

Exhibit L

Historic Preservation Board

Request to Deny Certificate of Appropriateness (COA) for Ritz- Carlton (DiLido) | Sagamore

Presented by:

Paul C. Savage, Esq.

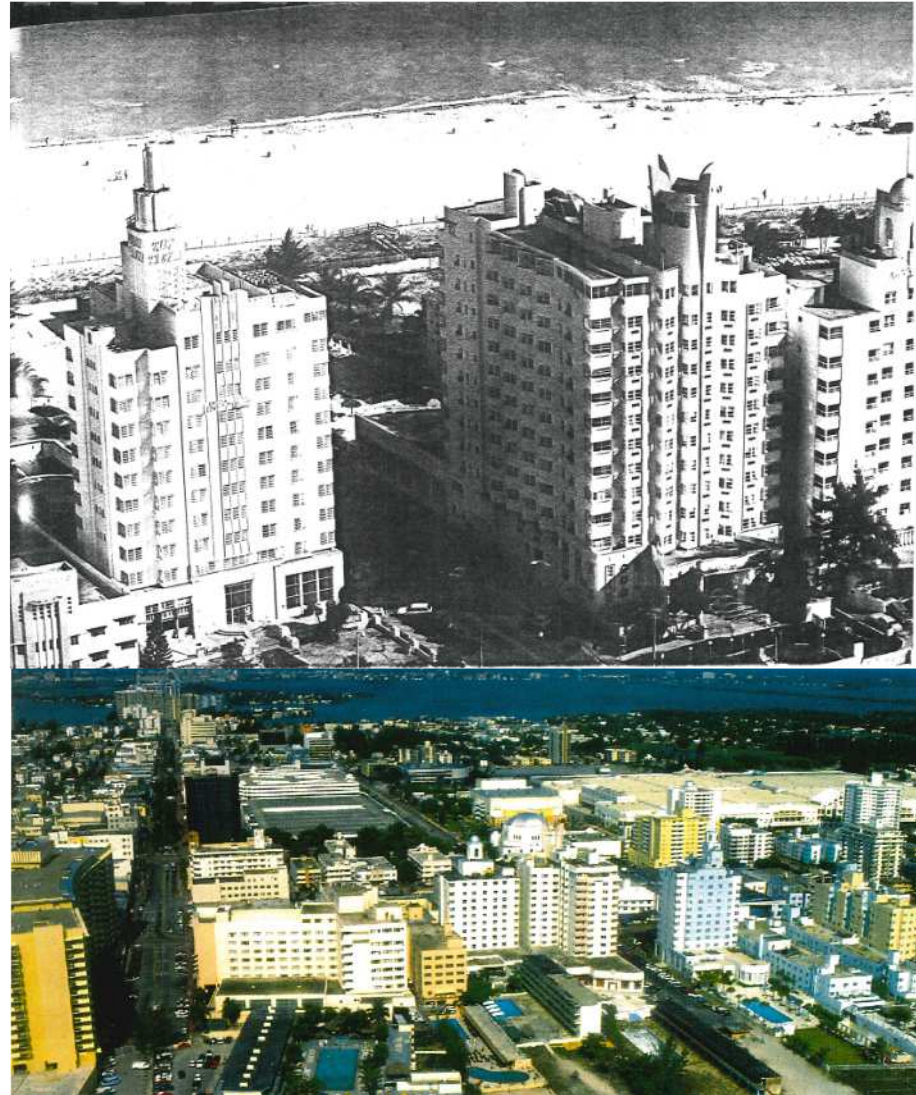
Rasco, Klock, Perez Nieto

On Behalf of Beach Hotel Associates LLC

December 13, 2021

Neighborhood

Ritz-Plaza (SLS), The Delano and the National marked a transition from the two to three story buildings that were predominate between 5th and 15th Street



Miami Beach – Beach Culture

Terrace Room

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studio or bedroom with private terrace
overlooking the azure Atlantic.

Truly among the best
accommodations to be
found along Florida's
famed Gold Coast.



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That’s what people came to
Florida for.” – Roy France**



Post- Card View

The modern glass tower diminishes the Ritz Plaza, Delano and National which were known for their unique rooflines that became their signatures – cubic blocks, fins and silver cupola respectively

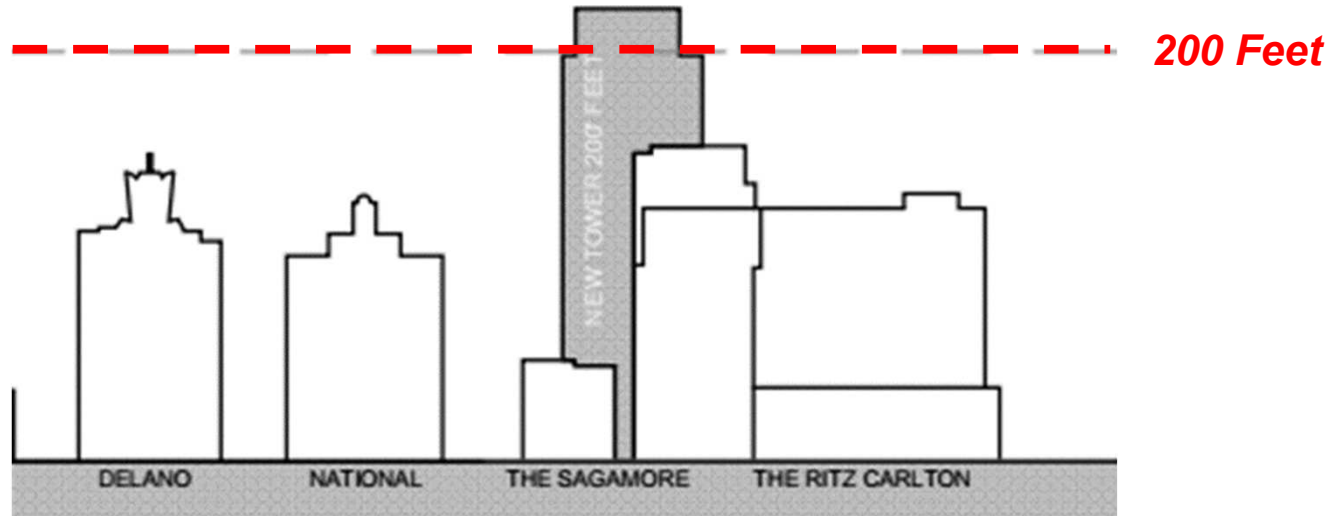
‘The Delano completed South Beach’s signature Deco skyline begun by the Ritz Plaza and the National before the war’ - MiMo Miami Modern Revealed



Primary Grounds to Deny the COA

1. The proposed 200-Foot Tower is **Incompatible as a Matter of Height** With the Nearby Contributing Structures.
2. The Disengaged Modern Glazed 200-Foot Tower is **Incompatible As a Matter of Architectural Relationship** to the nearby Contributing Structures as Well as the Historic and Architectural Districts.
3. The Possibility of Greater Height and **Transfer of FAR from Large Parcels Was Never Intended** to be Foisted Onto a Smaller Parcel Such as the Sagamore, and Critical Zoning Determinations as to the FAR and Charter Remain Open.
4. The Application **Relies on a Hotel Amenity Bonus** of 20,000 Feet That is Strictly for New Hotel Amenities.

Incompatible Height



Views

The Applicant Points to Views from Collins Ave, But the Wide Tower Adversely Impacts Views from the South, North and East.



Adverse View Impact

The Applicant Points to Views from Collins Ave, But the Wide Tower Adversely Impacts Views from the South, North and East.



Terrace View Impact



The Delano Hotel – 4th Floor

View Impact

The Delano Hotel – Rooftop

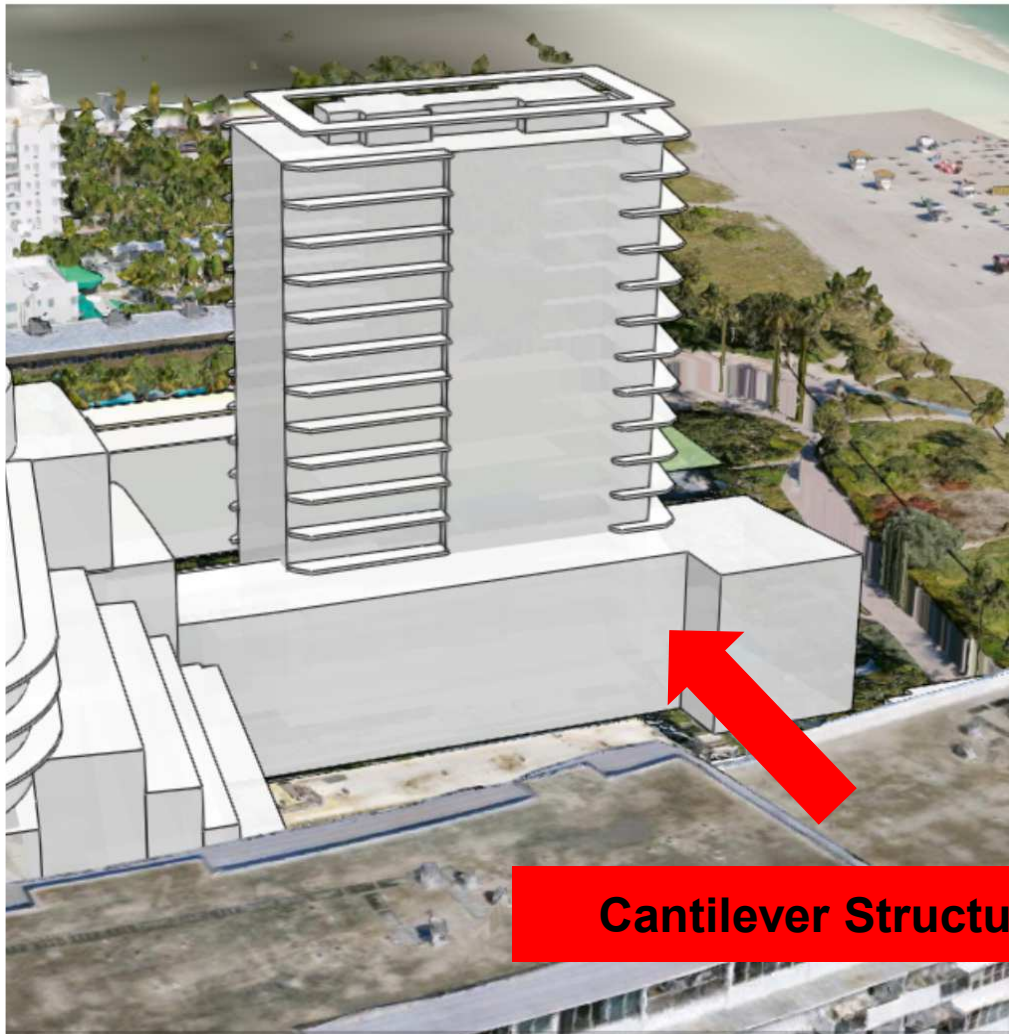


“Disengaged Crystalline Tower”

- 1 Adjacent Structures:** Scale Relative to Adjacent Structures including Ritz-Carlton (DiLido) and the Sagamore
- 2 Neighborhood:** Design Aesthetics & Massing Relative to Neighborhood including the “postcard” trio of National, Delano, and Ritz Plaza
- 3 District:** Diminishes the architectural integrity of the Miami Beach Architectural and Historic Districts

Cantilever Structure

The massive cantilever structure looms and dwarfs over the existing contributing Sagamore and Ritz (DiLido)



Cantilever Structure over Ritz (DiLido)



Adjacent Structures

The Proposed Tower Diminishes: 1) the Sagamore designed by Albert Anis, 2) the Ritz Carlton (DiLido) designed by Melvin Grossman with interiors by Morris Lapidus and 3) 1 Lincoln Road designed by Igor Polevitsky



Miami Beach Pedestrian Experience

Pedestrians on Miami Beach Will Not Experience the Unique Contributing Architecture of the District, But a Condominium Tower



Cumulative Effect of New Towers

Proposed
Raleigh



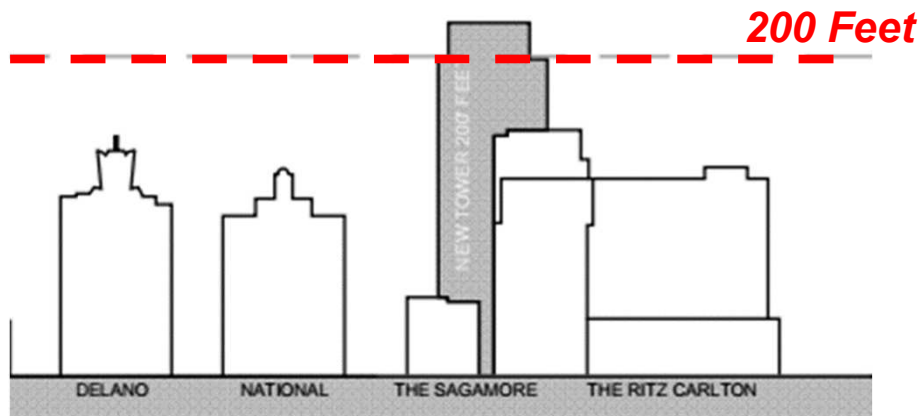
Proposed
Shore
Club



200 Foot Height NOT By-Right

Ordinance No. 2019-4285 at §142-246

- (f) Notwithstanding the above, for oceanfront lots located in the architectural district, with a lot area greater than 115,000 square feet, a ground floor addition, whether attached or detached, may exceed 50 feet in height, but shall not exceed 200 feet in height, in accordance with the following provisions:



1

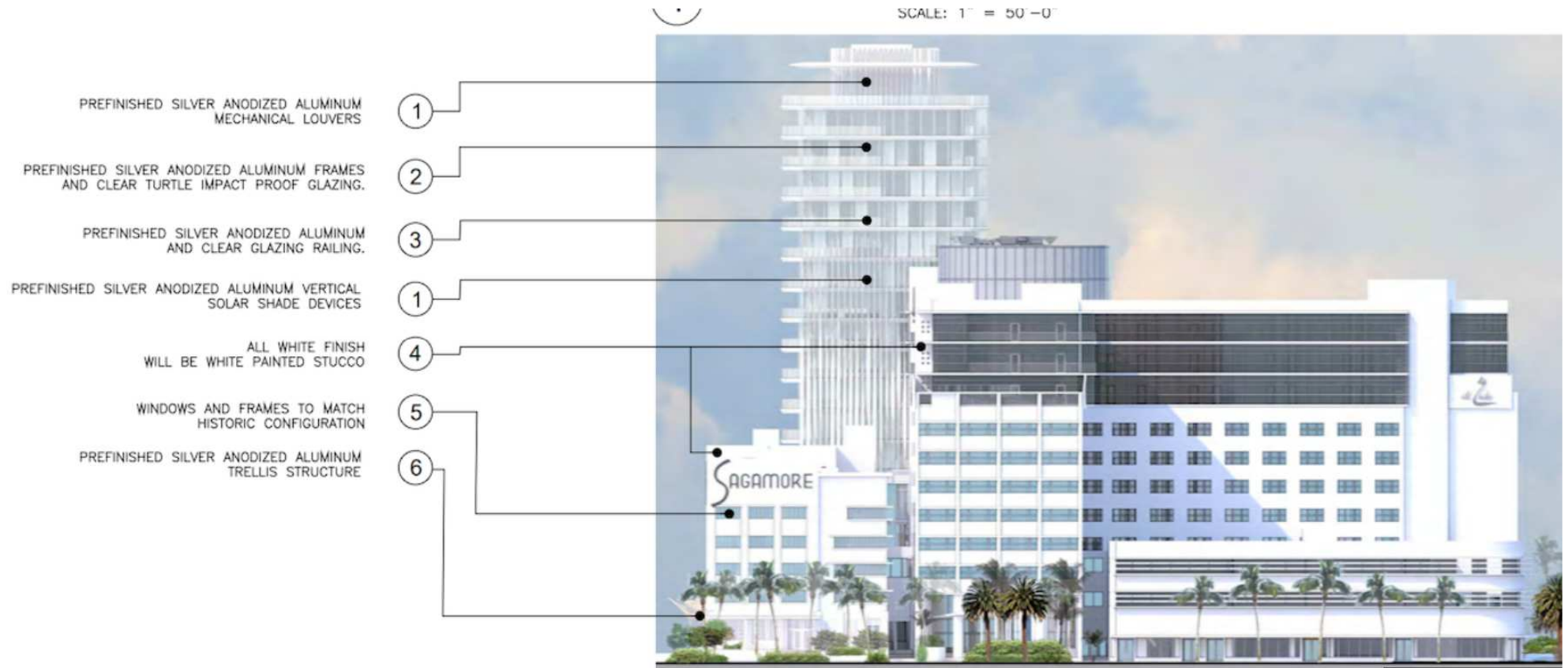
Height **May** Exceed 50 Feet: The 200 Feet Height is Not an Entitlement!

2

No Mention of **Transferring Height** to Adjacent Combined Property
- *Only lots that are greater than 115,000 SF qualify. Sagamore is only 45,000 SF*

Incompatible Materials

The extensive exterior glazing of the proposed tower conflicts with the unique architectural aesthetic of the Historic District which consists predominately of stucco structures



Certificate of Appropriateness – Code Factors

The Application is Inconsistent with Governing Code Factors for a Certificate of Appropriateness

Additionally, the Board shall consider Section 118-564(a)(3) of the MBC.

- d. Appropriate and compatible with environment, enhance appearance of surrounding properties.

Not satisfied due to size, scale and placement of proposed tower, as well as the modern design of the proposed glass tower, which will conflict with the historic character of the neighborhood.

- e. Relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, pedestrian sight lines and view corridors.

Not satisfied due to size, scale and placement of proposed tower as well as the modern design of the proposed glass tower, which will conflict with the historic character of the neighborhood.

- j. Orientation and massing sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridors.

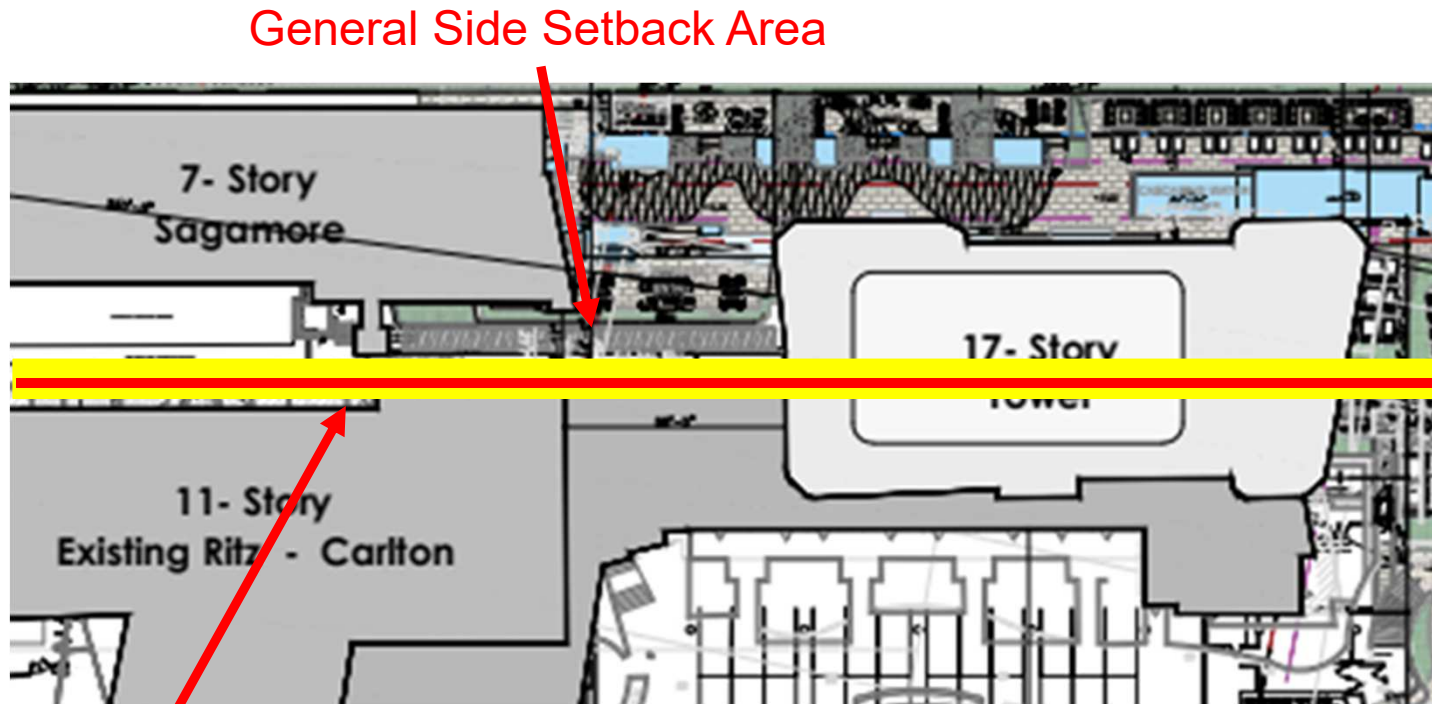
Not satisfied due to size, scale and placement of proposed tower.

Addendum Report Prepared for Beach Hotel Associates by Steven Avdakov, R.A, (pg 38)

Critical Zoning Determinations Remain Open

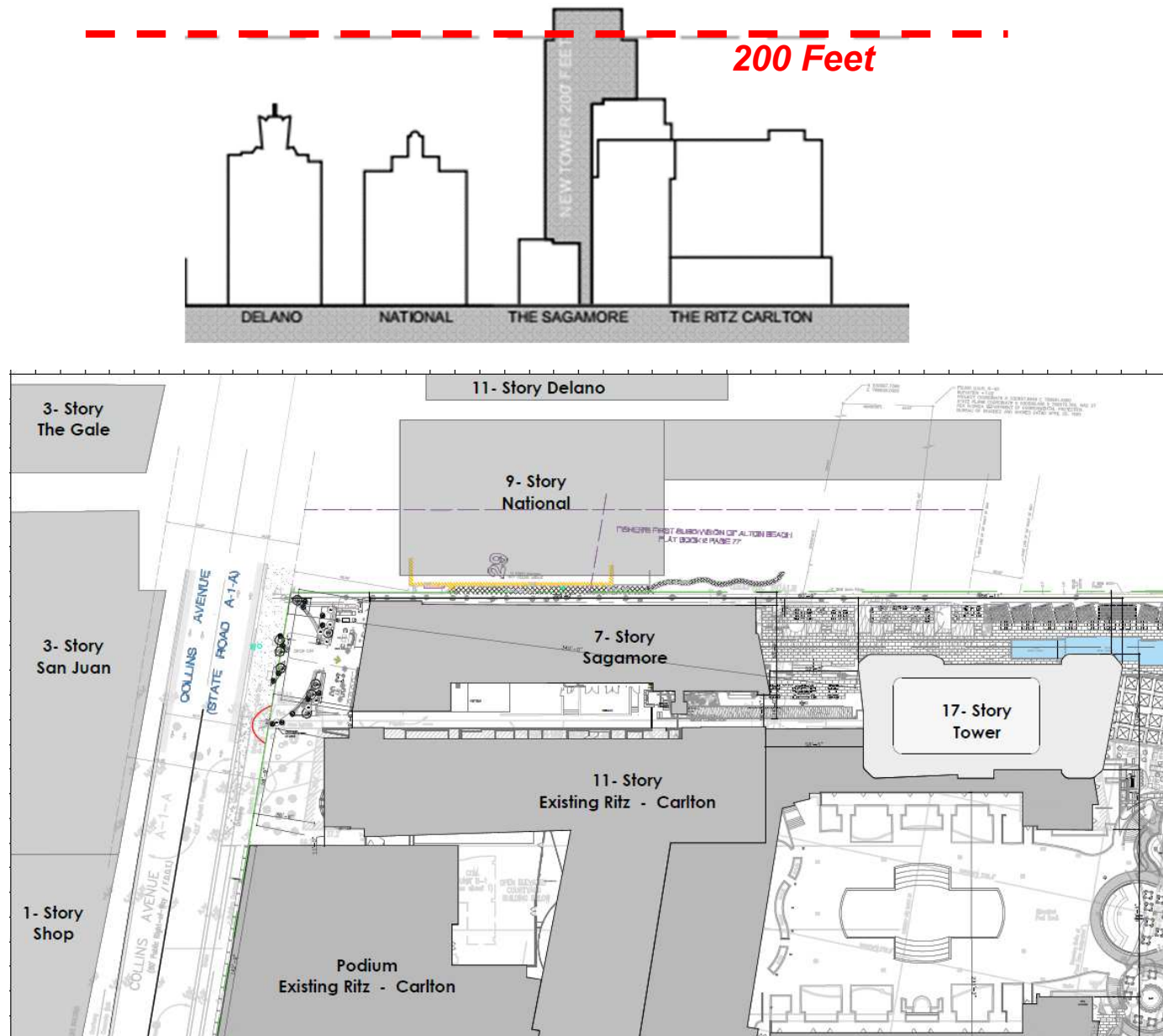
The Ritz-Carlton Site possesses greater Height and FAR, but the bulk of the Tower is on the Sagamore Site

***Tower is Sited in the Existing Setback Between the Two Lots.
However according to applicant the majority of density is on the
Sagamore site***



Shared Property Line Ritz-Carlton (DiLido) | Sagamore

Height & FAR Allocation to the Proposed Tower



FAR Transfer

By Allowing FAR Transfer from the Ritz-Carlton to the Sagamore Property, the Project **Essentially Rezones the Sagamore Property Contrary to the Charter. Our Request for Zoning Determination on these Issues Remains Pending:**

To: Thomas Mooney, Planning Director
Re: HPB21-0457
Date: December 3, 2021

Code truly authorizes the transfer or use of approximately 30,000 square feet above and beyond what is authorized for the Sagamore lot FAR. Specifically, we request a Determination or confirmation of:

(a) whether the City Charter and Code authorizes the transfer of additional FAR from the Ritz-Carlton site to be transferred and used on the Sagamore lot;

(b) whether the City Charter and Code authorizes the Sagamore Site to accommodate and use FAR that it is not presently zoned for; and

(c) how much FAR as described in square feet is proposed to be used by the Project's tower on the Ritz-Carlton lot, and how much FAR as described in square feet is proposed to be used by the Project's tower on the Sagamore lot.

Hotel Amenity Bonus

The Applicant Proposes to Leave all Existing FAR With the Ritz-Carlton, and all of the Existing FAR with the Sagamore: Thus All of the New FAR is going into the Tower and **Cannot Be New “Hotel Amenities.”**

PROPOSED PROJECT FAR		
RITZ		418,518 SQ.FT.
SAGAMORE		61,291 SQ.FT.
TOWER		121,326 SQ.FT.
GRAND TOTAL		601,135 SQ.FT.

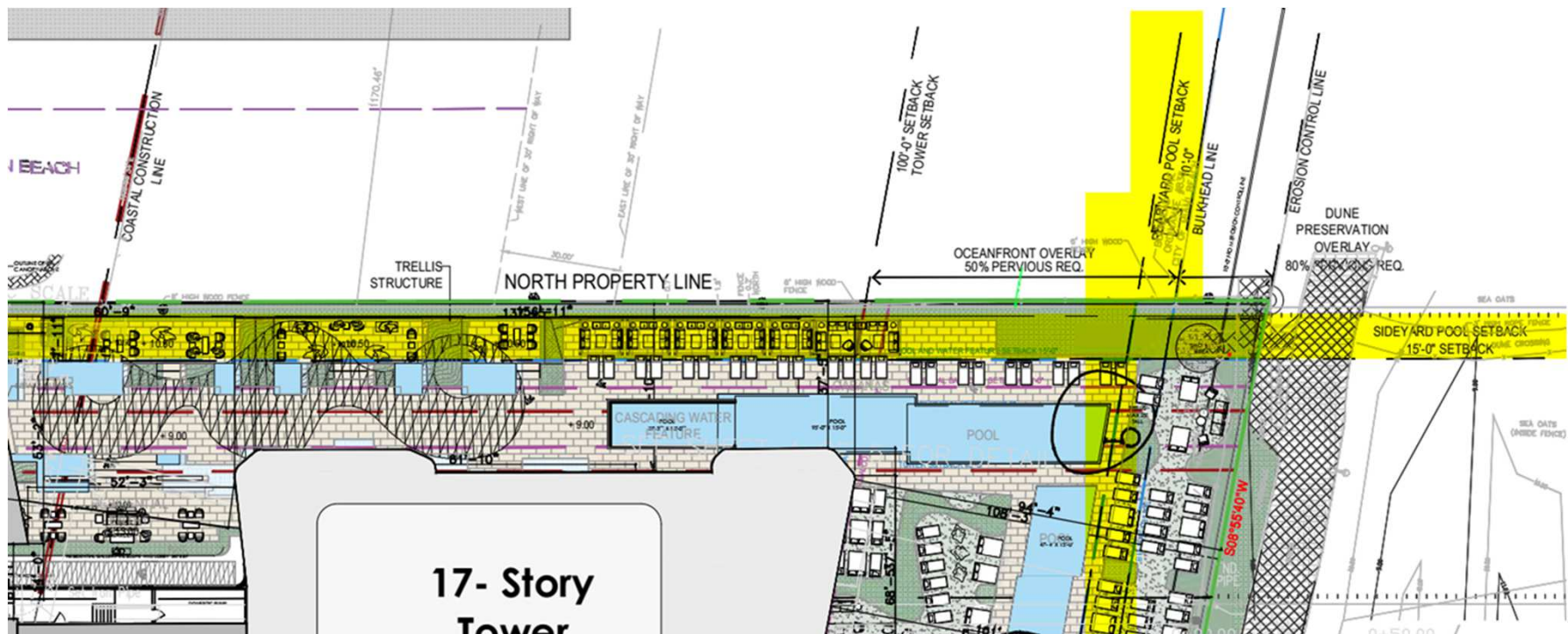
Total Lot			
	Lot Area (SF)	Lot Area (SF)	Max FAR (SF)
Ritz	163,813	3.0x	491,439
Sagamore	44,848	2.0x	89,696
Total	208,661	2.79	581,135
Hotel Amenity Bonus			20,000
FAR with Hotel Amenity Bonus			601,135

Misuse of the 20,000-Square Foot Hotel Amenity Bonus

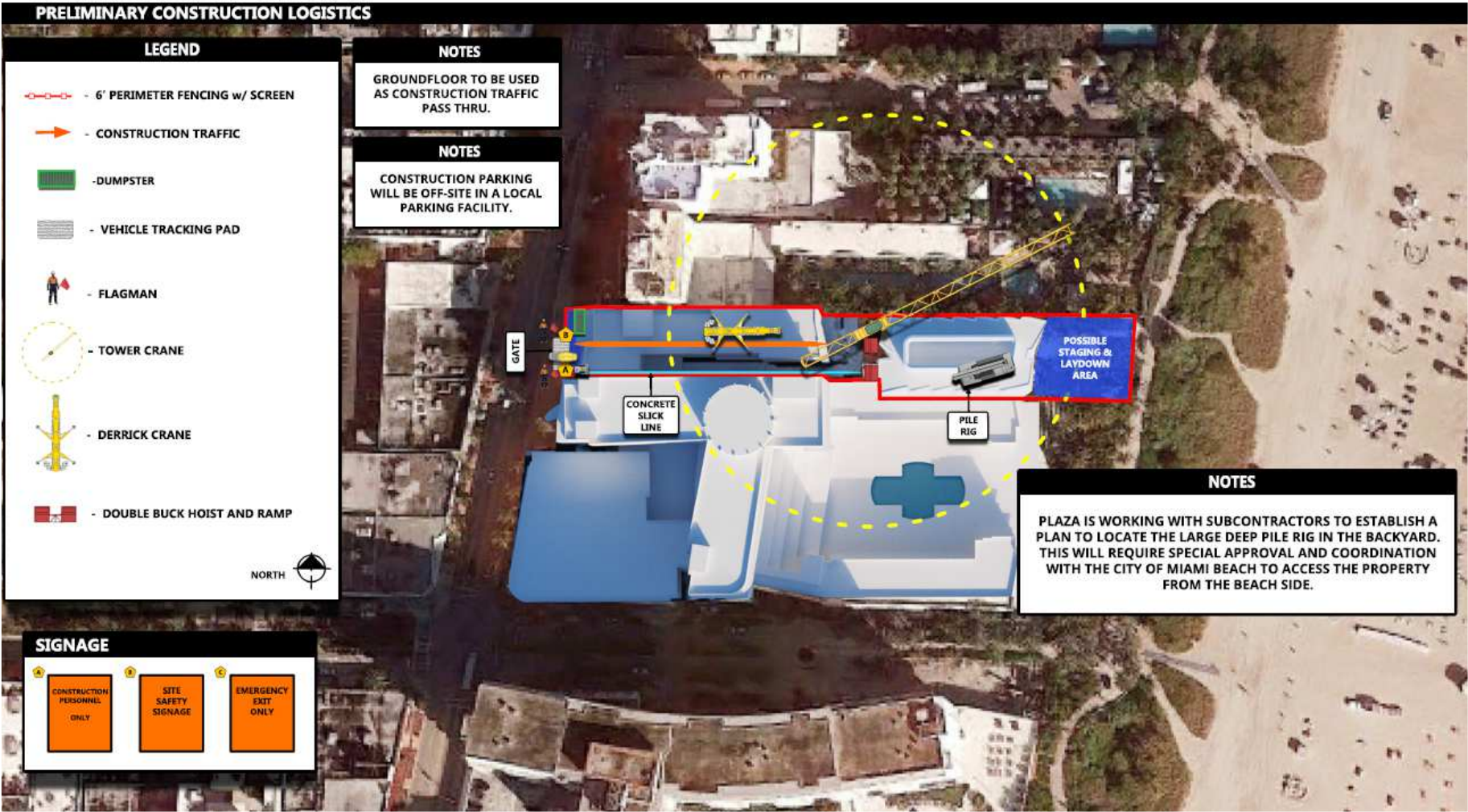
Setback Compliance

The HPB Staff Report Confirms Non-Compliance with Setbacks, Yet States That “No Variances” are Sought. The Project is Too Massive and Impactful to Allow the Applicant to Kick the Can Down the Road to Building Permit.

1. Section 142-802(3): The pool deck does not comply the minimum required 10'-0" rear setback from the bulkhead line or the minimum required 15'-0" side setback with the Oceanfront Overlay.



Construction Plan



We Respectfully Request that the Historic
Preservation Board Deny a Certificate of
Appropriateness for this Massive Modern Tower in
the “Heart” of the Historic and Architectural
Districts.

Thank you