall be compatible
19 with the massing, size, scale, and architectural
20 features to protect the historic integrity of the
21 property and its environment.

22 Additionally, under Chapter 118, 564: Any
23 addition on a building site shall be designed, sited,
24 and massed in a manner which is sensitive to and
25 compatible with the existing improvement. I think

1 this image indicates clearly that this design does
2 none of these criteria.

3 Next image, please.

4 Now this is what's really important here. This
5 is the view, the postcard view. From a distance in
6 context of the adjacent buildings, the view from the
7 pedestrians of the ocean from the east and from their
8 point -- this is the postcard view with the crown
9 jewels of the district -- the National Hotel built in
10 1948 by architect Roy France; the Delano Hotel, 1948,
11 by Robert Swartburg; and the Ritz Plaza, 1940, by
12 Murray Dixon. Once again, this view has iconic
13 significance and is in the heart of the district.

14 Next image, please.

15 This is the rendering that depicts the proposed
16 tower and its impact on the crown jewels and that
17 skyline. As I refer to the Secretary of the
18 Interior's Standards before, it's the same context
19 here. The new work must be compatible with historic
20 materials, feature, size, scale, and proportion, and
21 masked to protect the integrity of the property and
22 the environment on this Chapter 118.564, the existing
23 structure is appropriate to -- compatible with the
24 environment and adjacent structures and it should
25 enhance the appearance of the surrounding properties.

1 Particular attention shall be given to the
2 relationship to the surrounding neighborhood, the
3 impact on preserving the historic character of the
4 neighborhood and the district, and contiguous and
5 adjacent buildings. This character and iconic
6 significance of the postcard skyline has been
7 diminished considerably with this addition here.

8 Next image, please.

9 This is a view from the National, one of the
10 crown jewels. Why? It has integrity and incredible
11 design. It also has integrity context.

12 Next image, please.

13 This is the viewshed of that context which has
14 been diminished by that addition. Once again,
15 particular attention to the pedestrian sidelines and
16 view quarters of the integrity of the National have
17 been adversely impacted by that addition.

18 Next image, please.

19 Once again, the Delano, it's an iconic building.
20 It's the same thing: Integrity of design, integrity
21 of context, integrity of viewshed.

22 Next image, please.

23 Once again, that viewshed, the integrity of that
24 context and the site lights on that iconic property as
25 well.

1 Next image, please.

2 These are some -- these are some solar studies we
3 put together, the winter solstice, which is really,
4 you know, just about a week away. You can see how
5 developed the property, the crown jewels would be
6 during midday covered in shade by this addition. This
7 is not appropriate too and not compatible with the
8 environment and adversely impacts these areas.

9 Next image, please.

10 This is again a solar study from the equinox.
11 The pool at the National, as you can see here, is
12 adversely impacted by the shade during the day in that
13 instance as well.

14 Next slide.

15 So let's get down to it here. It comes back to
16 Certificate of Appropriateness criteria, Chapter
17 19-564. It's based upon compatibility with the
18 physical alteration, improvement in the surrounding
19 properties. It needs to comply with the Secretary of
20 Interior's Standards, which I've referenced multiple
21 times. It needs to comply with other criteria in
22 Chapter 19-564, especially compatibility.

23 Next image, please.

24 So if we take a look at this, compatibility, I
25 referred to these items extensively. Both of these

1 criteria led to the adverse impact upon the site,
2 adjacent historic structure, and character of the
3 neighborhood and district, including the iconic
4 postcard skylines and the crown jewels of the historic
5 district.

6 Next image, please.

7 Now, this states that any proposed new structure
8 shall have a massing which is sensitive to the
9 compatibility with the building sites and surrounding
10 areas. That's not the case in this instance.

11 Additionally, any additional building that's not
12 compatible with this case, the existing improvements,
13 the orientation site, scale, and orientation, the
14 Sagamore which is six stories tall, the placement so
15 far east of the walking of the beach will dominate
16 that waterfront view of the postcard skyline.

17 Next image.

18 Finally, my expert analysis demonstrates the
19 proposed design will not be -- the proposed Sagamore
20 project will be adverse in its compliance with the
21 Secretary of the Interior's Standards, new additions,
22 exterior alterations, or related new construction will
23 destroy the historic special relationship between the
24 property, it will not be compatible with the
25 historical materials, scale, size, and portions to

1 protect the integrity of the property and the
2 environment. It will dwarf the Sagamore and
3 contributing resources.

4 It will irreparably impact the integrity of the
5 postcard section of the skyline and will have an
6 adverse impact upon the neighboring buildings,
7 including the integrity of its context.

8 Next image, please.

9 I'm going to conclude with this: The proposed
10 design of the tower are not compatible with the
11 surrounding properties, which are all contributing
12 resources; it will be of significant adverse effect on
13 the resources on site, adjacent properties, and the
14 iconic character of that skyline neighborhood. The
15 proposed design of this Sagamore project fails to
16 comply with the criteria for compatibility required,
17 and the request must be denied.

18 So, in closing, I'd like to add this: In the
19 1970s and 1980s it was mentioned about there were
20 issues coming. I remember. I came down here in 1984.
21 Some significant structures were lost. More proposals
22 for demo were presented. These proposals were
23 presented as progress for the community. It is really
24 impossible to comprehend how different Miami Beach's
25 future would have been if this trajectory were allowed

1 to continue.

2 Fortunately, there were individuals who refused
3 to listen to the false notion of progress and stood up
4 for the protection of this unique place in these
5 efforts that were considered radical at the time.
6 They were opposed by many. Utilizing the tool of
7 historic designation as a means to protect and create
8 an historic district and the result has been
9 tremendously successful.

10 In fact, these efforts to protect the historic
11 architecture of Miami Beach have been so successful
12 that the threats to the irreplaceable sense of place
13 have now come full circle. Rather than demolition and
14 neglect, the district's character is now threatened by
15 development that is not compatible with this historic
16 character.

17 I respectfully request that you fall in the
18 footsteps of those that stood with all of us in the
19 irreplaceable of architectural legacy, make a
20 statement, and ensure that the non-compatible,
21 non-contextual design is not allowed to be constructed
22 in the heart of this postcard district. Thank you.

23 MR. FINGLASS: Thank you for your comments.

24 MR. SAVAGE: Good morning, Mr. Chairman and
25 members of this board. My name is Paul Savage. I

1 have law offices at 2555 Ponce de Leon Boulevard in
2 Coral Gables, Florida. I'm here this morning
3 representing Hotel Beach Associates, LLC, who are the
4 owners of the iconic and contributing Delano Hotel.

5 I'm required to recite that we are not part of
6 the Delano Luxury Brands, as that is known, but we are
7 the owners of that hotel and we maintain the signage
8 and the nomenclature because it is not part of the
9 contributing nature of the iconic hotel and we're
10 happy to do so.

11 I'm handing some things out and I also have a
12 Power Point. I'd like for the technical staff to go
13 ahead and bring that up. And, also, I'd like to ask
14 the chairman to go ahead and put the clock on, say, 15
15 minutes. I don't intend to take that time, but just
16 so it's not beeping every three minutes, et cetera, if
17 that's okay?

18 MR. FINGLASS: Hello. Thank you. First of all,
19 welcome. It's nice to see you here today and I assure
20 you everybody else had the time they needed and I'll
21 be sure everyone is treated fairly, so you take your
22 time.

23 MR. SAVAGE: Thank you, Mr. Chairman. And if I
24 did not have a friendly salutation to the board and to
25 the chair, please let me go back and do that.

1 It's my pleasure to appear before you and I thank
2 you for your service on this important board and for
3 taking serious your charge, which I'm going to talk
4 about a lot of detailed code issues as quickly as I
5 can, but, overarching, you are the protectors of what
6 we have here, which is something unique in all of the
7 world, and whether you -- whether you enjoy it and
8 appreciate it as a matter of public policy and just
9 art, like people in the Miami-Dade Preservation League
10 and others and you just love it and you do it without
11 charging any fees, et cetera, that's great.

12 And then there's others, like my clients, who
13 also love it, but they also have a business to run and
14 they are very interested in keeping people literally
15 from all over the world to come here to see this
16 special sense of place and the unique place we have
17 with the Art Deco, International, and other styles
18 that are so famous here.

19 So, with that, I'd like to just go through some
20 of my slides. I will commit to you that I will not
21 belabor points that other people have said and so I
22 don't want to tire the board out, but if we can go
23 ahead and start clicking through the slides, I will
24 make some commentary here.

25 This is, again, the postcard. We are in the

1 middle of the iconic postcard of hotels with the
2 Delano, with the National. I wanted to make sure that
3 I put on the record that my client, the owners of the
4 Delano Hotel, are approximately 115 feet to the north
5 of the subject site. We're just on the other side of
6 the National. The National is the only thing that
7 separates us. So we are two doors down, if you will.

8 But if you look at the existing and also the
9 postcard views, we -- we are in the heart of the --
10 what's known as the -- as the -- the postcard hotel
11 district and -- and technically known as the
12 architectural district and the historical district.
13 And -- and this skyline as mentioned by Chairman
14 Finglass has been preserved all these many years and
15 we want to continue to do so.

16 If you can please move through the slides. Thank
17 you.

18 This is a postcard concerning the terrace room,
19 talking about overlooking the azure waters of the
20 Atlantic Ocean, et cetera, and as our -- as
21 Mr. Avdakov showed, we're -- we're endangered of being
22 shadowed by the new tower, as well as bringing a
23 crystalline disengaged modern residential condominium
24 tower into the field of view, which we believe have no
25 interaction with the community and -- and certainly

1 does not enhance the architectural and historic
2 districts.

3 Next slide, please.

4 Again, not to belabor the point, but just side by
5 side you can powerfully see the postcard with the --
6 the modern tower behind it. That's one of the
7 applicants renderings, and they like to say that, oh,
8 look, you'd have to be in a -- in a, you know -- in a
9 helicopter or -- or, you know, in some unusual place
10 to be able to see we're going to hide it so well.

11 Well, the problem is is that may be true if
12 you're a pedestrian on Collins Avenue and you have
13 this very severe angle of attack in terms of your line
14 of sight, but if you go ahead and walk back towards
15 this building on 17th -- where we are now, we could
16 walk out the front door, take a look to the left, to
17 the east out here by the bus stop, and you would see
18 the skyline and you can -- you can see the top of our
19 property, the Delano, you can see the top of the
20 cupola, the iconic National, and you can just barely
21 see the top of the existing Ritz-Carlton, formerly
22 DiLido structure, and right there is that hole where
23 that's going to be, and you're going to see it, maybe
24 not as a pedestrian on Collins, but certainly from the
25 rest of the City, just a block away, et cetera. So we

1 really think that it will constitute what the Chair
2 characterizes as a finger in the sky.

3 Go ahead to the next slide and I'll talk about
4 why I think the Certificate of Appropriateness should
5 be denied today by this board.

6 We believe it's incompatible as a matter of
7 height. It has no -- our -- our property, the
8 National, are substantially less high. The 200 feet
9 will loom over the contributing structures. As I
10 mentioned, the modern glaze tower is incompatible as a
11 matter of architectural relationship to the nearby
12 contributing structures.

13 There are some very thorny zoning questions open
14 as to the transfer of FAR under a 2019 ordinance that
15 discussed the ability to go to 200 feet, and I think
16 it's already been established by the chair, but I want
17 to reiterate very strongly because the applicant has
18 gone through this community saying that they have a
19 zoning entitlement of 200 feet as a right and love to
20 say that this is a squeaky clean application with
21 absolutely zero variances.

22 I will get to that -- the variance part in a
23 second, but the first part of how they're entitled to
24 200 feet is an incorrect statement. The code says
25 that you can go to 50 feet in this district, and then

1 the 2019 amendment came along. It said you may go
2 between 50 and 200, but the word may, very important.
3 All of our cases and the code and everybody knows that
4 shall is mandatory and may is permissive. So if they
5 had it as of right, they could go straight to building
6 permit.

7 That's why we're here today and it's your job and
8 duty in charge to stand as a defender of these -- of
9 these districts to see, well, should we let them or
10 not? They're not entitled to it as a right and so
11 when they start talking about it as that's an assumed
12 piece of the conversation, well, you've already sort
13 of lost the game because you're talking about, well,
14 you know, where are you going to put it and things
15 like that, they do not have this entitlement as a
16 right.

17 Further, they rely on an amenity bonus, a hotel
18 amenity bonus of 20,000 square feet that is all -- all
19 the -- all the available FARs going up into the new
20 tower and that hotel amenity bonus has been strictly
21 enforced in this jurisdiction, that it has to be new
22 hotel amenities, people -- other people have applied
23 for it and been, you know, taken to task. They -- it
24 has to be for new hotel amenities. That's the
25 legislative intent of that section.

1 So now I have an obligation with all the
2 available FAR going up into the tower. It's not
3 allowed for. It's not permitted to be used for new
4 condos. It's hotel amenity bonus. So that's an issue
5 that's pending with Mr. Mooney, it's still open, and
6 those issues are critical because as Ms. Liebman
7 note -- stated in the beginning, these questions will
8 change the massing of the structure and the FAR and
9 the height, so we need an answer.

10 I will take a little break and let you know that
11 under the provisions that -- that this board operates
12 under, the factors of the Certificate of
13 Appropriateness, one of compatibility, which we all
14 know about, two is a -- is a more refined definition
15 of how you get into compatibility and certain
16 subfactors, but three, that I want to draw your
17 attention to under 118-564 is the examination of the
18 drawings to make sure that they're consistent with
19 both historic preservation concerns and the zoning
20 district.

21 It says the Historic Preservation Board and
22 Planning Department shall review plans and to test
23 their compliance for, A, the location of all of the
24 buildings, the drives, the parking spaces, and B, most
25 importantly, the dimensions of all buildings,

1 structures, the setbacks, parking spaces, floor area
2 ratio.

3 That's one of my questions, the height and the
4 requirements, quote, of the underlying zoning
5 district.

6 So while you may not be on this -- obviously this
7 board's charge is the protection of historic resources
8 and you're not sitting here with an Excel sheet doing
9 floor area ratio calculations, which I couldn't do I
10 don't believe either; however, you need to evaluate
11 those items or have your professional staff carefully
12 evaluate them for you because they will change the
13 nature of the project and how high it can be, how big
14 it can be, and where it can be sited.

15 So those are critical issues. I don't think this
16 board -- and I want to say this very conf- -- very
17 carefully and with every compliment to every member
18 who is working on this board, but to be -- but to have
19 the information that you need to be able to make a
20 competent -- and I -- when I say the word competent, I
21 don't mean your -- I don't question your competence.
22 I'm saying to be a -- to have evidence in front of you
23 as quasi-judicial judges and officials, you've got to
24 know these -- these -- these zoning questions and have
25 them confirmed.

1 Okay. That's the zoning diatribe, and I
2 appreciate you listening. Let me just keep going
3 through the slides here. I will talk about the
4 compatible height and why it's incompatible.

5 This is a photo simulation from the beach side of
6 the proposed tower. You can see that it's -- we have
7 our iconic structures and from the beach side here you
8 have a -- you know, the building is being
9 complimented, but it's a building that could be in
10 Sunny Isles Beach or another location. It doesn't
11 have a relationship here.

12 Next slide, please.

13 The applicant, you know, likes to talk about,
14 well, you know, from an east/west perspective it's
15 only -- it's not very wide. It won't have that much
16 of an impact visually. But look at the north and
17 south. This is their drawing that's at the bottom of
18 the north and south -- north elevation, rather, and
19 that's a very broad and -- building.

20 Next slide, please.

21 We did some massing studies. This is also from
22 the beach of the new tower. Also massive in our
23 estimation and also impugning the architectural
24 resources surrounding it.

25 Next slide, please.

1 Some -- some other photo simulations here. This
2 is from our fourth floor deck where we're going to
3 look out and see this tower, and, as the chair says,
4 it's not going to be as crystalline and see-through as
5 that shows.

6 If you can go, please, to the next one.

7 This is also from our rooftop, you can see at the
8 bottom rendering. Also, we're going to be -- our
9 patrons are going to be experiencing this new tower
10 instead of the Ritz-Carlton and the National and the
11 other contributing structures.

12 Now, the next slide is important, if you can
13 please go to it, and that is depicting -- well, I got
14 ahead of myself.

15 So, yeah, the applicant talks about the tower is
16 disengaged. It is not appropriate as a term of art in
17 scale. It's not appropriate to the design aesthetics
18 and the massing relative to the neighborhood under the
19 postcard trio, the National, Delano, and Ritz Plaza,
20 formerly the DiLido, and then it diminishes the
21 architectural integrity of both the architectural and
22 the historic districts.

23 If you go to the next slide, you can see this
24 business of the -- the cantilevering over the north
25 cabana wing of the Ritz, and this is actually going to

1 get into another reason why I think we have a legal
2 and zoning problem today and that is that the -- the
3 building is depicted on the right as cantilevering
4 over the top of the existing north wing of the Ritz
5 and from that rendering you can see on the right
6 there's a pool tucked in there and that's, as the
7 applicant told us, that's going to be a pool exclusive
8 to the residential residents of the new condo.

9 But if you -- if you could -- if we were able to
10 go around and get a drawing from the southern
11 elevation looking into that pool area, after the pool
12 is a fitness center, gym. Okay. Keep in mind that
13 whole area existing now is the roof of the cabanas,
14 and as the -- as Deborah Tackett explained to us, the
15 preservation officer explained to us in the beginning,
16 the code prohibits rooftop additions in this district.

17 The code prohibits rooftop additions in this
18 district, and what we have today is the pool, and I'm
19 sure I'll get some argument, well, the pool is not an
20 addition and that's probably -- that's probably right,
21 but the gym which you don't see under there but it's
22 tucked in there, there's a whole new fifth floor. And
23 I don't think it's inaccurate to say, oh, it's not a
24 problem because they're demolishing an existing floor.
25 No, that's not true.

1 They're building on top of the roof of the north
2 wing of the cabana. They're adding a rooftop
3 addition, it's particularly the -- the gym, and after
4 that there's about 150 feet of a new tower, which also
5 boggles the mind as to why that is not a rooftop
6 addition. I think they're relying on this
7 cantilevering business, but there's a lot on the roof
8 and rooftop additions are prohibited, and it even goes
9 so far as to say that you can't get a variance permit,
10 even if you wanted to and tried to ask for it. So on
11 that ground, I think there's a significant problem.

12 If you go to the next slide, please.

13 This is, again, another -- a drone shot, I meant
14 to say. The applicant says, well, you've got to get
15 in a drone to see this. Again, if -- if you -- if you
16 come back from it -- I hear the beeping. I'm just
17 going to go ahead and click through some of these. I
18 think others have established the view issue.

19 If you can go to the next, please.

20 MR. FINGLASS: Just a couple more minutes.

21 MR. SAVAGE: Pardon me?

22 MR. FINGLASS: Just a few more minutes.

23 MR. SAVAGE: Yes, sir. I will go through these
24 quickly. If you can -- okay. So this slide here, we
25 talk about the crystalline tower, if you look at the

1 right-hand rendering, which is the applicant's
2 rendering, that's not so much the glass as I think
3 it's more of a realistic view of what's going to be
4 there, but, you know, that could be -- that could be
5 in Sarasota, Florida. What -- is that what our -- is
6 that what our patrons are going to come and take a
7 picture of when they come to iconic Miami Beach? That
8 has no relationship to the -- to the historic
9 district.

10 If you can please go through -- I guess go to
11 Slide 18. Again, there's some more visual impacts.

12 That's the proposed Raleigh and Shore Club. By
13 the way, just to touch on what Mr. Avdakov said, we
14 don't want to get into a condo canyon here that is
15 filled with towers that you could walk from Sunny
16 Isles Beach to Palm Beach to -- you know, to
17 Jacksonville Beach and see glass condominiums on the
18 beach. That's not what we're here for.

19 If you can go to the next slide.

20 Again, they -- they're not entitled to the 200
21 necessarily. That's what we're figuring out here.

22 Go to the next slide, please, so I can conclude.

23 We don't think the massing or the materials are
24 appropriate under the factors and -- and the modern
25 glass we believe is -- is -- does not show

1 sensitively.

2 Go to the next slide, please.

3 This is from my expert report that enumerated the
4 factors that you consider and that it's not satisfied.
5 By the way, one of the words in here is enhance. I
6 want to bring that out. In other words, a lot of
7 these kinds of hearings are, you know, is it going to
8 impact adversely? Is it going to be okay? This is
9 one of the few codes I've seen where it says, no, it's
10 not just will it do harm. Does it bring positive
11 enhancement? And I think under that language, we
12 cannot say that it brings positive enhancement.

13 Go to the next slide, please.

14 I think, again, there's -- this is the -- this is
15 the -- the properties are bifurcated now legally. The
16 covenant is going to be very important. I think that
17 should be done first and not at the end, at the time
18 of building permit, which is a difficult activity.

19 Next slide, please.

20 Again, we need to know about how the FAR is being
21 parsed across these two sites. I've written
22 Mr. Mooney that I don't think that they can be. I
23 don't think we can upzone the Sagamore site without a
24 charter referendum.

25 Next slide, please.

1 MR. PASKAL: Excuse me, Mr. Savage?

2 MR. SAVAGE: Yeah.

3 MR. PASKAL: We've got a lot of public comments.
4 Can we wrap it up in two minutes say?

5 MR. SAVAGE: Yeah. Yeah. Sure. And this is a
6 cut out of -- of what I'm asking Mr. Mooney to
7 determine.

8 And I will -- I will conclude, because I know
9 when I've been signaled that I need to say the magic
10 words of in conclusion, and I do want to thank the
11 chair for all the additional time and I -- you've all
12 listened to me with rapt attention, which is more than
13 I could ask for.

14 So I'm going to thank you one more time. I will
15 be here for any additional questions or my friend
16 Alfredo may have things to say and we may go back and
17 forth, but this will conclude my -- my presentation.

18 I just want to conclude by saying that there are
19 many zoning determinations going to FAR --
20 cantilevering legality -- all of that needs to be
21 hashed out before you can make a decision. I -- in my
22 opinion, secondly, putting all that aside, the
23 massing, the glass, all of that does not meet the
24 factors; it does not -- it does not enhance the area;
25 and for all of those above reasons, the factors of the

1 code as established by Mr. Avdakov and myself and
2 Mr. Gibbs, who's going to -- who's going to have some
3 remarks also, it does not meet the factors and I urge
4 this board to, please, deny this application at this
5 time.

6 Thank you so much and I appreciate your time.

7 MR. FINGLASS: Thanks for the input. Continuing
8 with public comment.

9 MR. GIBBS: Okay. This is -- my name is Tucker
10 Gibbs, law offices at 3835 Utopia Court in Coconut
11 Grove, and, as you know, I'm here representing the
12 National Hotel, which exists right in the middle of
13 this -- of the Ocean Drive-Collins Avenue Historic
14 District.

15 This Art Deco gem has been owned and operated by
16 Delfine Drake and her family since 2007. The National
17 reflects the Drake family's love for all things Art
18 Deco and this respect for the Art Deco style and
19 visual arts, architecture, and design is why the
20 National has taken the extraordinary step -- this is a
21 very rare thing for a business to do, as you know --
22 to object to this particular application.

23 If approved, this proposed tower would be a
24 jarring, out of scale, modern building that would
25 come -- become the focal point of this important block

1 of the predominantly Art Deco Historic District, and I
2 say predominantly Art Deco because that's what the
3 designation report for this district specifically
4 says. It would detract and diminish the architectural
5 context and importance of the contributing buildings
6 in the surrounding area, as well as the district
7 itself.

8 There are several points to remember when you
9 consider this application -- and I'm trying to finish
10 my presentation in about seven minutes -- the
11 applicant has failed -- first, the applicant has
12 failed to meet its burden to show that it complies
13 with the Certificate of Appropriateness criteria, and
14 I'm going to bring up three of them. Three? Yes,
15 three of them.

16 The Secretary of Interior's Standard 9, which is
17 included in your code, it requires that new
18 development shall be compatible with the massing,
19 size, scale, and architectural features to protect the
20 historic integrity of the property and its
21 environment. So I'm talking about the property, and
22 that property includes the Sagamore and you all know
23 the size of the Sagamore. It's approximately 61,000
24 square feet, 72 feet in height. That's what it is.
25 So this project needs -- this tower needs to be

1 compatible with the massing and size of that.

2 Criteria Number 3 requires that the proposed
3 structure is compatible with the environment and
4 adjacent structures and enhances the appearance of the
5 surrounding properties. Okay. So look at the
6 surrounding properties, contributing properties,
7 non-contributing properties, and the Sagamore itself
8 as well, and you need make that determination if this
9 is compatible with the appearance of the surrounding
10 properties, if it enhances that, and enhances is
11 something very difficult. You have to make it better
12 if you're going to enhance it.

13 So think about this: How is this 200 foot tower
14 120,000 square feet in -- in square footage, 17
15 stories, how is that going to address making this --
16 enhancing the appearance, and criteria 3E which
17 requires new building to be reviewed with particular
18 attention to the relationship to the surrounding
19 neighborhood, the impact around preserving the
20 historic character of the neighborhood and district,
21 as well as the continuous -- contiguous and adjacent
22 buildings and lands.

23 And I had one more; I apologize. And criteria 3J
24 which requires new structures to have an orientation
25 and massing which is sensitive and compatible with the

1 building site, as well as the surrounding area.

2 Those are basic issues that you all have to
3 decide. That's what your code requires. So I'm going
4 to go back and tell you and remind you, the 200 foot
5 is not an entitlement. It's part of your review as
6 the certificate of appropriateness if it's compatible
7 and all of the rest of that. Any statement -- excuse
8 me. And then just because the staff opines in its
9 report, which I know you all have looked at and you've
10 seen this before, but just -- just because the staff
11 opines that an application satisfies a particular
12 certificate of appropriateness criteria, it does not
13 necessarily make it so.

14 Any statement made by staff or the applicant must
15 be supported by relevant facts that relate to these,
16 as to the assertion of an opinion being made,
17 according to the Florida courts. Without supporting
18 facts, the word satisfied is nothing more than a
19 baseless opinion. There are no facts in the word
20 satisfy. The historic presentation -- preservation
21 compatibility regulations require compatibility with
22 the subject site, the other properties, and the
23 district.

24 The staff reports analysis section presents
25 opinion with no corroborating facts which support the

1 assertions made in that provision. And I'm going to
2 focus on that. It's on Page 11 of the staff report.
3 Staff asserts that the proposed tower's contemporary
4 design shows a high level of compatibility with its
5 immediate neighborhoods. Think about that.

6 I know what they're talking about, you do too,
7 because they said it, and that was the modern
8 architecture of the three contributing properties on
9 the Sagamore property, on the Ritz/Sagamore property,
10 but that's not the -- that's not the only immediate
11 neighbor. But that's an issue because the report
12 presents no facts showing compatibility with the
13 vastly smaller Sagamore Hotel, which is the immediate
14 neighbor, and its adjacent and nearby neighbors as
15 required by criteria 2B, 2D, and 3E.

16 So nowhere in this report is there any analysis
17 or mention of the height, massing, and scale of the
18 proposed tower. Go look at your staff report where
19 it's relative to the structures on site, adjacent to
20 the site, or within the surrounding community. No
21 discussion, no facts, no analysis, nor is there any
22 explanation how the proposed tower would be
23 appropriate and compatible with the environment and
24 the adjacent structures, and as I said before, as
25 everybody else has said before, and actually enhance

1 and make better the appearance of the surrounding
2 properties, that includes my client's property, that
3 includes the Delano, that includes the Sagamore, that
4 includes everything that surrounds this property and
5 in the district.

6 So for these reasons, including those set forth
7 in my letter to the board, the reports and testimony
8 of Mr. Avdakov, the documents and arguments by
9 Mr. Savage, and the Delano, the National Hotel
10 strongly, strongly urges you to deny this application.

11 Thank you very much.

12 MR. FINGLASS: Thank you very much, Tucker, for
13 that insightful presentation.

14 Who would like to go next?

15 MS. STREITFELD: Good morning, everyone.

16 Rachel Streitfeld. My law firm is Bright Side
17 Legal, 1455 North Treasure Drive in North Bay Village.
18 I'm here on behalf of the Decoplage Condominium
19 Association this morning, and we, like Mr. Gibbs and
20 Mr. Savage, are opposed to this application and would
21 respectfully request you to deny the application.

22 The residents at the Decoplage are unlike the
23 National and the Delano, obviously. They're residents
24 of this neighborhood. They live just across Lincoln
25 Road from the proposed residential tower, and there

1 are four reasons, four concerns why the Decoplage
2 residents are opposed to this application.

3 First is the disingenuous parking analysis.
4 There is no additional parking being added for a brand
5 new residential tower. There are about I think 247
6 spaces today. The reduction is going to be to 236.
7 The underlying zoning requirements for parking should
8 be considered in your decision today, and for units
9 that are above 1,200 square feet, two parking spaces
10 are required. So for 50 residential units, they
11 should be adding 100 parking spaces.

12 Now, mind you, the Ritz-Carlton is still going to
13 be running a full scale hotel operation here with
14 staff, with guests, and so on and so forth. And these
15 new Ritz-Carlton residences are going to be lived in
16 by folks who have cars. Probably more than one or two
17 cars, considering the caliber that this development is
18 proposing. So to have 50 new residential units with
19 no parking is going to exacerbate what is already a
20 nuisance at the intersection of Lincoln and Collins.

21 Speaking of a nuisance at Lincoln and Collins,
22 the second concern that the residents at the Decoplage
23 have is with the loading. So the only loading for
24 this site is also at Lincoln Road, right across the
25 street from the Decoplage Condominium Association, and

1 I would show you video today, but, unfortunately, my
2 residents didn't get the videos to me on time so I
3 don't have anything to show you, but everyone knows
4 what it sounds like when an 18-wheeler backs up. That
5 beep, beep, beep, beep, beep, that beeping starts at
6 6:00 in the morning. You have pedestrians, we have
7 bikers, I roller blade, the residents are walking
8 their dogs and there's a major traffic circulation
9 issue at the end of Lincoln Road where it meets the
10 beach. And so if we're going to have the existing
11 loading operation, plus 100 -- 100 cars or however
12 many cars and the addition of this residential tower
13 with all of these beautiful amenities, something needs
14 to be done about the loading, so that's the second
15 concern.

16 I do want to endorse -- or adopt, rather, the
17 arguments that have been made by the attorneys
18 speaking before me, both Mr. Savage, Mr. Gibbs, and
19 the expert. I want to adopt their arguments and I
20 certainly don't need to add anything to what they
21 already said.

22 My last concern -- actually, there are two,
23 and -- and one of them may not have been a concern
24 before June 24th, but on June 24th we saw how
25 neighboring development, especially when you're

1 driving piles into the porous limestone that is the
2 foundation of our island, can have unintended impacts
3 and reverberating consequences on neighboring
4 properties, and I'm sure that the owners of the Ritz
5 and the Sagamore are probably concerned about this as
6 well so maybe that's something we have in common, but
7 we are concerned about geotechnical testing and issues
8 related to the construction of such a major structure
9 adjacent to all of these contributing structures from
10 a geotechnical standpoint.

11 And the last point before you deliberate is the
12 sea level rise and climate change concerns. Now,
13 there may be, again, unintended consequences, but we
14 know that for every one foot of sea level rise, we get
15 one foot of ground rise, and we are concerned that
16 where today you have open space -- when the residents
17 of the Decoplage on the north side look out, when they
18 look north, it's uninterrupted dunes and mangroves and
19 open space where storm water percolates down. We're
20 worried about erosion of the dunes, pervious -- not
21 enough pervious space, and basically a massive
22 footprint where what once was a significant amount of
23 open space.

24 So for the sea level rise and climate change
25 concerns, geotechnical concerns -- I also -- one of my

1 residents at Decoplage has made reference to the
2 erosion of the road bed on Collins and Lincoln and how
3 there have been concerns with the Transportation
4 Department in the past.

5 So for all of these reasons, we're asking you to
6 oppose this project so we can have an historic block
7 that remains sensitive to all of the concerns that are
8 at play here. Thank you.

9 MR. FINGLASS: Well said. Thank you very much.

10 Would someone else like to speak?

11 Hi, how are you?

12 MR. WILSON: Hi. My name is Thomas Wilson, I am
13 one of the owners in the Decoplage, and I had sent you
14 in October a petition to deny the application and a
15 follow-up a few days ago.

16 MR. FINGLASS: Thank you.

17 MR. WILSON: I will make it short here because
18 you have heard many arguments. But we owners at the
19 Decoplage will look directly at this tall building.
20 The building itself, if you see it alone it's nice,
21 but if you have it directly in front of your nose, and
22 it is really under your nose, it's only 20 feet away,
23 it goes up 200 feet. It's too much. It's as if you
24 have a block in front of your nose, and that you don't
25 like of course.

1 Ms. Streitfeld mentioned this, we have concerns
2 regarding the Surfside disaster again. We have also
3 concerns that the traffic will increase. Keep in mind
4 these residences are for rich people who have not only
5 one car, likely they have three cars. So -- so the
6 traffic will increase, and on the top of the
7 increases, I don't know if you're aware, the Sagamore
8 is applying with -- with the Planning Commission for
9 an entertainment application for 300 outside people
10 for parties and the like, plus 400 inside. That means
11 700 people to have parties at the Sagamore. Can you
12 even imagine the traffic?

13 I don't know if this application will be denied
14 or not, but the application is there. In the
15 application they're saying it's only for the time
16 until they start the construction of the tower, but if
17 the tower is done, you can imagine that a new expanded
18 Ritz will do the same.

19 So we at the Decolpage have concerns and we'd
20 really like that you deny the application.

21 MR. FINGLASS: Thank you very much. Who else
22 would like to speak?

23 MS. TACKETT: Mr. Chair, we do have some members
24 of the public on Zoom.

25 MR. FINGLASS: Oh, we have someone here.

1 Good morning.

2 SPEAKER: Good morning, Jack and board members.
3 You all have a letter from me from the Collins Park
4 Neighborhood Association, so I'm not going to belabor
5 the point. We support it because it goes along with
6 all the projects that are going along on Collins
7 Avenue and ones that are still coming, but I'd like to
8 talk about other things that have been said today, and
9 I'm obviously for it. But how tall is the Decoplage?
10 Have you looked down the road at the Setai? How tall
11 is the Setai? How tall is -- is -- is the Shelborne?

12 I mean, we're not looking at something that's
13 going to be a huge impact. And all of them talk about
14 postcards. I have a postcard collection. It's the
15 history of the Miami Beach. When was the last time
16 any of you sent a postcard. I don't send any? I
17 collect them. It shows the history of Miami Beach,
18 but Miami Beach is always going to be changing and --
19 and we have to preserve what we have, which I feel
20 they've done with historic parts of the building, but
21 you also have to be prepared for change.

22 If you're looking at a hotel room that rents for
23 \$100 or less versus a hotel room that rents for \$1,000
24 or more, look at the difference in the clientele.
25 Look at the problems that we have in other areas of

1 the city -- which we won't go into right now at the
2 moment, but you all know what I'm talking about -- you
3 have to look at the fact that we do not have enough
4 residences for people to buy and live in this
5 neighborhood. We certainly don't in the Collins Park
6 neighborhood, and this is just one block south.

7 If you're trying to improve the image of Miami
8 Beach and bring the upscale people that we all want to
9 Miami Beach, you need to really look at this project,
10 look at the fact, at least according to what I've
11 heard, there is no variations, no -- no asking for
12 changes or whatever. I think that this project is a
13 real win for Miami Beach and you should seriously say
14 yes. Thank you.

15 MR. FINGLASS: Thank you.

16 Daniel?

17 MR. CIRALDO: Hi. Good morning, members of the
18 board. Daniel Ciraldo with Miami Design Preservation
19 League, and for the public watching, we publicized all
20 of our positions in advance and it's available on the
21 MDPL.org blog, so I won't belabor any of those points.

22 Our overall -- first of all, we want to thank the
23 applicants. You know, one problem we have sometimes
24 here is people, you know, kind of, you know,
25 disagreeing on things, but I think we all agree that

1 they've been great stewards to their properties at the
2 Ritz and the Sagamore. Just in the last month I was
3 at an event at the Sagamore, the beautiful brunch that
4 they all do, and I was also at the National for a
5 wonderful event, so they're both amazing properties
6 and -- and the Delano, it's really just an iconic
7 view.

8 So we do think they're acting in good faith with
9 the applicant because the commission did change the
10 zoning. You know, at the time I think we weren't
11 really maybe fully aware of what the impact would be,
12 but we were always told that it -- the final say is at
13 the HP board. So it does put all of you in a tough
14 situation. And I agree with some of the comments.
15 That's the whole reason we're always here and we are
16 spending hours, because you all are given that power
17 by the community to decide what is compatible and what
18 is not.

19 And so our concerns remain about the overall
20 impact of the new tower on this site, both its
21 positioning, its massing, its height, and the
22 potential impacts on that. There was some talk from
23 the attorneys that there is other zoning language that
24 might preclude you all from making a decision, but
25 actually I disagree. I think you all have enough

1 information and you have the certificate of
2 appropriateness criteria to decide whether or not you
3 believe that it fits or not.

4 About a month or two ago an audio tape was leaked
5 where a developer said that the HP board can never
6 decide anything. They're always so wishy washy. So I
7 urge all of you to be decisive. Make a decision. If
8 there are five votes for it, vote for it. If there
9 aren't, go that way. But let's -- let's make the
10 decision, let's move forward, and show that HP is
11 judicious and sticks to the criteria.

12 Thank you.

13 MR. FINGLASS: I don't think anyone's ever
14 accused me of being wishy-washy.

15 MR. CIRALDO: Probably true. Thanks.

16 MR. FINGLASS: Okay. Anyone else?

17 Hi. Come on up.

18 MR. DOSA: I will be quick. My name is Frank
19 Dosa. I live at 950 Brickell Bay Drive in Miami. I
20 used to live in Miami Beach when I came here 20 years
21 ago. I had taught in the Miami Beach Preservation
22 League classes. I was very invested in Miami Beach.

23 This project, the architect spent a lot of time
24 showing how it will not pervert the historical --
25 historical value of this block. He spent a lot of

1 time saying that because he knows that it is actually
2 perverting the historical value of this block. We
3 don't have so many blocks in Miami Beach right now
4 that are still original. If you go a little bit south
5 you're going to see the Decoplage, which is not really
6 contributing.

7 So I think that this massive tower -- and even if
8 the architect says that the tower is very narrow on
9 one side, that if the tower is going to be very narrow
10 on one side that means it's going to be very large and
11 massive on the other side and people are not going to
12 look at this tower from only one specific angle, they
13 are going to be walking around.

14 I think this tower doesn't have any justification
15 and doesn't enhance this block and I think that this
16 vote should be denied, this application.

17 I tried to be short.

18 MR. FINGLASS: Thank you. You did a good job.
19 Thank you.

20 Anyone else. And thank you for being patient.
21 You've been sitting patiently all morning.

22 MS. BONIG: That's okay. My name is Carol Bonig.
23 I live -- I grew up in New Jersey. I know all about
24 Florida. I grew up in Florida, Miami Beach, with the
25 romanticism of the historic district of Miami Beach.

1 Moved to Switzerland, bought a property at the
2 Decoplage --

3 MR. FINGLASS: Could you come forward? We can't
4 hear you. We won't hold it against you.

5 MS. BONIG: I grew up knowing about the historic
6 district of Miami Beach and being fascinated by it and
7 enjoying it when I can come down here and see it. I
8 moved to Europe, and then eventually I was able to buy
9 a property at the Decoplage, which I totally enjoy
10 this -- this ambiance in the historic district, and I
11 know living in Europe, living in New Jersey, going to
12 study in Arizona and everything, Miami Beach, the
13 historic district has such a fascination for the
14 world, and that's why they come here, and I -- I'm
15 married to an architect so I totally understand why
16 you would want to build a beautiful tower, but I think
17 beautiful towers belong in certain places, and if
18 you've got a designated district, then you should keep
19 it a designated district because that's what people
20 treasure in a property, in a -- in a city.

21 I've seen too many cities turn into Benidorm,
22 and -- and just tall towers everywhere, and there's a
23 good section for that in Brickell, a good section for
24 that in many other places in Florida, in Miami, and
25 just consider that when you're thinking about the

1 acceptance of this tower. That's all.

2 MR. FINGLASS: Thank you very much. I don't see
3 anyone else.

4 MS. TACKETT: We have some speakers on Zoom.

5 MR. FINGLASS: Should we take this lady first?

6 MS. DRAY: Hello. Good morning.

7 MR. FINGLASS: Good morning.

8 MS. DRAY: Thank you for listening. I am the
9 owner of the National Hotel. This is not about being
10 the owner of the National Hotel that I am here right
11 now.

12 I am a very conservative woman and I have the
13 chance and we all have the chance to live in a
14 beautiful city that is known all around the world, and
15 every time that I am in Europe, you know, I am so
16 happy to see how they are describing Miami Beach and
17 how everybody wants to come and to see our beautiful
18 city. So I am very appreciative of my neighbor
19 because they are very, very professional and I
20 appreciate them very much, but, you know, we are here
21 to preserve our historical heritage.

22 It's about DNA. It's not about money and
23 profitability, and when you were asking why a 200 feet
24 tower, it's about profitability. So I understand
25 that, you know, there is business people that are here

1 to make money, but not in this designated historical
2 district of Miami Beach. Please, I am asking you to
3 reject the project.

4 Thank you very much.

5 MR. FINGLASS: Thank you very much.

6 Can we take Tanya next?

7 MS. TACKETT: Yes. I see Tanya Bhatt on Zoom.

8 MR. KALLERGIS: Hi, Tanya. Do you swear that the
9 testimony you are about to give is the truth, the
10 whole truth, and nothing but the truth?

11 MS. BHATT: Yes, I do.

12 MR. KALLERGIS: Thank you.

13 MS. BHATT: Good morning. I would ask just for a
14 little bit of lenience. I'm feeling a little under
15 the weather, which means I can't do in rapid fire the
16 question-response the way I normally do, but I would
17 just ask your forbearance for the opportunity to get
18 my points out, but I will be as concise and quick as
19 possible.

20 I would like to state for the record I'm not here
21 in any official capacity for any of the boards or the
22 organizations upon which I serve. I am here as an
23 almost 20 year resident and property owner in Miami
24 Beach and a passionate advocate for preserving and
25 evolving what we have in a responsible way.

1 I would like to compliment the owners of the
2 proposed project, and as others have stated, I think
3 this is a well-intended project and the stewardship
4 has been excellent. My compliments to that. And to
5 Kobi Karp who had a really fantastic presentation.
6 It's so interesting to see how much detail and thought
7 goes into the explaining of projects when the other
8 side has an opportunity. So I thank you all for
9 that.

10 I would like to -- I'm not going to rehash a lot
11 of the points that have been made. I will say that
12 there are many with which I agree. I think a really
13 problematic issue, as has been discussed by several
14 speakers before me, is the fact that when you are on
15 the beach walk and on the beach and swimming off the
16 beach, you will see this tower, this current tower in
17 this iteration, and that is not really a viable
18 proposition in my view.

19 Mayor Gilbert has talked at length about
20 reimagining the City and helping to incentivize
21 different kinds of -- of rehabilitation and means with
22 the caveat that it will not affect the sightlines and
23 the views from people who come here to enjoy those
24 sightlines, those views that is Miami Beach, and I use
25 that phrase very carefully because it is not a museum

1 that only pays homage to architectural styles in the
2 past. It also embraces new architectural styles and I
3 think what makes it so special is the ability to mill
4 them together to elevate the game of the entire area.
5 If you look at the 1111 Lincoln parking garage, that's
6 one great example.

7 This project could be a really cool project if
8 the new tower proposed did not overshadow everything
9 in this neighborhood, and to say that we can't see it
10 from Lincoln Road is immaterial in my view. When you
11 look at the GMC website or anybody using Miami Beach
12 to market their product or brand, one of the primary
13 images that is used is that image of -- that image of
14 that stretch of historic architecture. The Boucher
15 Brothers chairs and rentals don't even make it into
16 those photographs because it's such a stunningly
17 iconic vista of what makes it so special.

18 The World Congress on Art Deco, which is a global
19 organization, has had their biannual events here a
20 couple of times, and, in fact, is coming here again in
21 2022, and all of that leads to elevate our profile
22 with tourists who come to appreciate what we have to
23 offer. I think it would be really hard to explain why
24 we're allowing a building of this magnitude smack in
25 the center of this historic and protected district.

1 It doesn't add anything in the size of what it is
2 being proposed. I understand the economic development
3 but it's a daunting task, but I also understand there
4 are a number of questions about what is actually
5 permissible. There -- it shouldn't be concluded at
6 this hearing until all of the details are worked out
7 so that the best possible project to do the most for
8 the City of Miami Beach in general and for this
9 district in particular for the residents who choose to
10 live here, who -- for the visitors who dream of coming
11 here can really get to experience the full majesty of
12 what exists here and that shouldn't be chipped away by
13 towers that are tremendously out of scale.

14 So I'm happy to answer any questions of anybody
15 at any future time, but I don't want to overstay my
16 welcome. So I thank you for your forbearance.

17 MR. FINGLASS: Thank you. Thank you, Tanya, very
18 much for your comments.

19 MS. TACKETT: Mr. Chair, our next speaker online
20 is Julie Isaacson.

21 MR. KALLERGIS: Hi, Julie. Do you swear that the
22 testimony you are about to give is the truth, the
23 whole truth and nothing but the truth?

24 MS. ISAACSON: Good morning.

25 MR. KALLERGIS: Do you swear that the testimony

1 you are about to give is the truth, the whole truth
2 and nothing but the truth?

3 MS. ISAACSON: I do.

4 MR. KALLERGIS: Thank you. You have three
5 minutes, although I think there's an echo on your end.

6 MR. FINGLASS: Julie?

7 MS. TACKETT: Julie, you went on mute. If you
8 could unmute yourself and disconnect any other audio
9 that is streamed into the meeting or turn off your
10 television, that would be helpful.

11 Okay. Mr. Chair, while we get Julie situated --

12 MS. ISAACSON: Hi. Sorry about that. Good
13 morning, everybody.

14 MR. FINGLASS: Make it quick, Julie.

15 MS. ISAACSON: Okay. I will.

16 I love the hotels. I am in -- I'm -- I've been
17 living in Miami Beach for 29 years. I've been in the
18 travel industry for 40 years. My primary clientele is
19 luxury, media, and celebrity clientele. I love the --
20 well, I love all of the hotels that were mentioned --
21 the Ritz-Carlton, the Sagamore, the National. I truly
22 appreciate the -- all of the owners giving great
23 consideration to historic preservations and to
24 appreciate the buildings that they have and I want
25 them to know how much I appreciate that.

1 However, I am completely -- I'm against the big
2 tower for all of the reasons that everybody has
3 mentioned. I don't understand why a tower needs to be
4 added. I'm also against additional residences in that
5 area because I feel that we have too many luxury
6 residential towers that are not filled with residents.
7 They have transient people, transient people that own
8 properties all over the word. They're not here all of
9 the time and we really don't need any more of that. I
10 feel we need more affordable housing, more affordable
11 housing and more workforce housing.

12 And I also object to the environmental impact
13 that this is going to have on our dunes and
14 destruction down there on a very delicate part of our
15 environment and it just makes absolutely no sense to
16 me to add another tower and then to have construction
17 and for them to destroy the dunes -- or I don't know
18 if destroy them but definitely impact them, and then
19 to add luxury residences we don't need and also
20 destroying the skyline of the postcard.

21 And yes to whoever said that previously, I do
22 send postcards. So I don't object to the whole -- I
23 don't object to the whole project, but I do object to
24 the building of a new structure.

25 MR. FINGLASS: Okay. Thank you very much, Julie.

1 MS. TACKETT: Our next speaker Johann.

2 MR. KALLERGIS: Hi, Johann. Do you swear that
3 the testimony you are about to give is the truth, the
4 whole truth, and nothing but the truth?

5 MR. MORG: Hi. Yes, I do.

6 Johann Morg, resident of -- of Flamingo Park.
7 I'm sorry I'm in two meetings at once. I hope this
8 comment hasn't been made in support of the comment
9 that we don't want canyons of towers. I want to
10 remind us that our beach up to about 20th Street will
11 soon be the donor beach for up beach replenishment,
12 and having spoken with my husband yesterday, I can
13 confirm that down in about 8th Street we will lose
14 about a third of the width of our beach. I think
15 we're happy to donate, but my point is from the point
16 of view of those on the beach, these towers will
17 appear to move even more.

18 Thank you.

19 MR. FINGLASS: Thank you very much.

20 MS. TACKETT: I see no more speakers on Zoom.

21 MR. FINGLASS: Okay. So we're closing public
22 comment and moving on to board's deliberation.

23 MR. KALLERGIS: I believe, Mr. Chairman, I think
24 the applicant asked for a few minutes of rebuttal.

25 MR. GONZALEZ: Hello. Yes.

1 MR. FINGLASS: I'm sorry. Welcome back.

2 MR. GONZALEZ: Mr. Chair, yes, I would like to
3 have some time for rebuttal, given we have had a very
4 lengthy public comment and many questions to respond
5 to.

6 MR. FINGLASS: Good. We eagerly await your
7 return.

8 MR. GONZALEZ: I do have some boards as well.

9 Mr. Chair and board, I understand you heard a lot
10 of issues, a lot of discussion over the last public
11 comment, and I would like to respond in part and we've
12 made some rebuttal reports as well to shorten my
13 discussion, but I wanted to start off by discussing
14 how this site was always intended to be.

15 After it was a Seiberling Estate, Igor Polevitzky
16 designed a master plan to try to create the first
17 convention center hotel in Miami Beach.
18 Unfortunately, because of the lack of funding, it was
19 never realized, and you'll see from images and
20 different historic research reports that Igor had
21 proposed a tower almost at the same location we are,
22 we're proposing one today.

23 And we understand the value of the rear facade.
24 The land owner regulations clearly have us evaluate
25 the impact on contributing buildings from the street

1 side, from Collins Avenue, we're calling it that --
2 we're calling it the person across the street, and
3 what are those -- what -- what views it impacts.

4 Clearly the code and the standards do not
5 contemplate that there will be invisible buildings or
6 additions added anywhere within the city, including
7 historic districts, so we painstakingly took time to
8 minimize the primary view so it wouldn't be an impact
9 upon the historic -- integrity of the historic
10 buildings from Collins Avenue, and how to minimize the
11 view of the rear addition, and the rear additions
12 are what you typically see in any project along the
13 City of Miami Beach that come before this board --
14 towers regarding in the rear, whether it's a cabana,
15 whether it's a building, whatever it may be, and it
16 does have views and -- and it can be seen from the
17 beach walk, but we are -- we painstakingly designed
18 the building in order to minimize impacts also from
19 the beach side.

20 There was a lot of talk about views. We
21 understand that views are -- and shadows are not
22 protected by -- by the code, by law, by the standards,
23 but I did still want to walk through some of those
24 views that both the Delano, the National, the
25 Decoplage, everyone seem to have raised, and I do have

1 a few exhibit boards just to kind of give you some
2 context as far as how the views are or are not
3 impacted as you are being led to believe it is.

4 So we ran some shadows some studies showing what
5 the views would be from the hotel units at both the
6 Delano and the National Hotel. Actually our team,
7 Kobi's office, was invited to go to the National and
8 go to specific rooms and take photographs from those
9 rooms and see what kind of impact it may or may not
10 have. I will tell you from the National, at worse
11 case, at worse case in the National Hotel they would
12 have 86 percent of their ocean views preserved.
13 That's not every unit. Actually, most are greater
14 than 86 percent. We went the most conservative route,
15 looking at the worst angles, and it had an impact of
16 14 percent. So we're not talking about removing ocean
17 views from the neighboring property, a site reduction.

18 In the National Hotel -- the Delano Hotel, we
19 came up -- came up with a similar analysis. You have
20 over 77 percent of their ocean views will remain today
21 with our tower. So there is minor impact. I'm not
22 saying we're building invisible towers, but I want to
23 make it clear to the board that what are their actual
24 impacts to an ocean view, which every building wants
25 protected. And then when it gets to the Decoplage,

1 which is, we all agree, the wall of the area, their
2 ocean views from which ever unit you're in, they will
3 have the same ocean view they have today. So with our
4 tower or without our tower, because our tower is set
5 back over 300 feet from the Decoplage, their ocean
6 views will not be changed.

7 So I do know that you also talk about the views
8 to the north. I want to be clear that any structure
9 creates an impediment to the views to the north at any
10 site. Actually, when the Decoplage just demolished
11 Carl Fisher's house to put a 182 foot wall to the east
12 and west of their property, they closed what we talked
13 about, that postcard view. So today, if you're at the
14 Ritz-Carlton, the DiLido Hotel, which pre-dated the
15 Decoplage, they had no south view except for the
16 Decoplage, and building south of the Decoplage had no
17 view of the area we're discussing for that same
18 reason.

19 So we took our consideration in trying to put in
20 the smallest footprint, and that's why the value of
21 whether they have a larger scale building or a smaller
22 scale building, where it still preserves as much of
23 the views, even though that's not a matter of right,
24 to the north as we could.

25 I also wanted to talk about the shadow. There's

1 been a concern, a concern about the impacts of
2 shadows. Yes, I -- do we cast some shadows at the
3 Delano and the National? We do. You saw all these
4 images in the various presentations about a very
5 sunny, open Delano and National. While they use their
6 historic postcards back in the day when all of those
7 areas were open and it was a very sun drenched
8 backyard, I challenge anyone to go there today and
9 find that level of sun at any time without any tower.

10 If you look at their towers -- their sites today,
11 they have created this shadow light experience, so
12 it's unfair to characterize our proposed tower would
13 eliminate their sun.

14 Would we contribute some to the shadows that they
15 already have on their property? We would. In the
16 case of the National, we do add to their shadows that
17 they already have on their pool about six months a
18 year. We don't completely engulf their property in
19 shadow at any given time, and at the -- and I just
20 took these images from December at 12:00. You can see
21 the shadows, but you can also see all of the
22 vegetation, how they have -- and they're right, their
23 choice, over the years, both the National and Delano
24 chose to close out their rear and add substantial
25 shade into their site, unlike their early 1950s or

1 1960 post that had just sun, concrete, pool, and
2 chairs. That's not what you have today.

3 So I wanted to make a very clear comparison that,
4 yes, we do add some shadows on both properties. We're
5 just contributing to the shadows that they already
6 created for themselves.

7 There was talk about endangering the dunes, the
8 wildlife, the beach. This project doesn't cast a
9 shadow onto the beach until 5:00, and I'm looking at
10 December, which is our worst time. I mean, today
11 we're in December. It will be sunset, what, at 5:05?
12 The sun sets early. But, nonetheless, our shadows
13 onto the beach at no time of the year start
14 encroaching to the beach walk before the beach until
15 5:00. So you do have a full day of sun at the beach
16 that would not create an impediment to visitors,
17 tourists, marine life, or even the dunes.

18 So I wanted to get rid of those and put these up.
19 I want to shorten this up. Sorry about that. It is
20 not my intent to try to kill my client, so I apologize
21 for that.

22 But -- so we talk -- there's a lot of discussion
23 about this postcard view and you've heard backward and
24 forward the postcard view continues to change, whether
25 it's from the ocean, whether it's from Collins. The

1 issue with the postcard view in your discussions with
2 any of the stakeholders, the postcard view originated
3 from what you would see from Collins, from the New
4 World Symphony when you're on their outside terrace
5 looking back at the properties, and I submit to you
6 that I noticed that one thing, the Ritz Plaza, the
7 Delano, the National, that's your postcard view. The
8 Ritz-Carlton as a box at 154 feet has always served as
9 your frame, your southern frame of your postcard view,
10 and by adding a 200 foot tower primarily behind that
11 and the -- and the Sagamore, you're not eliminating or
12 negatively taking away that postcard view you have
13 today. So I think that should be noted.

14 I want -- you know, and to restate, there were
15 quotes about how it's about light and air. When he
16 built these hotels and other architects built those
17 hotels, it was all about the sun but there had been an
18 evolution where there is a combination of light and
19 shadows. As I had said, you go to either the Delano
20 or the Sagamore -- or, I'm sorry, the Delano or the
21 National, you do find a lot of overbearing shadows
22 right now at noon in December.

23 I want to give you clear -- a couple other points
24 and then I'm going to have Kobi answer a few things.
25 There -- we have a lot of zoning issues thrown at you.

1 It's crystal clear and you've asked your own staff
2 that this application has been evaluated and if it was
3 in violation in their opinion, under their review of
4 FAR issues, over FAR we couldn't go forward. If there
5 were setback issues and they did catch that there was
6 some minor dune overlaying the rear setback issues
7 where the pool encroaches, we're not asking for a
8 variance in any -- and we're going to -- we will scale
9 back the pool so that it would not require by building
10 permit a variance.

11 But outside that, you have a whole laundry list
12 of zoning questions that some of the opposition has
13 thrown out to try to cloud the issues and -- and bring
14 it into maybe the jurisdiction of another board, but I
15 want to make it clear that your staff has certified
16 that this application is properly before you today and
17 you heard from Tom Mooney.

18 Now there -- you saw comments about other
19 projects in the area. Yes, the Raleigh this board
20 approved last year, it was an approved project, and
21 referenced to the Shore Club. I assume that's a
22 comment we're going to hear in the future sometime,
23 but it shouldn't be part of the consideration of
24 what's here before you today, and if you -- as -- as
25 Mr. Savage tried to compare those to our project, our

1 footprint is 45 percent smaller than the Raleigh, what
2 was approved for the Raleigh last year, it's a much
3 smaller tower, and what's being proposed by the Shore
4 Club from the submittals is over --

5 MR. FINGLASS: We're not talking about the Shore
6 Club. That's not --

7 MR. GONZALEZ: I understand, but Paul Savage
8 provided rebuttal -- opposition documents dealing with
9 the Shore Club, so he opened the door; otherwise, I
10 would have not brought it up.

11 MR. FINGLASS: That's not before us.

12 MR. GONZALEZ: I understand. But since you have
13 one part of the record, I want to be clear on the
14 rest.

15 But I also want to -- for the record, you heard
16 from the so-called expert Steven Avdakov who provided
17 reports for both the National and Delano and sat here
18 and said how inappropriate it is to propose a 200 foot
19 tower behind a 154 foot Ritz-Carlton and a 7-story
20 Sagamore, but at the same time he's providing reports
21 that it's appropriate to -- to build a 200 foot tower,
22 substantially larger than we're proposing, behind the
23 3-story Shore Club, and I just want the record to be
24 clear.

25 Again, I didn't introduce it. I'm only rebutting

1 to what was introduced by the public opposition. So I
2 do want that for the record to be noted as well.

3 MR. GIBBS: Given past issues in dealing with --
4 with these issues --

5 MR. FINGLASS: We have to do --

6 MR. GIBBS: I just need to put it on the record.

7 MR. FINGLASS: We need him to finish. One at a
8 time or there will be chaos. I'm sorry.

9 MR. GONZALEZ: At this point I'd like to have
10 Kobi just walk you through the renderings that you saw
11 from the opposition.

12 MR. FINGLASS: You want to show us renderings --

13 MR. GONZALEZ: We're going to show you how
14 they're incorrect, and how when you look at the
15 reports, they're showing you how -- what impact our
16 proposed tower has on the neighboring properties.

17 MR. FINGLASS: Can we speed this up?

18 MR. GONZALEZ: Yes, sir. While Kobi is getting
19 the boards, I just want to clarify that the tower is
20 pushed to the -- more towards the north than proposed,
21 so it's showing greater impacts than what really this
22 application is proposing.

23 Mr. KARP: So these are images which show -- and
24 you can have them -- but basically the landscaping and
25 the building. Obviously they're being photoshopped,

1 but that's okay. Here it is. You have the size and
2 the massing and the comparison, likewise over here and
3 likewise in the bottom.

4 You know, we checked it, we double checked it,
5 but, regretfully, that's the reality that we're facing
6 right now.

7 MR. KLEIN: So you're saying their images are
8 inaccurate, they're false?

9 MR. KARP: I'm saying that they're not. Correct,
10 yes, sir.

11 MR. GONZALEZ: They're shifted more to the north
12 than what we've proposed in our -- the application. I
13 do want to tackle a few more --

14 MR. FINGLASS: I'm sorry.

15 MR. GONZALEZ: Yes, sir?

16 MR. FINGLASS: I'm sorry. We're all here to
17 swear to tell the truth. You have one party swearing
18 one thing is the truth and now you're saying they're
19 incorrect and you're telling the truth.

20 How do we form a judgment of what the truth is?
21 There is -- there is one truth. Not two different
22 truths.

23 MR. GONZALEZ: Mr. Chair, all I can do is respond
24 to all of the vast reports, submittals, presentations,
25 some of the things I had time to review -- enough time

1 to review, and some that have come in at the last
2 minute and I'm responding to them as we can.

3 MR. FINGLASS: How am I supposed to know what the
4 truth is if you're -- if you're totally conflicting --
5 they're saying the first party's images are wrong and
6 then they say their images are wrong. I mean, they're
7 both fingers in the sky as far as I'm concerned, so,
8 you know, I want to know what the truth is.

9 MR. GONZALEZ: Well, we're representing that our
10 plans are accurate. They're CAD drawings. We've
11 reviewed them. We've reviewed them with staff, and
12 we've provided the distances from the different
13 points, the actual distances, so it's clear that we're
14 actually -- for example, with the Sagamore, we're
15 opening up more of a view corridor --

16 MR. FINGLASS: Yeah. You said that. That
17 doesn't answer the question. If you can please move
18 on. Thanks.

19 MR. GONZALEZ: I will. I just have a few more
20 points of things that were raised. I've already
21 addressed all of these zoning theories that are -- I'm
22 not going to belabor. I'd like the plan director to
23 answer those when we feel it is the appropriate time.

24 And I will say that I did want to make comment
25 that one of the public comments from the Decoplage,

1 they have made some reports to you. They live on the
2 south side and as far as the testimony they gave,
3 they're not here on behalf of anybody but themselves
4 and they're not registered to speak on behalf of the
5 buildings or any other individuals, as far as I'm
6 aware of.

7 I will then go over a few more points and then
8 I'll end it. As far as the Decoplage, the parking lot
9 analysis is correct. It has been submitted as part of
10 the record. There is no issue. The Ritz-Carlton
11 today has surplus parking above what is required by
12 the code. Now, could at some operational times and
13 large events -- Basel -- there be a demand on the
14 parking? There may be. That's an operational
15 discussion that each property needs to address. But
16 as far as the required parking, we have the required
17 parking, and the site has the required legal parking
18 needed for the conversion.

19 MR. FINGLASS: Move on.

20 MR. GONZALEZ: The loading -- the loading
21 -- we're not intensifying the site, so the loading
22 that we create -- there was a complaint about the
23 loading by the Decoplage attorney. I'm just making it
24 clear that the street --

25 MR. FINGLASS: How can you say you're not -- that

1 makes no sense.

2 MR. KLEIN: You're intensifying the site with
3 this -- with this tower. How are you not intensifying
4 this site?

5 MR. GONZALEZ: We're not intensifying the site
6 because we're reducing hotel rooms. So we're
7 converting what is over 110 hotels rooms --

8 MR. KLEIN: And adding 50 --

9 MR. GONZALEZ: No. No. No. We're reducing --
10 so it's saying the same. I'm not -- we're not keeping
11 110 hotel rooms and then adding more residents. We're
12 not doing that.

13 We're actually reducing from 110 hotels rooms
14 that are currently permitted and we're not -- as --
15 and bringing it down to at least 60 or less and then
16 50 residential units. So it is not an intensification
17 of the site. Our traffic analysis shows that we're
18 not going to intensify the site. It is a neutral
19 change, so I just want that to be clear.

20 And when we talk about that street end,
21 understand it was when the Ritz-Carlton was approved
22 in the late '90s by the city and this board that they
23 provided that beach access that didn't exist prior.
24 It's not there because of the Decoplage Property.
25 It's there because of the Ritz-Carlton had opened the

1 avenue to go from Lincoln Road to the beach walk,
2 which we all enjoy.

3 MR. FINGLASS: Okay. Can we wrap this up?

4 MR. GONZALEZ: Yes, sir. I just have a couple
5 more points. I understand and have all sympathy for
6 what happened at Champlain Towers but what happened in
7 Surfside is a -- will be -- you know, is not the
8 subject of this meeting.

9 We are -- we're in a situation where we evaluated
10 our construction, all projects are monitored and the
11 City is very diligent in making sure we've done
12 monitoring at other sites to make sure there is no
13 negative impact on neighboring projects when it comes
14 time for construction. So -- and I -- I can tell you
15 we'll evaluate and we'll work with our neighbors when
16 it gets down to construction, just like all projects
17 throughout the city have done.

18 And I'll -- and, with that, I will tell you that
19 we do meet all of the standards as dictated in the
20 staff report, your professional staff recommendations,
21 and we support the recommendations by staff, that's
22 why we changed the Sagamore front facade, and we'd ask
23 you -- we'd like to hear comments from the board.

24 MR. FINGLASS: We will. Thank you.

25 MR. GONZALEZ: And if there's any additional

1 comments, then I will ask for a re-rebuttal.

2 MR. FINGLASS: After -- after we -- we're going
3 to debate it and that's the end of it.

4 MR. GONZALEZ: Okay. No. No. I -- I --

5 MR. FINGLASS: Okay. Thank you. For your --

6 MR. GONZALEZ: With that, I end my rebuttal.

7 MR. FINGLASS: Thank you. Okay. Debbie -- oh,
8 sorry. I'm sorry.

9 MR. GIBBS: Just real quick. I just wanted to
10 object to any of the comments related to our expert.
11 This appli- -- each applicant, as you know -- each
12 application as you know stands on its own. The
13 experts who work on other applications is absolutely
14 not relevant to this issue, and I had to put my
15 objection on the record. Thank you.

16 MR. FINGLASS: Okay.

17 MR. SAVAGE: Very quickly, Chairman.

18 I respectfully disagree with the arguments of
19 Mr. Gonzalez. I'm sure he feels the same way about my
20 positions, and I'll leave it at that, mercifully, for
21 the time, but I just wanted to clean up the record and
22 make sure that I readopt and incorporate and introduce
23 all of the submissions that I've made through the
24 portal of the City, through the staff, and also adopt
25 Mr. Gibb's arguments as my own and those made by the

1 counsel for the Decoplage and other objectors will all
2 be also adopted our -- as our objection also on behalf
3 of the Decoplage. And I'll just stop there and won't
4 give any further debate. Thank you, sir.

5 MR. FINGLASS: Thank you. We're going to close.

6 MR. GONZALEZ: Mr. Chair, the applicant is
7 usually afforded the last word.

8 MR. FINGLASS: You just closed. Come on.

9 MR. GONZALEZ: We feel that this application
10 could be approved today on its merits. It meets all
11 of the criteria from the HPB and I would thank you,
12 the preservation staff board.

13 MR. FINGLASS: Okay. Now we can close, and we
14 will be in discussion, please. Thank you.

15 Who would like to go first?

16 MR. KLEIN: Again, a lot of problems here. As
17 with previous projects, and I said I'm not going to be
18 part of the destruction and the elimination of that
19 postcard image that I grew up with here and that my
20 family enjoyed prior to me coming around, I do really,
21 really appreciate the restoration of the original
22 elevation. I worked a little bit on the Sagamore, had
23 an opportunity a number of years ago, and I really
24 appreciate that and the restoration of the lobby.

25 A question was asked why do we need this big

1 tower and -- and how does -- how do you determine 12
2 stories, 8 stories, 17 stories, 200 feet, 150 feet,
3 and then how wide this thing is. We've had this issue
4 before. I appreciate so much the -- the creation of
5 these suites in -- in the hotels and I hope they're
6 not just small suites and I doubt they are because
7 you're trying to generate some real income here and
8 create quality suites and I would prefer that we do
9 something more respectful to the building that's
10 there, to the assemblage of buildings that are there,
11 and that's how I find this. I find this
12 disrespectful. I don't know any other way to put it.

13 I don't think that we're distracting, that we're
14 so much diminishing. I think we're being
15 disrespectful to what we have in Miami Beach history.

16 The proposal, I find it incompatible, I find it
17 out of character, I find it out of scale, and I can't
18 back it at all, at all. And I am -- I'll let the
19 others speak, but I am in favor of denial for this. I
20 think it -- I think the proposal here is so far off
21 what Miami Beach needs, what this area deserves, that
22 it is not at the level of a continuance.

23 So that's my thesis, short and sweet.

24 Okay. Thank you. Laura?

25 MS. WEINSTEIN: Good afternoon, everyone. Thank

1 you so much and thank you to the families for your
2 commitment to Miami Beach and what makes it so
3 special.

4 You know, I -- I am pro development and I
5 definitely believe in a world where historic and new
6 work together. Personally, I really don't have any
7 issues with the zoning or the entitlements, and,
8 again, that's -- I don't believe that is our
9 jurisdiction, and though it is -- my -- my issue is,
10 though it is a beautiful building, I really don't see
11 how it fits the context. I really don't find it
12 compatible, and if there is a way that you can kind of
13 explain how it fits into the historic preservation
14 criteria, I personally would appreciate that.

15 And, you know, I think as most people have said
16 here, the issue is the beach view. It's not the
17 street view. I do think you did a fantastic job from
18 the street view and how pedestrian's access it. I --
19 I, personally, am all for extending the life and
20 vibrancy of our historic resources, and I just --
21 in -- in the GT memo, just to provide some, you know,
22 constructive criticism, when you're on compliance with
23 COA criteria, Section C, it states: The proposed
24 structure and/or additions to an existing structure
25 are appropriate or compatible with the environment and

1 adjacent structures and enhance the appearance of the
2 surrounding properties for the purposes for which the
3 district was created, and I really don't think that's
4 satisfied here. I think it could be in the future.

5 I'm not saying that I would totally deny the
6 application but I don't think the building, as
7 designed, meets that criteria.

8 Thank you.

9 MR. FINGLASS: Thank you, Laura. Thanks.

10 MR. LITT: Thank you. Given that I don't see
11 this really moving forward with an approval today, I
12 wanted to offer a few thoughts of how this could move
13 forward. I'm, you know, open to elaboration on the
14 design for this, and I'm going to focus my comments --
15 or I'm not going to engage on the zoning. I think we
16 can focus on C of A, and if the zoning interpretation
17 changes, the requirements are going to change the
18 design and we can revisit it then.

19 So with respect to the -- the Sagamore, I -- I
20 understand the strategy of wanting to revert back to
21 the original facade, since that was successful up the
22 street with the Richmond South Seas, but I appreciate
23 hearing perspectives from anyone on the board that's
24 willing to engage on this idea, but in thinking about
25 whether the -- the addition has required significance

1 in itself and if there are some levers here where if
2 the size of the new tower is being driven at all by
3 the cost of the restoration from the Sagamore because
4 they're removing the additions, if that might be
5 something you could consider with offsetting and
6 changing the scale of the tower.

7 And also just to -- not to add additional, you
8 know, trips on the ideological merry-go-round on this,
9 but just for thinking about how the board has treated
10 the Grossman additions on other hotels, are we -- you
11 know, do we have any thoughts about changing that
12 legacy in terms of the restoration management that we
13 have?

14 A few of the points I guess that will be at
15 various scales in terms of, you know, what people
16 think are the important facets of this, but given that
17 this is our opportunity to speak about it, I'll
18 mention a few different things. So there wasn't a lot
19 in the presentation about the elimination of the
20 basement. I think that was a good decision. I was
21 wondering about leaving the electrical equipment in
22 the crawl space. The letter of intent talks about it
23 not being feasible to move, but interested in what the
24 criteria were for that decision and what are the
25 resilience tradeoffs, risks of leaving the equipment

1 down there versus if it was at all possible to move
2 that and what the impact would be on the design.

3 For the residential tower, I mean, it's -- it's
4 generally some parallels and consistencies with other
5 approved projects, but, you know, it sounds like we
6 have some work to do with the scale and the massing.
7 I think the answer to why 200 feet is pretty easy.
8 It's because that's what's allowed and that's why we
9 see this.

10 And, yeah, I would have made a note about the
11 shadow studies, but I appreciate that was addressed in
12 the follow-ups so I don't think we need to make an
13 issue of that here as well.

14 The rooftop addition, that does seem to me to be
15 pretty close to an administrative maneuvering, but if
16 the City's staff Attorney's Office backs up the
17 rationale for how this is not an addition, I'm
18 comfortable with considering that.

19 And then just another, you know, as I've maybe
20 brought up a few minutiae in this, but just if we're
21 put everything on the table and if this is going to be
22 reconsidered, the open space calculations, it looked
23 like what was being provided is less than the
24 requirement. So I wanted to check to see whether that
25 was a typo or if there was something we need to

1 consider there. I was looking at Page L0.00A.

2 But, in summary, I'm willing to sort of continue
3 the dialogue to keep this project moving forward.
4 Thank you.

5 MS. LIEBMAN: I have a question to ask first and
6 it has little to do with anything, except information
7 that I need as I then discuss.

8 I would like to know the actual height that this
9 building will go to after the 200 feet for all of the
10 technical stuff that goes on the roof.

11 MR. KARP: Hi. I want to thank you all for your
12 comments. The mechanical cupola with overhang, we are
13 looking to not exceed 20 to 25 feet, depends on --

14 MS. LIEBMAN: So it would be 200 --

15 MR. KARP: 220 feet, with the mechanical
16 equipment, trellis work around it.

17 MS. LIEBMAN: 220. Okay. Okay.

18 MR. KARP: Yes. Yes. Yes, ma'am.

19 MS. LIEBMAN: Okay. So it is larger than I first
20 saw it when I met with you?

21 MR. KARP: Yeah. We always had the roof at 200
22 and we always had the mechanical area above it, and if
23 it was unclear, I'm sorry about that.

24 MS. LIEBMAN: Other than that, I respect what you
25 have done. I'm sorry that you have to go through

1 this, but I think you should have known it was coming
2 because it became a big City issue unfortunately and I
3 know that you can do better so I am hoping that you
4 will be able to look back with our group, our
5 committee, and find a better way.

6 You know that when I met with you I said you'll
7 never make it with this large building. It doesn't
8 belong there. I have always thought and I still think
9 and I've been doing it, thinking, from the past 40
10 years that it's really not what the height is supposed
11 to be. It's really the compatibility, and I believe I
12 discussed that with you too, that these -- in this
13 district the two -- I -- I'm sorry but I'm going to
14 compliment the two architects who talked about
15 compatibility. They were right on target. I only
16 wished that they did work for us sometime or other
17 because they are -- they told it exactly the way it
18 is, and that needs to be looked at.

19 I don't want to see you just go away today and
20 say good bye because I know you'll come back and
21 you'll do something else, but this project, this area
22 of Miami Beach needs your direction to do something.

23 So as far as your building, it's a step sister, a
24 sad step sister to what could have been a wonderful
25 addition to where you're working. But it's not. It's

1 just every time -- every picture that I saw -- I'm
2 tired of looking at them. This big hulk is standing
3 in the way.

4 So I don't want to see you throw this out the
5 door. I don't know if everybody else here thinks that
6 way but I hope not, and I would just ask you to think
7 about how to improve this. That big hulk in the
8 middle just can't survive the way it is.

9 MR. KARP: Thank you for your comments, Nancy,
10 and I'll be happy to implement yours and the other
11 people's comments. Thank you very much.

12 MR. FINGLASS: Thank you, Kobi, very much.

13 MR. PASKAL: Okay. Just some comments in no
14 particular order. First of all, you know, it's --
15 it's wonderful to have the families here that have
16 been maintaining these properties. This block really
17 has been a celebration of, you know, the allure of our
18 City and there's a lot to consider. And one of those
19 things with the -- the DiLido, I sort of look at the
20 renovations that were done to the DiLido in 2003 and
21 see those as sort of a compatible compromise where
22 they're -- you know, you can never not see them, but
23 they sort of -- you know, they seem to -- to -- to
24 embrace and defer to the original design intent.

25 I want to say that the tower design I think is

1 beautiful. I also want to mention the -- the Sagamore
2 facade. It's interesting because I think it was maybe
3 five years ago or so we had a proposal in front of us
4 to remove the knee wall, right, at the Sagamore and --
5 and at that time I actually discussed with Mr. Ciraldo
6 from MDPL, wouldn't it be great if the original facade
7 for the Sagamore could be brought back. I think, you
8 know, that is really nice.

9 At the same time, I think -- I want to start with
10 the text amendment because it wasn't that long ago
11 that the zoning was changed that many of us on this
12 board participated and were a part of that early
13 discussion, and as I recall it, and I think it's
14 important moving forward, when you set the tone for
15 how those sort of dialogs are going to translate into
16 code, into the future of our City, and what it's going
17 to look like.

18 There was a public benefit that was discussed
19 relative to -- to the Raleigh at that time and the
20 state it was in and it being maintained as a hotel
21 use. I am not seeing it at this instance -- I am
22 seeing benefits, right? I'm seeing a nice -- nicely
23 designed tower and I'm seeing the -- the facade
24 renovations at the Sagamore, but I'm having a hard
25 time seeing that value, that it -- that it balances

1 with a lot of issues I'm having with the project, and
2 I just want to go over those and they've all been
3 stated by -- by -- during the public comment, and --
4 and I appreciate everyone that came in.

5 I do want to touch on -- on the parking because I
6 don't think that that was really -- we had the
7 representative from the Decoplage who mentioned that
8 and obviously there's a concern with the functionality
9 of that district and it wasn't really explained to me
10 how that happened. How do you get a pretty
11 substantial size residential building with no parking
12 and, zoning wise, how that actually comes to be.
13 Could I ask that question?

14 MS. TACKETT: Yeah. They do have parking, and
15 according to their parking calculations, which we have
16 reviewed, they satisfy the parking requirements. So
17 they're reducing the number of hotel units. The
18 existing contributing buildings do not have a parking
19 requirement, the new tower will, and they have ample
20 spaces allocated for the new construction.

21 MR. PASKAL: Got it. So they're acquiring spaces
22 that had been used for the hotel functions versus
23 residential function personally.

24 I want to say to the -- Alfredo, great
25 presentation, but -- but you sort of called up the

1 question of whether you can legislate view and you
2 sort of hinted at this whole dialog with the spite
3 wall and -- and I understand that -- that legally you
4 can't legislate that, but the Historic Preservation
5 Board does have the authority to legislate the
6 interest of the viability of that historic district,
7 so there's a couple of really big issues for me.

8 One of them -- one of them is -- is the public
9 interest and the public good and -- and I feel that
10 that skyline is so iconic and postcards may be going
11 away but -- but Instagram makes imagery a million
12 times more pertinent. Imaging matters and matters
13 tremendously and, again, this block is the toast of
14 the town. It's what we stand for across the word,
15 and -- and I think we have a responsibility to
16 legislate in the better interest of that historic
17 district.

18 In addition, I want to say that -- that even --
19 and the concerns that the Decoplage brought up, they
20 call into question, you know, how well -- and as a
21 City I think we struggle with this. We're a tourism
22 City and we're an amazing place to live and work and
23 play, as we say, and, yet, there's -- you know, we're
24 always trying to balance the interest of -- of being a
25 tourism City and -- and having hotels as a -- an

1 economic driver but also offering quality of life for
2 residents and I'm really, you know, struggling with
3 the idea of taking these two hotel properties and
4 plopping a residential tower where, not only does it
5 impair the view of those two properties themselves,
6 but, you know, I -- I don't feel that it's going to
7 block the ocean view completely from the National or
8 the Delano, but it is going to be there and it is
9 going to impair the enjoyment of a historic district;
10 when you're looking out on your balcony for tourists
11 and there's a tower right there. You know, you're
12 going to make the person stand there while you take a
13 picture so you don't see the tower and I'm struggling
14 with that.

15 Initially when I saw this proposal, for me
16 there's no way that I would be okay, in favor of a
17 structure that would go to -- to -- to -- to tower
18 over the -- the cupola at the National. It's too
19 iconic. But, in addition to that, no matter what,
20 you're still going to impair the views when you're
21 putting a residential tower in front of the balconies
22 of the existing historical hotels, and I feel like the
23 viability of this historic district is our
24 responsibility and placing a residential tower where
25 it impairs the view of these iconic hotels, I think we

1 take a risk of rendering them obsolete. Those
2 buildings, I think we're encouraging the other
3 property owners -- the National, the Delano, what's to
4 stop them from putting residential condos, and there
5 we go.

6 I think -- I think the gravity was an extenuating
7 circumstance and we all struggle with the fact that
8 the Raleigh was left gutted. We wanted to see that
9 continue forward. We wanted to see the vibrancy of
10 that property continue as a hotel. This is not a
11 repeat of that, and I think we really need to be
12 careful of not setting the wrong precedent because I
13 think it would be a horrible legacy for this board to
14 encourage and incentivize condo towers going up along
15 the back side of that whole block. I don't see how
16 we're not doing that.

17 So whereas -- with respect to the hotel owners
18 and the applicants and the amazing job you did on this
19 proposal, you know, I wish that I could be offering a
20 recommendation to try to bring it in line with -- with
21 what I feel is my responsibility here, but I'm leaning
22 in the direction of Barry and thinking that I don't
23 really, unfortunately, see a way forward on this
24 proposal, from my perspective.

25 Thank you.

1 MR. FINGLASS: Thank you. Thank you very much,
2 Kirk.

3 Okay. Now it's my turn. Okay. First, I want to
4 thank you, the families of all of the properties,
5 especially the Sagamore. They had me over. They were
6 extremely polite and they -- they really gave me the
7 full story and I appreciated the time they spent and
8 at the time I hadn't read anything from the City, nor
9 had I read the package, so I was very -- I wouldn't
10 say accountable, but I was very open to any opinion
11 that was being given to me.

12 They do have a lot of good points and I don't
13 want to be accused as I was the first year six years
14 ago I was on this commission, board, and I remember
15 John Alamond severely criticized me because I said
16 this is the Historic Preservation Board, not the
17 Economic Development Board, and I will say it again
18 very clearly. This is the Historic Preservation
19 Board. We have to look at economic development. It's
20 an important part of the puzzle and it should not be
21 shunned aside, but our main purpose here is to look at
22 how we can preserve -- I hate to use the word iconic
23 postcard; that has been drilled into my head every
24 time I walk into this room -- the iconic postcard
25 view, and that's I think what we're here to try to

1 preserve in the best way possible, without excluding
2 progress. And I say without excluding progress
3 because, you know, life changes, things move on, and
4 as Laura, I think, once said, every building has its
5 life, which I thoroughly disagree with, but that's a
6 different point of view, which we like all points of
7 view.

8 But in this particular case several things which
9 developed my attitude on this was this little simple
10 drawing submitted by the architects that there's a 1-,
11 a 3-, a 3-, a 9-, a 7-, an 11-story building all
12 around this -- this proposed tower, which would be at
13 least 17 stories or 225 feet, which was just stated by
14 the architect. I just think -- I just think it's out
15 of place. I give great kudos to what you have done in
16 the existing buildings and what you propose to do
17 through this historic preservation.

18 We have to come to some agreement here eventually
19 after I'm gone as to what constitutes economic
20 development versus the historic buildings that are
21 already there, that's the key point here, and it will
22 be brought up again and again and again and again and
23 I think that's not a decision for us to make. We have
24 to look at historic preservation first.

25 And getting back to the comments, I think this

1 particular tower, I love this phrase, this is a
2 disengaged crystalline tower. That kind of says it
3 all. It's not engaged to anything around it. Its
4 materials are in complete opposition to what's around
5 it, and it's another finger poking into the sky, which
6 I just can't go along with, period.

7 In the future perhaps another board can maybe
8 talk about lowering it more to a compatible height to
9 the buildings around it, the historic buildings, it
10 may be no higher than what is there, that has
11 objections too, but this issue of scale here, that's
12 the number one thing for me. I can't get by that.

13 I think the design, the aesthetics, the massing
14 are damaging to the neighborhood. I think that it
15 diminishes the architectural integrity of the Miami
16 Beach architectural historic district. It's -- it's
17 just incompatible as a matter of height and as a
18 matter of architectural relationship to the nearby
19 contributing structures. It's just not acceptable to
20 me.

21 And I will read probably for the last time what
22 the Certificate of Appropriateness says, because every
23 developer who comes here in my six years says -- tends
24 to ignore these three things and this is what is
25 important. Additionally, the board shall consider

1 Section 118564A3 of the MBPB, appropriate and
2 compatible with environment, enhance appearance of the
3 surrounding properties. This is not satisfied due to
4 the size, scale, and placement of the proposed tower,
5 as well as the modern design proposed of the last
6 tower which will conflict with the historic character
7 of the neighborhood.

8 E, relationship to the surrounding neighborhood,
9 impact on preserving historic character of the
10 neighborhood and district, pedestrian sightlines and
11 view corridors. Not satisfied due to the size, scale,
12 and placement of the proposed tower, as well as the
13 modern design proposed of the last tower which will
14 conflict with the historic character of the
15 neighborhood.

16 And J: Orientation and massing which is
17 sensitive to and compatible with the building site and
18 surrounding area and which creates or maintains
19 important view corridors. Not satisfied due to size,
20 scale, placement of the proposed tower.

21 I wish a developer would come here and read this
22 first and tell us how this building really complies
23 with this. They never -- in six years I have never
24 had a successful developer do this first. It's always
25 what I can do, what's for my benefit, what's for my

1 building, what I want. It's not what individual
2 people want. It's what's for the benefit of the
3 community.

4 So, therefore, I join Barry, it's a big no, and
5 I'm not sorry to vote no on it in its entirety. Thank
6 you.

7 MR. GONZALEZ: Mr. Chairman, I know there were a
8 lot of questions asked --

9 MS. TACKETT: We did close, and we do have a full
10 agenda this afternoon.

11 MR. GONZALEZ: I do -- I just want to make a
12 request from the applicant. You have a lot of
13 questions. I'm not asking you questions. I know that
14 this board has a lot -- has taken a lot of time.

15 I will request this board to continue this
16 application and allow us the time as a new
17 applicant -- we continued it last month because we
18 wanted the opportunity to start talking to the
19 neighbors, which because of time we weren't able to;
20 we heard for the first time many of the board
21 comments; and allow us the opportunity to take those
22 comments and work and potentially bring back something
23 that this board could review and answer every
24 question. So with that --

25 MR. FINGLASS: I think we have something before

1 us now, which we should deal with. Thank you.

2 I said my opinion. Thank you.

3 MS. LIEBMAN: I suggest that we look at it again.
4 They've been working on this for, I don't know how
5 many years.

6 How long have you been at this? At least two
7 years that I can remember.

8 MR. GONZALEZ: Ownership has been working on this
9 for well over a year and a half, almost two years. So
10 we've been trying to come -- this is the first time
11 making a presentation before the board, first time
12 coming here.

13 MS. LIEBMAN: I don't think that we should be so
14 cavalier as to just tell them out the door. Let us
15 put them on the agenda again. I don't care if it's
16 next or let it go over to the new year, but I don't
17 think that -- under the circumstances, it's not just
18 what we talk about, under the circumstances of what a
19 lot of people have been put through that we just send
20 them home.

21 MR. FINGLASS: Well, I think every proposal that
22 comes to us takes a year or two of preparation. This
23 is not unique in that regard. Every -- every
24 architectural firm and owner works for a very long
25 time on the project and should be respected for that.

1 MS. LIEBMAN: However, we have allowed -- it's
2 different because I have seen us allow people to come
3 back in here three, four, or five times, and nobody
4 cared. They allowed everybody.

5 For some reason, maybe it's because we have a lot
6 of people here who just didn't like the idea, but I
7 think it's our purpose to think about one more chance.
8 And I don't think that is too much.

9 MR. PASKAL: At the current time though it
10 doesn't seem like there's a consensus on the way to
11 move forward.

12 MS. LIEBMAN: Well, that's because we haven't
13 thought about maybe we should be allowing them to come
14 back. I brought that up.

15 MR. PASKAL: So -- so, I mean, there's --
16 there's --

17 MS. LIEBMAN: Do you all think that it's such a
18 terrible thing that it shouldn't be heard for a second
19 time? Let them go back?

20 MR. KLEIN: I don't want to see them to come back
21 10 or 12 story lighter building.

22 MS. LIEBMAN: Well, let's suggest what they
23 should come back with, rather than -- rather than out
24 the door.

25 MR. KLEIN: And I think, you know --

1 MS. LIEBMAN: You haven't heard from them before,
2 right? Have you heard from them before? Have you,
3 Jack? You went to visit them.

4 I don't know if everybody -- we don't even have
5 our seventh person here, by the way.

6 MR. KLEIN: If we put any sort of tower or block
7 on the east side of the Sagamore, you just pretty much
8 obliterated the view of --

9 MS. LIEBMAN: Well, that's your interpretation,
10 but I think the people who are involved should be
11 allowed to at least come back with something that they
12 can do, and I think that Kobi, unless, Kobi, you're
13 willing to give up?

14 MR. KARP: I would love to come back. I would
15 love the opportunity to come back because this is the
16 first time I'm hearing your comments. That's why we
17 came in here. It's a -- like I said, it's a dialog,
18 not a monologue, and my clients are very -- they own
19 these properties and we would love to come back, and
20 that's why we also met with you, Jack, on to the
21 site.

22 MR. FINGLASS: You're going to come back, but
23 every time this has happened -- and this is pandemic
24 throughout six years of seeing these things -- instead
25 of making it -- you'll make it shorter and then wider

1 to the buildings existing, wider to the beach.

2 The whole point is to lessen the impact of your
3 building, not to give you a way around what you've
4 presented and still get your numbers, square foot, and
5 whatever. That's the problem. It's the -- it's the
6 massing, the scale, the scope, everything about it,
7 and, with all due respect, you're very good, I've seen
8 it before, at manipulating it around so you still get
9 just about what you wanted but in a totally different
10 format, and that's the problem. The problem is the
11 scale and the scope and the size.

12 It's not making it wider and shorter. It's not
13 making a big voluminous mass hovering on that beach.
14 That is iconic and should remain basically the same.
15 That's why it's historic. This is not Sunny Isles,
16 and, God help us, I hope it never will be, and that's
17 the important thing. That's where we're headed if
18 this type of development that has no respect for
19 what's there now continues.

20 MR. KARP: And -- and, again, Jack, that's why I
21 come in front of you and I could have come in front of
22 you for an opinion and a direction in the beginning.
23 We met with certain people, but, again, I'd love an
24 opportunity to come back and see if there's a way we
25 can work with you. I think it's an important project

1 in an important location, and I think we have the
2 ability to find a way to come to a dialog and make all
3 parties or some of them happy at the end. So that's
4 why we'd appreciate that opportunity very much.

5 MR. FINGLASS: We'll see.

6 MS. LIEBMAN: I keep persisting because I know in
7 sitting here for these moments that I have that we
8 have brought people back with worse projects, and you
9 remember, and we gave them a second chance, they came
10 back, some of them three or four times we had to
11 listen to them, and, all of a sudden, this is like a
12 new thing.

13 MR. PASKAL: It's just that this is far, Nancy.
14 It's much further than people that were -- people've
15 said, oh, if you lowered it maybe, you know, ten
16 stories or five stories or three stories. This is not
17 that.

18 And I don't actually, personally, I don't see
19 what the difference is if we deny it, because, the way
20 I see it, it needs to come back as something totally
21 different than what is here --

22 MS. LIEBMAN: But -- but --

23 MR. PASKAL: -- right now. What is the
24 difference? We continue it for a long enough time to
25 develop something completely new? What's the

1 difference?

2 MS. LIEBMAN: I am not asking you to do anything.
3 You are all injecting what you think might happen. I
4 think it is worth the time to bring them -- we spent a
5 whole day on this. This is 1:30 in the afternoon.

6 MR. FINGLASS: This is the most important
7 property on that whole area. It should be discussed
8 at great length.

9 MS. LIEBMAN: It was discussed but it was
10 discussed in one day without any thought that maybe it
11 could become a better project.

12 MR. FINGLASS: This project, I'm sure if they
13 come -- have a change of heart, they can propose
14 something else. But that's not going to happen today
15 and it's not going to happen next month. We're
16 talking about a major, major redo.

17 MS. LIEBMAN: Well, exactly. Whatever it is.

18 MR. FINGLASS: We're voting on this. That's the
19 issue.

20 MR. PASKAL: Can somebody make a motion here?

21 MR. KLEIN: I just want to say I think the --
22 the -- for me and for some of what I hear on the
23 board, the -- the direction to make. This work is so
24 different than what is proposed here that it would
25 take a separate, new application to make it work, this

1 is the way that I see it. And to make the reference
2 to the Decoplage as the wall, yeah, that's there and
3 that's a mistake. Doesn't mean we have to -- and I've
4 said it before, doesn't mean we have to keep making
5 these same dumb mistakes, and I'm not going to be a
6 part of it.

7 MR. FINGLASS: Okay. I think --

8 MR. PASKAL: And I'm not anti-development and I
9 don't want to come off like that. I just think that
10 this is the wrong building in the wrong place. I
11 think we're close to the --

12 MR. FINGLASS: Yeah. Okay. So I think someone
13 raised the question, do you want to make a motion?

14 MR. KLEIN: I'll make a motion to deny the
15 project, and if the applicant wants to develop this
16 project and come back with something that is
17 compatible, fits in the neighborhood, scale, is not a
18 glass box tower that tries to be invisible which it
19 can't. So I would make that motion.

20 MR. GONZALEZ: Would it be without prejudices?

21 MS. TACKETT: Okay. Do we have a second?

22 MR. PASKAL: I would second.

23 MS. TACKETT: Okay. We have a second and --

24 MR. GONZALEZ: I asked if it's with or without
25 prejudice.

1 MR. FINGLASS: What does that mean?

2 MR. GONZALEZ: If it was with prejudice, I have
3 to wait six months to file an appeal.

4 MS. TACKETT: That's not true. You would have to
5 wait six months to file the same application. You can
6 file a new application within a shorter period.

7 MR. FINGLASS: We're talking about this
8 particular --

9 MS. TACKETT: Okay. We do have a motion and
10 second. Let me call the roll.

11 Mr. Litt?

12 MR. LITT: No.

13 MS. TACKETT: Ms. Weinstein-Berman?

14 MS. WEINSTEIN-BERMAN: No.

15 MS. TACKETT: Ms. Liebman?

16 MS. LIEBMAN: No.

17 MS. TACKETT: Mr. Paskal?

18 MR. PASKAL: Yes.

19 MS. TACKETT: Mr. Klein?

20 MR. KLEIN: Yes.

21 MS. TACKETT: Mr. Finglass.

22 MR. FINGLASS: Yes.

23 MS. TACKETT: Okay. So that motion fails because
24 it was a tie.

25 MR. KALLERGIS: That's right.

1 MS. TACKETT: Do we have another motion?

2 MR. PASKAL: So if we continue it -- I mean,
3 how -- can we just quickly talk about how much time
4 we'd need for --

5 MS. TACKETT: For a complete redesign?

6 MR. PASKAL: Yes.

7 MS. TACKETT: I would say the earliest that we
8 could as staff fully evaluate the complete redesign
9 project would be the March agenda.

10 MS. LIEBMAN: We've done that before and this is
11 not new territory that we're talking about.

12 MR. KALLERGIS: Is -- would any board member like
13 to move a continuance until March?

14 MR. PASKAL: We're at a standoff, right? I mean,
15 something has to happen, correct?

16 MS. TACKETT: Well, if no motion passes, then the
17 application is -- is denied. It would not move
18 forward. They would have to file a new application.

19 So we can -- we can have a motion for a
20 continuance, which I believe some of the board members
21 were interested in.

22 MS. LIEBMAN: I'm -- I'm concerned because we'll
23 do it and we're going to have the same --

24 MR. KLEIN: Well, but that's --

25 MS. LIEBMAN: That's not because we're missing

1 somebody.

2 MR. FINGLASS: That's irrelevant.

3 MS. LIEBMAN: It is not.

4 MS. TACKETT: Well, right now we need to -- we --
5 we can conclude at this point or we can have another
6 motion. If -- if no motion passes on the item, the
7 item fails and they would need to file a new
8 application.

9 MS. LIEBMAN: Well --

10 MR. LITT: I'll do the motion to continue to
11 March so that they can continue in good faith towards
12 the application.

13 MS. TACKETT: Do we have a second?

14 MS. LIEBMAN: I'll second.

15 MS. TACKETT: Okay. Second by Ms. Liebman.
16 Okay. I'll call the roll.

17 Ms. Weinstein-Berman?

18 MS. WEINSTEIN-BERMAN: Yes.

19 MS. TACKETT: Mr. Finglass?

20 MR. FINGLASS: Yes.

21 MS. TACKETT: Oh, you're chair. I should do you
22 again but -- sorry. Mr. Finglass?

23 MR. FINGLASS: No.

24 MS. TACKETT: Mr. Paskal?

25 MR. PASKAL: No.

1 MS. TACKETT: Mr. Klein?

2 MR. KLEIN: No.

3 MS. TACKETT: Ms. Liebman?

4 MS. LIEBMAN: Yes.

5 MS. TACKETT: Mr. Litt?

6 MR. LITT: Yes.

7 MS. TACKETT: Okay. So that also fails because
8 that was a three/three, and unless we have another
9 motion or someone wants to reconsider on one of the
10 previous votes, then we can conclude.

11 MS. LIEBMAN: Is it --

12 MS. TACKETT: And the applicant may file a new
13 application and be -- and be brought back to this
14 board.

15 MS. LIEBMAN: Is it out of order to continue this
16 until next -- our next meeting which is --

17 MS. TACKETT: That -- you could make that motion.
18 You may want to discuss it with your fellow board
19 members because based on the previous two motions, it
20 doesn't look like you have the votes, but that is a
21 motion you can make.

22 MS. LIEBMAN: Well, it seems to me that if we
23 have seven people, seven people should be voting on
24 this.

25 MR. FINGLASS: No.

1 MS. LIEBMAN: And just because --

2 MR. FINGLASS: That's not the way it works,

3 Nancy.

4 MS. LIEBMAN: Well, it may not work for you,

5 Jack, but it works for me. So I would --

6 MR. PASKAL: I want to make the argument that I

7 really don't think that's fair to --

8 MS. LIEBMAN: To who?

9 MR. PASKAL: -- to -- to everyone in the public

10 that has to come and call in and spend the whole day

11 to -- to speak on something, just to punt it down the

12 field --

13 MS. TACKETT: Was that a motion, Ms. Liebman?

14 MS. LIEBMAN: Yes.

15 MS. TACKETT: Okay. We have a motion to continue

16 it to the January 11th meeting.

17 Do we have a second?

18 MS. LIEBMAN: So we would have seven people here.

19 MR. FINGLASS: Oh, so you're trying to stack the

20 deck?

21 MS. TACKETT: I don't -- I don't see a second --

22 MS. LIEBMAN: I have no -- I have no --

23 MS. TACKETT: I don't -- Ms. Liebman, I don't see

24 a second to your motion, so that motion fails due to a

25 lack of a second.

1 MR. FINGLASS: Okay.

2 MS. TACKETT: All right. Mr. Chair, we do have,
3 you know, other --

4 MR. GONZALEZ: One more -- just a clarification.
5 So no action? It is deemed denied and we can submit a
6 new application?

7 MS. TACKETT: Yes. Please contact me and I'd be
8 more than happy to meet with you and your team to
9 discuss.

10 MR. FINGLASS: Okay. Thank you very much.

11 (This portion of the meeting concluded at 12:40 p.m.)
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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, CHELSEA HLAVACH, Shorthand Reporter and Notary Public, State of Florida, HEREBY CERTIFY that I was authorized to and did stenographically report the meeting and the foregoing transcript, pages 3 through 150, inclusive, is a true and accurate record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel to any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 13th day of December, 2021.



Chelsea Hlavach, Notary Public,
State of Florida at Large

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HISTORIC PRESERVATION BOARD AGENDA
1700 CONVENTION CENTER DRIVE 3RD FL.

EXCERPT

MEETING BEFORE: HISTORIC PRESERVATION BOARD

DATE: DECEMBER 13, 2021

PLACE: MIAMI BEACH CITY HALL
1700 CONVENTION CENTER DRIVE 3RD

REPORTED BY: CHELSEA HLAVACH, NOTARY PUBLIC, STATE
OF FLORIDA

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JACK FINGLASS

BARRY KLEIN

NANCY LEIBMAN

MAX LITT

LAURA WEINSTEIN-BERMAN

KIRK PASCAL

ALSO PRESENT

NICHOLAS KALLERGIS

DEBORAH TACKETT, City Planning Staff

E X C E R P T O F P R O C E E D I N G S

* * * * *

MS. TACKETT: Mr. Chair, we have -- we have lunch. We can take a break.

We -- I did forget to -- to ask for motion on the November 9th minutes. I think we can do that very quickly.

MR. PASKAL: I move to approve the minutes.

MR. FINGLASS: Second.

MS. TACKETT: Okay. We have a motion to second. All those in favor?

(All board members raise hands.)

MR. FINGLASS: Aye.

MS. TACKETT: Any opposed?

No. Okay. Thank you very much.

Mr. Chair, do you want to take -- it is 12:40. We do have one board member leaving at 2:30, so I would ask that a lunch break be very brief. We could come back in 15 minutes and be back on the air no later than 1:00 p.m.

Is that okay with everyone? Okay. So we're going to take a brief break, and then we will -- we'll be back live by 1:00 p.m.

(Lunch break taken.)

MR. FINGLASS: Good afternoon, and welcome to the

1 afternoon session of the Miami Beach Historic
2 Preservation Board.

3 We're ready to move on to our second item,
4 Debbie.

5 MS. TACKETT: Yeah. Before we start the second
6 item, Mr. Chair and members of the board, could -- I
7 need some clarification on the previous application
8 that failed due to a lack of an approved motion.

9 I would like to have the board clarify on the
10 record that that was without prejudice so that the --
11 the applicant can come back and submit something to
12 the City for consideration within the next six months.

13 MR. PASKAL: Something entirely new?

14 MS. TACKETT: Correct.

15 MR. PASKAL: So would do you need us to do? To
16 make a motion to clarify?

17 MS. TACKETT: To clarify that that --

18 MR. PASKAL: Make a motion to clarify that the
19 last failure to come up with --

20 MS. TACKETT: Was without prejudice.

21 MR. PASKAL: -- was without prejudice?

22 MR. KLEIN: I'll second that.

23 MS. TACKETT: Okay. All those in favor?

24 (All board members raise hands.)

25 MS. LIEBMAN: Aye.

1 MS. TACKETT: Any opposed to that?

2 Okay. So that was clarified that it was without
3 prejudice.

4 MR. GONZALEZ: So I can bring back any project --
5 almost any project than.

6 MS. TACKETT: Well, the direction was not to
7 bring back the same project.

8 MR. GONZALEZ: No. I understand --

9 MS. TACKETT: Refile --

10 MR. PASKAL: We clarified a new -- new project.

11 MR. KLEIN: The motion -- listen to the motion.

12 The motion was a --

13 MS. TACKETT: Well, it's --

14 MR. KLEIN: -- new project.

15 MS. TACKETT: It's with --

16 MR. KLEIN: Not the same project.

17 MS. TACKETT: It's -- it's -- the -- the
18 prejudice is either with prejudice or without
19 prejudice. So this does give the applicant the
20 ability to file any application.

21 MR. KLEIN: Even to refile?

22 MS. TACKETT: Even refile. However, I think it
23 was clear that that was not the direction of this
24 board.

25 MR. GONZALEZ: No. No. And I understand.

1 MS. TACKETT: Okay.

2 MR. GONZALEZ: That part I understand. We -- we
3 get the --

4 MS. TACKETT: So --

5 MR. GONZALEZ: -- opportunity to --

6 MS. TACKETT: And the board --

7 MR. GONZALEZ: (Audio unheard.)

8 MS. TACKETT: And the board clarified you are
9 without prejudice, so they -- we just voted on that
10 and --

11 MR. GONZALEZ: Sorry.

12 MS. TACKETT: Okay. Thank you, Alfredo.

13 MR. GONZALEZ: Thank you.

14 MS. TACKETT: Sorry for the confusion.

15 Okay. Mr. Chair, we are moving on to our next
16 application.

17 (That concludes this transcript.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, CHELSEA HLAVACH, Shorthand Reporter and Notary Public, State of Florida, HEREBY CERTIFY that I was authorized to and did stenographically report the meeting excerpt and the foregoing transcript, pages 3 through 6, inclusive, is a true and accurate record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel to any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 13th day of December, 2021.



Chelsea Hlavach, Notary Public,
State of Florida at Large

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Rule 1.310

(e) Witness Review. If the testimony is transcribed, the transcript shall be furnished to the witness for examination and shall be read to or by the witness unless the examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness wants to make shall be listed in writing by the officer with a statement of the reasons given by the witness for making the changes. The changes shall be attached to the transcript. It shall then be signed by the witness unless the parties waived the signing or the witness is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within a reasonable time after it is furnished to the witness, the officer shall sign the transcript and state on the transcript the waiver, illness, absence of the witness, or refusal to sign with any reasons given therefor. The deposition may then be used as fully as though signed unless the court holds that the reasons given for the refusal to sign require rejection of

the deposition wholly or partly, on motion under
rule 1.330(d)(4).

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