

# Holland & Knight

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March 28, 2022

## **VIA ELECTRONIC DELIVERY**

Mr. Thomas Mooney, AICP  
Director, Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, FL 33139

**Re: Miami Beach Port, LLC - Response to First Submittal Review Comments  
Application to Planning Board (PB21-0453, the "Application")**

Dear Mr. Mooney:

Please accept this letter on behalf of Miami Beach Port, LLC (the “Applicants”) as the narrative in response to Staff's First Submittal Review Comments dated March 18, 2022 in connection with the Application. The Applicant’s responses are as follows:

### **I. Planning Department Review**

1. LOI: to clarify the application, there is no need to upload the LOI dated Nov 29-2021 that refers to the robotic parking system since that is not moving forward.

**Response: Acknowledged. The enclosed resubmittal only includes the latest letter of intent – Third Amended and Restated Letter of Intent, dated March 28, 2022.**

2. LOI: As discussed on our last meeting, the LOI shall state that this will be a modification to the previously approved CUP PB20-0352 and DRB application.

**Response: Confirmed. Please refer to the enclosed Third Amended and Restated Letter of Intent, dated March 28, 2022.**

3. LOI: Per plans, the proposed restaurant is located on block A not on block B. Revise.

**Response: Noted. Please refer to the enclosed Third Amended and Restated Letter of Intent, dated March 28, 2022.**

4. LOI: Provide more use details on the amenities areas located above the garage and at roof level on block B.

**Response: The outdoor amenity areas located above the garage and at the roof level on Block B will be significantly landscaped and open for the enjoyment of the office tenants, employees, and visitors. Please refer to the enclosed Third Amended and Restated Letter of Intent, dated March 28, 2022.**

5. Operational plan: include number of employees for the restaurant.

**Response: The enclosed operational plan provides for a maximum of  $\pm 35$  restaurant employees per shift, during normal operations.**

6. Operational plan: provide hours of operations, number of employees and more detail for the proposed café located on the ground floor, please revise LOI review criteria No 1 for 50K. to coordinate.

**Response: The enclosed operational plan and Third Amended and Restated Letter of Intent, dated March 28, 2022, provide that Café consisting of approximately  $\pm 36$  seats, will operate during customary business hours (maximum of 7:00 AM to 6:00 PM), Monday through Friday, and will have a maximum of  $\pm 6$  employees per shift.**

7. Operational plan: shall indicate how the parking is going to operate for the office use and restaurant.

**Response: The office use is intended to operate with both valet and self-parking options. However, the restaurant use is anticipated to be served by valet parking only. Please refer to the enclosed operational plan.**

8. FAR: calculations are not clear, revise calculations per level, subtotals, this information shall coordinate with chart on AX-300.

**Response: Acknowledged. The FAR calculations have been updated for clarity and consistency. The information on plan sheet AX-300 has been coordinated between the FAR diagrams and the project data sheet A0-08. All subtotals were checked and are now accurate.**

9. FAR diagrams: A0-09 to A0-15: Enlarge/relocate subtotals per level some of them are not legible.

**Response: Noted. The FAR diagrams have been revised to ensure eligibility.**

10. A1-13 to A1-18: Provide parking dimensions, label/number each parking space, it shall coordinate with the subtotal per level.

**Response: The enclosed revised plan sheets provide parking details, including dimensions, number labels and subtotal per level.**

11. Level 01: Indicate where the valet drop off/pick up areas are located.

**Response: A valet drop off / pick area has been provided on level 01 between the 2 buildings. Please refer to plan sheet A1-02.**

12. A1-04- Provide the kitchen lay out plan.

**Response: A conceptual kitchen layout was provided on the fifth level of building A. Note that the final kitchen layout will be determined at permit. Please refer to plan sheet A1-06.**

13. A1-00- Provide the café layout showing the proposed 8 seats per LOI.

**Response: The café on the ground floor of Block A has been updated to include a total of 36 seats as indicated in the enclosed operational plan and Third Amended and Restated Letter of Intent, dated March 28, 2022. Additionally, a conceptual café layout was provided on the first level of building A. The final layout will be determined at permit. Please refer to plan sheet A1-02.**

14. A1-16 and A1-17: Parking Level 4 and level 5 is highlighted double on the key section plan. Revise.

**Response: The key section plans on plan sheets A1-16 and A1-17 have been corrected accordingly.**

15. A1-14 to A1-17: The rooms behind the garage elevators have the same NGVD elevation value or is illegible or is this open through many levels? Revise.

**Response: The NGVD elevation callouts on plan sheets A1-14 o A1-17 have been corrected. Given the difference of floor height between the parking garage and the office component, some office levels are visible multiple times when we cut floor plan views through each parking level. For example, Office level 02 is visible on the parking level 02 and 03 floor plans, and Office level 03 is visible on the parking level 03 and 04 floor plans. Please refer to the diagrammatic building section on plan sheet A3-01 showing the association between parking and office levels.**

16. Please clarify why is a proposed occupancy load for the amenity seating area on level 6 block B, please provide seating layout, number seats.

**Response: Noted. The proposed occupancy load for callout on level 6, Block B has been removed. This level will only host an outdoor amenity area. No seating will be provided at this location.**

## **II. Transportation – LUB Review**

1. Please provide any comments provided by FDOT and Miami Dade County Public Works and Waste Management Traffic Engineering Division. Please provide documentation of approval of the proposed signal timing modifications at the Terminal Island and MacArthur Causeway intersection. ITEM STILL PENDING.

**Response: Noted. Documentation will be submitted to the City as it is approved.**

2. Please update the reference to the City of Miami Comprehensive Plan in the traffic study to be the City of Miami Beach Comprehensive Plan. Please include the relevant LOS criteria referenced in the traffic analysis in the Appendix. THIS ITEM IS STILL PENDING. THE INFORMATION INCLUDED IN THE UPDATED TRAFFIC IMPACT STUDY AND WITHIN APPENDIX D IS RELATED TO DEVELOPMENT PROJECTS WITHIN THE CITY OF MIAMI BEACH TCMA AREAS. TERMINAL ISLAND IS NOT WITHIN THE BOUNDARIES OF THE TCMA AREAS. PLEASE UPDATE ALL REFERENCES TO THE LEVEL OF SERVICE CRITERIA IN TABLES AND STUDY NARRATIVES TO BE LOS D.

**Response: Acknowledged. The reference to the City of Miami Comprehensive Plan in the traffic study has been updated to the City of Miami Beach Comprehensive Plan. In addition, the LOS standards have been updated and the relevant LOS criteria referenced in the traffic analysis will be included in Appendix D of the revised study.**

3. Please update the trip generation for the site generated trips using the current ITE Trip Generation Handbook, 11th Edition. Please update the traffic analysis accordingly. ADDRESSED.

**Response: Comment addressed.**

4. Please provide a copy of the intersection volume worksheets that steps through the adjustment from the existing traffic volumes, to the peak season adjusted volumes, to the percent forecasted growth and the inclusion of the site generated trips per movement at each intersection for the AM and PM peak hours. ADDRESSED.

**Response: Comment addressed.**

5. Please revise the 95th percentile vehicle queue tables (exhibit 19 and 22) to include 155 feet for the westbound left turn lane on MacArthur Causeway instead of 220 LF. Please check all the other storage lengths for other relevant turn lanes. The future with project 95th percentile queue in the AM peak hour exceeds this storage length. Please provide traffic mitigation improvements to address this traffic impact. THIS ITEM IS STILL PENDING. THE TURN LANE WIDTH MUST BE AT A MINIMUM WIDTH PER FDOT DESIGN MANUAL. THE CREDIT FOR AVAILABLE STORAGE LENGTH

IS FOR FULL WIDTH TURN LANES. THE REQUIRED FULL LANE WIDTH FOR FREEWAYS IS 12 FEET.

**Response: The study is currently being revised and the new queue will be noted.**

6. Please provide a queuing analysis of the proposed fully automatic rack rail mechanical parking system. This should use the assumptions identified by the Walker Parking background information from the Chicago facility. An exhibit should be prepared that depicts the anticipated valet parking vehicle queue in the drop off and pickup floor during the AM and PM peak hour period. A defined narrative should be provided that defines any potential staggered shifts in the arrival time during peak periods. THIS ITEM IS STILL PENDING. A DETAILED PARKING AGREEMENT NEEDS TO BE PREPARED THAT DEFINES THE NUMBER OF VALET ATTENDANTS REQUIRED AS WELL AS MAINTENANCE AND EMERGENCY RESPONSE CONDITIONS.

**Response: The Project is no longer proposing an automated parking garage. Therefore, as discussed, this comment is no longer applicable.**

7. Please provide details regarding the restaurant use and the details regarding where the use is proposed in the architectural plans. Please provide anticipated hours of operation and overlap during the AM and PM peak office arrival and dismissal times. Please also label the location of the valet station where the valet attendants will be operating from. ADDRESSED.

**Response: Comment addressed.**

8. Please clarify what the three parallel parking spaces will be used for on the level one parking garage level. These are shown in addition to the ADA parking spaces. ADDRESSED.

**Response: Comment addressed.**

9. Please confirm who will utilize the 12 surface parking spaces located in the southwest corner of the site. ADDRESSED.

**Response: Comment addressed.**

10. Please provide a detailed pavement marking and signage plan signed and sealed by a professional engineer. Please ensure that the appropriate signage per MUTCD is provided for movement restrictions at the proposed ingress and egress locations. Please include typical handicap and regular parking stall details, traffic control at designated driveway connections and signage per MUTCD criteria that minimizes vehicular conflict in the driveways in and out of the property as referenced in the operations plan. ADDRESSED.

**Response: Comment addressed.**

11. THE TRAFFIC IMPACT STUDY REFERS TO SIGNAL TIMING IMPROVEMENTS INCLUDING MODIFYING EXISTING TRAFFIC SIGNAL TIMINGS TO IMPROVE INTERSECTION OPERATIONS. THE CITY OF MIAMI BEACH WOULD NEED TO APPROVE ANY SIGNAL TIMING MODIFICATIONS TO THE MACARTHUR CAUSEWAY AND TERMINAL ISLAND INTERSECTION. SPECIFIC TRAFFIC SIGNAL TIMING MODIFICATIONS (REVISED SIGNAL SPLITS/CYCLE LENGTH) SHOULD BE IDENTIFIED SO THAT A FINAL DETERMINATION CAN BE MADE BY THE CITY OF MIAMI BEACH.

**Response: The suggested signal timing and splits are shown for the relevant intersections on the synchro files titled future with project with improvements (meaning future with project with intersection improvement conditions). The improvement may change based on the changes to the LOS caused by the updated site plan and the March 2022 Methodology revisions.**

12. Please consider removal of the two parking spaces adjacent to the traffic circle due to potential internal traffic circulation and sight visibility issues. The current design could create vehicle back-up movements in and out of the parking spaces at the proposed traffic circle. Please also consider signage per MUTCD within the traffic circle to direct vehicle traffic (i.e. arrow signage, Do Not Enter, etc.).

**Response: The plans have been revised to eliminate one (1) of the parking spaces. Only one (1) parking space will remain as it is intended to be reserved for gate security's vehicle. The maneuverability in / out of the space should occur during off-peak hours and minimally affect the traffic within the circle.**

Based on the above, we respectfully seek your favorable review and recommendation of approval for this Application. Thank you in advance for your considerate attention to this request.

If you should have any questions or require additional information, please feel free to call me directly at 305-789-7453.

Sincerely yours,

HOLLAND & KNIGHT LLP

  
Vanessa Madrid, Esq.

Enclosures

cc: Mr. Cullen Mahoney  
Tracy R. Slavens, Esq.