GT GreenbergTraurig

Alfredo J. Gonzalez
Tel 305.579.0588
gonzalezaj@gtlaw.com

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VIA ELECTRONIC & PHYSICAL DELIVERY

City of Miami Beach Planning Board
c/o Mr. Thomas Mooney, Planning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Re: Final Submittal / Letter of Intent for Planning Board Application PB22-0562 (the "Application") / Properties located at 1656, 1664, 1676, 1680 & 1698 Alton Road; 1677, 1681 & 1683 West Avenue; and 1245 Lincoln Road, Miami Beach, Florida (collectively, the "Overall Property")

Dear Planning Board Members:

On behalf of BH The Alton LLC, (the "**Applicant**"), please accept this letter of intent requesting a Conditional Use Permit ("**CUP**") allowing the construction of a 7-story mixed use/office development at the Main Parcel (defined below) in excess of 50,000 gross square feet under Section 2.5.2.2 of the Miami Beach Resiliency Code (the "**Resiliency Code**") and mechanical parking spaces under Section 5.2.11 of the Resiliency Code. Please note, the Applicant is simultaneously requesting design approval of the proposed, mixed-use development with a three-foot height variance subject to approval from the Design Review Board under Application No. DRB22-0897.

I. The Overall Property

The Overall Property consists of several parcels of land on the city block located between Alton Road, Lincoln Road, West Avenue and 17th Street. Additionally, the Overall Property is zoned CD-2, Commercial Medium Intensity District, which allows residential uses as well as a wide array of business, professional office, and commercial uses as permitted uses. Additionally, the Property is located within the Alton Road Office Development Overlay District which incentivizes primarily office developments in this area, per Section 7.2.11.10 of the Resiliency Code. Specifically, the Overall Property consists of the following parcels of land as reflected in the Overall Parcel Plan Image provided on the next page and on Sheet A0.02 of the Plans (defined and discussed herein):

- 1245 Lincoln Road, owned by Alton JAL, Inc., currently improved with approximately 8,828 square feet of restaurant space (the "**South Parcel**") and is highlighted in beige on the Overall Parcel Plan Image;

- 1681, 1683 West Avenue, owned by 1681 West Ventures LLC, and 1698 Alton Road, owned by 1698 Alton Road Ventures LLC., currently improved with approximately 78,243 square feet of ground floor commercial and grocer uses and 26 residential units (the "**North Parcel**") and is highlighted in dark grey on the Overall Parcel Plan Image; and

- 1677 West Avenue and 1656, 1664, 1676, 1680 Alton Road, owned by the Applicant, currently improved with various commercial and retail uses as well as surface parking (the "**Main Parcel**") and is highlighted in blue on the Overall Parcel Plan Image.

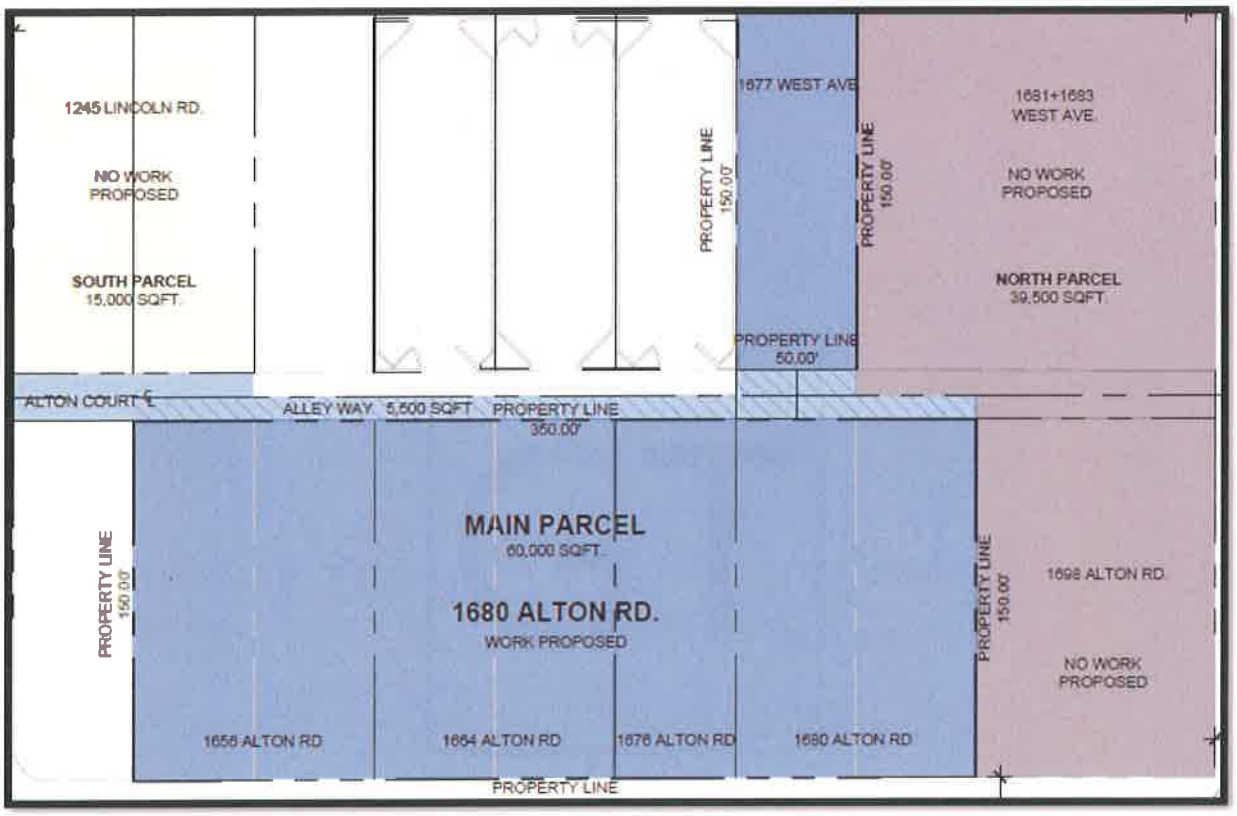


Image: Overall Parcel Plan (Sheet A0.02)

The Overall Property also includes certain portions of the abutting alley along Alton Court (the "**Alley**"), highlighted in hatched, light blue on the Overall Parcel Plan Image provided above and on the Plans (defined and discussed below). The Overall Property will be unified via a Covenant in Lieu of Unity of Title, in compliance with Section 2.2.3.4.c of the Resiliency Code, and applied as one unified development site for zoning purposes. However, it is important to note that the proposed, mixed-use development and construction is limited to the Main Parcel at the Overall Property. The Project (defined herein and discussed further below) does not include any proposed demolition or alterations to the existing structures located on the North and South Parcels at the Overall Property.

II. Proposed Mixed Use Development

The Applicant is requesting approval of a CUP to allow the construction of a state of the art, mixed-use development with Class A office space as the primary use. As detailed in the plans prepared by Foster + Partners and Kobi Karp Architecture & Interior Design, Inc., and updated July 31, 2023 (the "**Plans**"), the proposed development consists of a 7-story building with ground floor commercial and restaurant space along with upper level residential and Class A office space (the "**Project**"). Specifically, the mixed-use Project contains the following:

- Ground level commercial uses including approximately 11,770 +/- square feet of retail with three (3) separate store fronts and approximately 5,000 +/- square feet of restaurant space occupied by four (4) separate restaurant tenants for a total of 193 seats as reflected on Sheets A2.30 and A2.31 of the Plans[1].

- Two (2) levels of internalized parking with 85 parking spaces on Level 2 and 96 total parking spaces on Level 3, which includes 48 mechanical lifts, for a grand total of 181 off-street parking spaces.

- Five (5) residential units on Level 3 located on the southern end of the Main Parcel with views facing Lincoln Road, Alton Road and West Avenue. The residential units range from approximately 1,600 +/- square feet to 3,972 +/- square feet.

- The upper levels (Levels 4-6) contain Class A office space ranging from approximately 22,281 +/- square feet to 35,551 +/- square feet, with open terraces and designated planters along the Alton Road frontage.

- The rooftop deck serves as an amenity space for the residents and office tenants of the building designed with substantial landscaping and 360-degree views of the City.

The general vehicular circulation for the Project consists of an outdoor, two-way driveway with primary ingress and egress along the West Avenue frontage. The outdoor vehicular driveway is lined with lush landscaping and tall trees that complement the natural elements and vegetation designed throughout the Project. The 150-foot long driveway ends at the artistically curated, spiral ramping system that provides direct access to the upper level parking facilities. Additionally, the Project is also designed to allow secondary vehicular access to the parking facilities from Lincoln Road via the existing Alley. The Alley also provides access to the four (4) loading spaces located within the southwestern portion of the Main Parcel and internal to the building.

III. Conditional Use Permit Criteria.

Pursuant to Section 2.5.2.2 of the Resiliency Code, the Applicant requests a Conditional Use Permit from the Planning Board for a new construction, mixed-use office development exceeding 50,000 gross square feet. As detailed below, the Application complies with the review

[1] Please note, the ground floor restaurant space, consisting of a total of 193 seats (occupancy) does not constitute a neighborhood impact establishment.

criteria for the issuance of a CUP for new structures above 50,000 square feet, in accordance with Sections 2.5.2.2.a and 2.5.2.2.b of the Resiliency Code.

a. Section 2.5.2.2.a

i. The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.

As detailed above, the Project – consisting of ground floor commercial, office and residential uses – is consistent with the uses permitted under the CD-2 land use category per the City's Comprehensive Plan.

ii. The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the comprehensive plan.

The Project will not result in an impact that exceeds the threshold levels of service, as the Project along with the existing developments at the Overall Property are in compliance with the intensity limits set forth in the City's Comprehensive Plan. Additionally, as reflected in the Plans, the Project further complies with the Alton Road Office Development Overlay use-based intensity requirements per Section 7.2.11.10 of the Resiliency Code.

iii. Structures and uses associated with the request are consistent with these land development regulations.

As mentioned above, the Project is a mixed-use development with office, commercial and residential uses that are permitted uses within the CD-2 zoning district. Additionally, the proposed structures are substantially in compliance with the applicable land development regulations with the exception of a minor 3-foot height variance requested for sea level and resiliency purposes, subject to Design Review Board approval.

iv. The public health, safety, morals, and general welfare will not be adversely affected.

The Project will not adversely affect the public health, safety, morals, and general welfare of the neighborhood or City. To the contrary, the Project thoughtfully integrates South Florida's warm climate and vegetation with sustainable design elements that contribute to a true open-air experience for tenants, residents and visitors. Design features such as floor to ceiling windows, landscaped terraces and open courtyards allows natural light and air to illuminate and flow through the development, thereby contributing to the overall health and general welfare of the future residents, office tenants and visitors.

v. ***Adequate off-street parking facilities will be provided.***

The Project is providing more than adequate required parking on site and located within two (2) floors of internalized, screened parking facilities. Additionally, the Overall Property is situated within walking distance of several public parking facilities that can also accommodate the parking needs of retail patrons and visitors, as detailed further below in Section III.b.

vi. ***Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.***

The Applicant intends to ensure that the necessary safeguards and safety measures are in place to promote the protection of not only the residents, tenants and patrons of the Project, but also the surrounding properties, persons, and neighborhood values. As such, the proposed Project will include advanced control access and state of the art security (i.e., security cameras and attendants) to ensure the security and privacy of the on-site residents and office tenants. Also, the Applicant will also work with the surrounding businesses to mitigate any potential effects of the development

vii. ***The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.***

Consistent with the diverse array of uses and business located within the Alton Road neighborhood, the Project contains a diverse mix of uses, including ground floor commercial/restaurant space, upper-level office space and limited residential uses that both complement the area but will also provide an added economic base.

While there are existing office buildings in the area, this Project provides and will satisfy the growing demand for quality, Class A office space and increase the diverse work options for local residents, furthering the City's vision for the Alton Road Office Development Overlay. Also, the addition of Class A office space will contribute to a more diverse arrangement of uses on this block and in the immediate area, which currently contains more commercial and dining options, with limited, general office space. There are currently 4 hotels with over 500 hotel rooms within a one block area and the Project will diversify the uses by bringing in Class A office and residential without short term rentals.

viii. ***The structure and site comply with sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable.***

Satisfied; please refer to Section V of this Letter of Intent for information related to the Project's compliance with the Sea Level Rise and Resiliency Review criteria.

ix. Appropriate consideration is given to the safety of and friendliness to pedestrian traffic; passageways through alleys is encouraged where feasible and driveways shall be minimized to the extent possible.

The Project's design demonstrates a strong commitment to pedestrian safety and circulation. As described above, the Project ensures continuous and unobstructed pedestrian access along Alton Road, with a wide sidewalk that leads directly to the ground floor store fronts and restaurants. A midblock paseo offers additional pedestrian access to the lobby and courtyard, as well as direct connection to the improved Alley leading to the pedestrian walkway and sidewalk along West Avenue.

Moreover, the Project's vehicular operations are designed where all vehicular access is situated away from Alton Road, with a two-way drive along the West Avenue frontage as well as secondary vehicular access from Lincoln Road onto the existing Alley. This bifurcated approach highlights a considerate effort to minimize the extent of driveways while promoting pedestrian friendly pathways and streetscapes both in and around the Overall Property.

b. Section 2.5.2.2.b

i. Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.

At this time, the office tenants (i.e., including the types of office tenants, number of employees, etc.) and the ground floor commercial have not yet been finalized. However, the Applicant has provided an Operations Plan that includes the general scope of operations including loading, trash removal and security plans for the Project. Additionally, per staff's suggestion, the Operations Plan has been updated with the estimated hours of operation for each use. Please note, the office and commercial tenants are still pending and the detailed business operations, including hours of operations, may change but will maintain compliance with those regulations provided in the Resiliency Code.

ii. Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan will mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.

As reflected in the Plans, the Project contains four (4) internal loading spaces with convenient access from the Alley. All loading and delivery operations are located within the designated ground floor loading areas (with access off the Alley) and will operate in compliance with the City regulations.

iii. Whether the scale of the proposed use is compatible with the urban character of the surrounding area and create adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.

The Project's height (78 feet) and scale is compatible with the urban character and scale of the surrounding area, which largely consists of mixed-use developments. For example, the North Parcel that is currently developed with the Trader Joe's is approximately 63 feet in height. Additionally, the 1111 Lincoln Road parking garage, directly across Lincoln Road is designed at over 78 feet in height. Therefore, the Project is compatible with the urban character and scale, including height, of the immediate surrounding area.

iv. Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.

As provided in the enclosed Operations Plan, the Applicant contemplates contracting with a valet operator to attend to residents, tenants and patrons of the Project.

The development is located in Parking Tier 2, Area B and satisfies the corresponding parking requirements, which includes the applicable shared office space and centralized parking reductions per Sections 5.2.4.2.b.i and 5.2.4.2.b.ii of the Resiliency Code. In compliance with these sections of the Resiliency Code, the Applicant has committed to an open parking plan for the office component to ensure that there are no reserved parking spaces for individuals or office tenants.

The Overall Property and Project is conveniently adjacent to and is within walking distance of multiple public parking facilities that can accommodate future visitors and retail patrons, some of which include: (i) 1625 West Avenue (Parking Lot No. 23), 1671 West Avenue (Parking Lot No. 24), and 1100 Lincoln Lane South (Parking Lot No. 22). While taking these parking reductions into consideration, the Project is nonetheless designed to adequately accommodate tenants, visitors and patrons of the mixed-use development (primarily office development with ground floor commercial and minimal residential uses).

v. Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.

The Project contains continuous and uninterrupted pedestrian access along Alton Road via a wide sidewalk that provides convenient access to the multiple, ground floor store fronts and restaurants. The Alton Road frontage also contains a midblock paseo that provides pedestrian access to the lobby and courtyard, and through the improved Alley to the abutting pedestrian walkway and sidewalk along West Avenue.

vi. ***Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.***

As mentioned above, the Project and office development will include state-of-the-art security equipment as well as on site security to address the safety of the proposed businesses, users and public.

vii. ***Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.***

A traffic study for the Project, prepared by David Plummer and updated January 5, 2022, (the "**Traffic Study**") has been submitted to the appropriate City staff and is currently undergoing peer review by the City consultants.

viii. ***Whether a noise attenuation plan has been provided that addresses how noise will be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.***

As mentioned above, the Project includes ground floor commercial and restaurant space, Class A office space and limited residential uses. The commercial and restaurant uses will keep normal business hours and there will be no augmented or amplified sound devices used at any time, not otherwise allowed by the Resiliency Code. Any noise associated with these uses, albeit minor, are internalized to the building and should not create any noise related adverse impacts to the surrounding properties.

ix. ***Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.***

The Project's garbage and disposal needs will fully comply with the Resiliency Code and a sanitation plan will be provided prior to the submission of a building permit.

x. ***Whether the proximity of the proposed structure to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated.***

As mentioned above, the height and scale of the Project is compatible with the existing developments in the immediate area. Even so, the Project is not expected to produce adverse impacts to the surrounding uses.

xi. ***Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect will be addressed.***

As mentioned above, the Project, with the Class A office space as the primary use, will balance the largely commercial, retail and residential uses that exist in the immediate area. The injection of Class A office space in the immediate area should not adversely impact or provide a cumulative effect on the surrounding neighborhood, and to the contrary, will complement the existing commercial and retail spaces in the area.

IV. Mechanical Parking Criteria

Pursuant to Section 5.2.11 of the Resiliency Code, the Applicant requests a CUP from the Planning Board to allow mechanical parking lifts for the Project.

a. Section 5.2.11.b.iii

1. ***One set of schematic plans sufficient to show the proposed development project with accessory and main use off-street parking requirements satisfied by traditional, nonmechanical means, meeting all aspects of the design standards for parking spaces required in article III of chapter 130, and other provisions of these land development regulations, and requiring no variances from these provisions; and***

   Please refer to the enclosed Plans that reflects the Project and required off-street parking facilities satisfied by traditional, nonmechanical means. As reflected in the secondary set of the Plans (without the mechanical parking), utilizing only traditional parking spaces at the site would require the following design modifications:

   - Removal of the habitable area (required residential uses) on third level.
   - Extended floor slab on the parking levels (Levels 2 and 3) towards the ramp.
   - Increased building mass to the South to accommodate additional parking spaces (traditional) in lieu of mechanical spaces.
   - Removal of pocket gardens and unique depth of glazing facing Alton Road.

   Overall, the alternative set with no mechanical parking spaces would result in a building with increased massing and reduced landscaping/open space areas.

2. ***A second set of schematic plans, sufficient to show the same proposed development project, utilizing mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use off-street parking requirements.***

   As reflected in the Plans, the Project proposes 2 levels of fully internalized parking with 181 total parking spaces. The on-site parking facilities consists of 85 parking spaces on Level 2 and 96 parking spaces provided on Level 3, which includes 48 mechanical lifts. Note, the mechanical parking lifts are limited to Level 3 only.

b. Section 5.2.11.e

1. ***Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood;***

As mentioned above, the Project is compatible with the urban character of the surrounding neighborhood.

2. ***Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood and has demonstrated how the scale, mass, volume, and height of the building are reduced by the use of mechanical parking;***

   The proposed use of mechanical parking lifts will improve the design characteristics of the Project, therefore introducing a more compatible development with the surrounding neighborhood. The mechanical parking lifts provide a more efficient design and use of the space by allowing a more open design with less massing.

3. ***Whether the proposed use of mechanical parking does not result in an increase in density or intensity over what could be constructed with conventional parking;***

   The proposed use of mechanical parking lifts would result in decreased intensity and height at the Property. By providing mechanical parking lifts, the required area that would otherwise be necessary to accommodate additional parking spaces is substantially reduced thereby creating more usable space for the proposed residential and office uses.

4. ***Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view;***

   The mechanical parking lifts are only provided on Level 3 and are not visible from external view as the parking facilities are screened with architectural elements.

5. ***In cases where mechanical parking lifts are used for self-parking in multifamily residential buildings, whether approval is conditioned upon the proper restrictive covenant being provided limiting the use of each lift to the same unit owner;***

   Not applicable; the mechanical parking spaces will be dedicated for the office component only and operated by a valet attendant.

6. ***In cases where mechanical parking lifts are used for valet parking, whether approval is conditioned upon the proper restrictive covenant being provided stipulating that a valet service or operator must be provided for such parking for so long as the use continues;***

   The proposed mechanical parking lifts will be operated by a valet attendant. As such, a covenant will be proffered.

7. ***Whether a traffic study has been provided that details the ingress, egress, and circulation within the mechanical parking facility, and the technical and staffing***

requirements necessary to ensure that the proposed mechanical parking system does not cause excessive stacking, waiting, or backups onto the public right-of-way;

Please refer to the enclosed Traffic Study.

8. ***Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided;***

   Please see enclosed the updated Operations Plan.

9. ***In cases where the proposed facility includes accessory uses in addition to the parking garage, whether the accessory uses are in proportion to the facility as a whole, and delivery of merchandise and removal of refuse, and any additional impacts upon the surrounding neighborhood created by the scale and intensity of the proposed accessory uses, are adequately addressed;***

   Not applicable.

10. ***Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated; and***

    As mentioned above, the Property is adjacent to developments that are similar in size and scale and complement the adjacent uses in the area.

11. ***Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed;***

    The mechanical parking is fully enclosed and internal to the Project, therefore the parking operations are not expected to result in an adverse, cumulative effect to the adjacent and nearby structures.

c. Section 5.2.11.f

1. ***The noise or vibration from the operation of mechanical parking lifts, car elevators, or robotic parking systems shall not be plainly audible to or felt by any individual standing outside an apartment or hotel unit at any adjacent or nearby property. In addition, noise and vibration barriers shall be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the parking garage;***

   The mechanical parking lifts are limited to the third floor of the building and are fully internalized and screened from external view. Therefore, any noise or vibration impacts resulting from this equipment should be minimal.

2. ***For mechanical lifts, the parking lift platform must be fully load-bearing, and must be sealed and of a sufficient width and length to prevent dripping liquids or debris onto the vehicle below;***

   Per the parking details provided on the Plans, the mechanical parking lift is fully load bearing. The platform that lifts the vehicle is one complete platform with no opportunity to drop liquids or debris from the undercarriage of the vehicle above onto the vehicle below.

3. ***All freestanding mechanical parking lifts must be designed so that power is required to lift the car, but that no power is required to lower the car, in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage; robotic garages and vehicle elevators must have backup generators sufficient to power the system;***

   The Project will be in compliance with the above condition.

4. ***All mechanical lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift;***

   Per the Plans, the mechanical parking lifts have an automatic hydraulic safety valve to prevent the accidental lowering of the platform while accessing the platform.

5. ***The ceiling heights of any parking level with parking lifts within the parking garage shall be a minimum of 11 feet by six inches;***

   As mentioned above, mechanical lifts are only proposed on Level 3 which is designed with a height of 13'4", which exceeds the required minimum to efficiently operate this type of parking equipment.

6. ***All mechanical parking systems, including lifts, elevators and robotic systems, must be inspected and certified as safe and in good working order by a licensed engineer or the elevator authority having jurisdiction at least once per year and the findings of the inspection shall be summarized in a report signed by the same licensed engineer or firm, or the elevator authority having jurisdiction. Such report shall be furnished to the planning director and the building official; and***

   The Applicant intends to coordinate with a licensed engineer or elevator authority to inspect the mechanical parking lifts and vehicle elevators and provide a report to the planning director and building official.

7. ***All parking lifts shall be maintained and kept in good working order.***

   The Applicant intends to implement a comprehensive maintenance plan, which will include the mechanical parking lifts. Additionally, the yearly inspection by the licensed engineer or elevator authority will ensure compliance.

V. Sea Level Rise and Resiliency Review Waiver

Section 7.1.2.4.a provides review criteria for compliance with the City's sea level rise and resiliency criteria.

i. A recycling or salvage plan for partial or total demolition shall be provided.

The Applicant will provide a recycling or salvage plan prior to the submittal of a building permit, as may be necessary. Please refer to the Plans for the detailed scope of demolition plans limited to the existing buildings on the Main Parcel of the Overall Property.

ii. *Windows that are proposed to be replaced shall be hurricane proof impact windows.*

As reflected on the Plans, all windows for the Project will be hurricane proof resistant.

iii. *Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.*

Passive cooling systems, such as operable windows, may be installed as appropriate.

iv. *Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 4 in Land Development Regulations.*

The Project will include resilient landscaping, in accordance with Chapter 4 of the Resiliency Code.

v. *The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.*

The Project will evaluate the Southeast Florida Regional Climate Action Plan for consideration.

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

The Project is designed with 10' NGVD at free board (more than three feet above base flood).

vii. ***As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.***

The critical mechanical systems are located on the roof of the building, with landscaping and appropriate screening concealing the equipment from view. Additionally, the mechanical room and FPL room located on ground floor is located at 6'5" NGVD.

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

As part of the Project, the existing structures located at the Main Parcel will be demolished and elevated accordingly. However, the existing structures at the North and South Parcel will remain as is, with no plans to be demolished or altered.

ix. ***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 54 in General Ordinances.***

New habitable spaces located below BFE plus City of Miami Beach Freeboard will be wet or dry flood proofed in accordance with Chapter 54 in General Ordinances.

x. ***As applicable to all new construction, stormwater retention systems shall be provided.***

Applicant will work with staff on appropriate water retention systems as applicable and appropriate for the Project.

xi. ***Cool pavement materials or porous pavement materials shall be utilized.***

As reflected in the landscape sheets included in the Plans, the Project will utilize crushed aggregate as a permeable interlocking paving system.

xii. ***The design of each project shall minimize the potential for heat island effects on-site.***

One of the Project's essential design features is lush landscaping consisting of various trees, shrubs, and other vegetation provided not only on the ground floor facilities, but also a key component on each level of the Project. The substantial vegetation and green areas serve a natural cooling agent that will help reduce the urban heat island effect by shading the building surface.

VI. Design Review Board Variance

In furtherance of the Project development, the Applicant is in the process of submitting a Design Review Board Application (DRB22-0897) which includes a three-foot height variance,

allowing a total height of 78 feet as measured from 10' NGVD. The height variance will allow the elevation of the building for sustainability and resiliency purposes.

VII. Conclusion

The Applicant is respectfully requesting the approval of the above-mentioned CUP to allow for the new construction of a beautifully designed, mixed-use development with Class A office space. Based on the foregoing, we respectfully request your favorable consideration and approval of this Application and Project.

Very truly yours,

GREENBERG TRAURIG, P.A.

By: _____
Alfredo J. Gonzalez, Esq.