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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
Miami Beach, FL 33139

**RE: Miami Beach Port, LLC – Second Amended and Restated Letter of Intent
Design Review Board Application No. DRB21-0706 (the "Application")**

Dear Mr. Mooney:

Please accept this Second Amended and Restated Letter of Intent on behalf of Miami Beach Port, LLC (the "Applicant") in support of its above-mentioned Application for the City of Miami Beach, Florida (the "City") Design Review Board ("DRB") approval of the project known as "One Island Park" (the "Project"). The Project is located on Terminal Island at 120 MacArthur Causeway, identified by Folio No. 02-4204-000-0060 (the "Property"), and subject to DRB Order No. DRB20-0530, approved by the DRB on February 2, 2021, and recorded in Miami-Dade County, Florida, Official Records Book 32440, Page 1296 (the "2021 DRB Order").

This second amended and restated request eliminates the previously requested automated mechanical parking system and, instead, provides a self-park and valet operation. The self-park and valet operation was approved by Planning Board Conditional Use Permit No. PB20-0352¹ and the design was approved by the 2021 DRB Order, but the present Application provides increased required parking and, in turn, a modification of the garage design for the Project. In addition, the Applicant proposes minor changes relating to the rooftop restaurant and ancillary café on the ground floor, both on Block A. The changes result in slight alterations to the internal project layout, but the exterior design is not materially affected. The Applicant has filed a companion Planning Board application for Conditional Use approval of the proposed parking modifications pursuant to PB21-0453.

¹ Conditional Use Permit No. PB20-0352 was approved by the Planning Board on January 26, 2021, and recorded in Miami-Dade County, Florida, Official Records Book 32452, Page 1617 (the "2021 CUP" and, together with the 2021 DRB Order, the "Prior Approvals").

I. Property Information

The Property consists of approximately ± 3.71 acres of land currently used as a commercial mega-yacht marina. The property, located on the southeastern tip of Terminal Island, is zoned Light Industrial (I-1), and has a future land use designation of Urban Light Industrial (I-1) under the City's Comprehensive Plan Future Land Use Map ("FLUM"). Consistent with the Prior Approvals, the Project consists of a "new five (5)-story office development exceeding 50,000 gross square feet," specifically, Class-A office with a roof top level restaurant that is intended to support the office and marina uses, associated parking amenities, and continuation of the existing mega-yacht marina use. The approved uses are not changing. This Application to modify the 2021 DRB Order simply seeks modifications of the approved design to accommodate the increase in parking and other minor revisions to the buildings.

II. Proposed Parking Concept

The Applicant desires to modify the 2021 DRB Order to ensure that the adequate parking infrastructure exists on-site for the tenants, employees, and visitors of One Island Park. As proposed, the Project includes five (5) floors and six (6) garage levels with a total of 383 parking spaces, which is an increase from the previously approved four (4) garage levels with 239 parking spaces. This increase in provided parking will result in a more efficient operation of the Project and ensure the successful leasing of the Class-A office component. The general size and location of building and the pick-up/drop-off area remain the same, and the architectural intent of the Prior Approvals is preserved as much as possible.

The new design proposes the following:

- **Property Entrance:** The entrance has been re-centered to allow for improved landscaping and pedestrian crosswalks, which comports with the 2021 DRB Order.
- **Level 0 (new):** A new level 0 is introduced at 0'-0" NGVD. This Lower Level only includes an underground service corridor connecting both building cores.
- **Parking Garage:**
 - **Level 01:** The new footprint for Level 01 accommodates a fire truck access driveway on the North side along the property line.
 - **Upper levels and roof:** The metal trellis over the parking garage has been removed. The parking garage is now enclosed by a concrete roof slab which hosts an outdoor amenity area for the office building. In addition, the parking garage layout has been adjusted to maximize the number of parking spaces provided.
- **Office Block A:** The layout of Block A is re-designed to re-orient the office area toward Government Cut. A covered loading area has been provided at grade level at the West side with direct access to the main back of house area and to the underground service connection. The adjacent parking area was adjusted accordingly. The ancillary café amenity area (with 36 seats contemplated) on the ground floor (southwestern side) has been

reconfigured. Lastly, the elevator core layout has been revised to improve the indoor office areas.

- Rooftop restaurant: a new layout is proposed with 100 outdoor seats plus additional patron area. An open trellis structure was added over the outdoor seating area. The proposed restaurant seating area is located on the sixth level of Office Block A, facing the Miami Municipal Chanel.
- Office Block B: A new core design is proposed for Block B. The bike storage room has been relocated to the back side of the building's lobby space. The elevator core layout has been revised to improve the indoor office areas. A roof deck amenity area is located on the sixth level at the southernmost portion of the building for the enjoyment of the office users.

This Application represents a minor adjustment to the Prior Approvals and primarily serves to enhance the approved plans, maximize the efficiency of the parking operations on the site, and enable the Project's long-term success. The expected tenants of the proposed Class-A office development are accustomed to efficient, sophisticated, and amenitized spaces, and this Application incorporates important improvements to the Project.

A Traffic Impact Analysis has been prepared by David Plummer & Associates. The traffic analysis confirms that the approval of this Application would result in a de minimus impact on traffic and no change to the trips generated by the project, taking into account an 8.5% multi-modal reduction. The original traffic study provided a conservative analysis of the full office use with only a 3% multi-modal reduction; trip reductions were not taken even though the parking reductions were.

This Application does not create any new negative impacts. With the approval of this new Application, the Project will continue to be characterized as approved pursuant to the Prior Approvals and will simply enhance the approved design. Furthermore, the proposed amendment does not result in an increase to the lot area, floor area ratio, or density, and parking requirements remain satisfied. Lot coverage has decreased from 68,663 SF (42.4%) to 63,693 SF (39.4%). The Project complies with the review guidelines under Section 118-192(b), as well as sea-level rise and resiliency criteria under Section 133-50(a).

III. Compliance with Chapter 130 – Off-Street Parking Requirements

To confirm, the Project complies with the following sections of the LDRs, and no variances are contemplated:

- Section 130-39 – Electric vehicle parking;
- Section 130-61 – Off-street parking space dimensions;
- Section 130-63 – Interior Isles;
- Section 130-64 – Drives;
- Section 130-65 – Markings; and
- Section 130-251 – Valet and tandem parking.

IV. Compliance with Section 118-251 – Design Review Criteria

With the approval of the 2021 DRB Order, the Project was deemed to satisfy the design review criteria set forth in Section 118-251 of the LDRs. This Application does not affect the Project's compliance with Section 118-251. As such, the Project continues to meet the design review criteria, as follows:

(1) The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.

Satisfied.

(2) The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.

Satisfied.

(3) The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

Satisfied.

(4) The color, design, selection of landscape materials and architectural elements of exterior building surfaces and primary public interior areas for developments requiring a building permit in areas of the city identified in Section 118-252.

Satisfied.

(5) The proposed site plan, and the location, appearance and design of new and existing buildings and structures are in conformity with the standards of this article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.

Satisfied.

(6) The proposed structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties.

Satisfied.

(7) The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

Satisfied.

(8) Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safety and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

Satisfied.

(9) Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

A lighting plan has not been submitted at this time; the Applicant shall comply with the LDRs for lighting and ensure that the design is both safe and minimally intrusive.

(10) Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

Satisfied.

(11) Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

Satisfied.

(12) The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

Satisfied.

(13) The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

Satisfied.

(14) The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

Satisfied.

(15) An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).

Not Applicable; the existing +/-967 SF building on the Property will be demolished.

(16) All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.

Satisfied.

(17) The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

Satisfied.

(18) In addition to the foregoing criteria, subsection 118-104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.

Not Applicable; none proposed.

(19) The structure and site complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

Satisfied.

V. Compliance with Section 133-50(a) – Sea-Level Rise and Resiliency Criteria

Similarly, with the approval of the 2021 DRB Order, the Project was deemed to satisfy the sea-level rise and resiliency criteria set forth in LDRs Section 133-50(a). The Application requests do not affect the Project's compliance with said criteria. As such, the Project continues to meet the sea-level rise protections and resiliency measures, as follows:

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

A recycling or salvage plan for partial or total demolition of any structures will be provided at the appropriate time in the development process in accordance with LDRs.

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

All proposed windows will be hurricane proof impact windows.

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

Passive cooling systems will be provided where feasible and appropriate.

(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

Resilient landscaping has been incorporated into landscape design.

(5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact including a study of land elevation and elevation of surrounding properties were considered.

Adopted sea-level rise projections in the Southeast Florida Regional Climate Action Plan, including a study of land elevation and elevation of surrounding properties, were considered and incorporated into the design.

(6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.

The ground floor, driveways, and garage ramping are adaptable to the raising of public rights-of-ways and adjacent land.

(7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

All critical mechanical and electrical systems are located above base flood elevation.

(8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

Not applicable; the existing +/-967 SF building on the Property will be demolished.

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

Wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the LDRs for habitable space located below the base flood elevation plus City of Miami Beach Freeboard.

(10) Where feasible and appropriate, water retention systems shall be provided.

As noted above, wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the LDRs for habitable space located below the base flood elevation plus City of Miami Beach Freeboard.

Based on the foregoing, we respectfully request the City's favorable consideration of this amended and restated request. Please do not hesitate to contact me if you have any questions or concerns regarding the Application.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Tracy R. Slavens, Esq.

Enclosures

cc: Cullen Mahoney
Vanessa Madrid, Esq.