

October 11, 2023

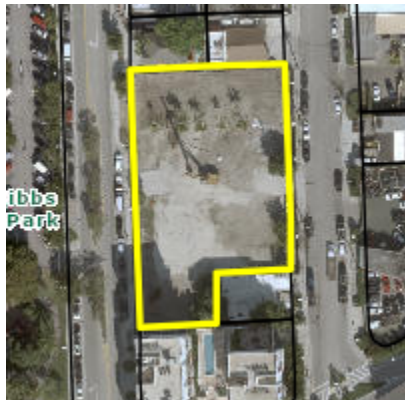
VIA ELECTRONIC DELIVERY

Mr. Michael Belush
Chief of Planning and Zoning, Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

**Re: 18 Sunset Trustee, LLC - 1759 Purdy Avenue
Design Review Board Application No. DRB23-0967
Letter of Intent**

Dear Mr. Belush:

Please accept this Letter of Intent on behalf of 18 Sunset Trustee, LLC (the “Applicant”) , in support of Design Review Board (“DRB”) Application No. DRB23-0967 (the “Application”), in connection with the property located at 1759 Purdy Avenue, Miami Beach Florida, and further identified by Folio No. 02-3233-012-0540 (the “Property”), and as shown below:



The Property is located within the Sunset Harbor neighborhood and has a land use designation of Medium Intensity Commercial (CD-2), and is zoned CD-2. The Property has an approved project, known as 18 Sunset, which received DRB approval in 2018 for a new five (5) story mixed-use project which included ground floor retail and which was later modified in 2021 and 2022 to accommodate changes to design and height. The Application focuses within the first floor retail uses of the building, specifically one of the two full-service restaurant uses.

Uchiko will be one of the restaurants which occupy the first floor of the building. It is part of the Uchi Restaurant family, which currently has a popular location in Wynwood. This Uchiko location will be the first to open in Florida. It will match Uchi's dedication to food, service, design, and the cultivation of culinary talent. Uchiko takes the same pride in the design of their restaurant as they do in their food.

The restaurant is located within the first floor of the Property and has outside seating that fronts Purdy Avenue. The design will activate the sidewalk and include landscaping. For the vision of the restaurant to come to life, the Applicant is seeking DRB review and approval of their proposed restaurant design.

The Applicant proposes movable furniture and planters outside, which will still have an appropriate amount of transparency at the first level, that will enhance and activate the pedestrian areas of the 18 Sunset project. There is also a bar counter inside that blocks the sink and backbar view for a more pleasurable experience for patrons. While dealing with limited space for their outdoor seating the Applicant was able to design the seating space so that both patrons and pedestrians can have a clear view within the restaurant. The applicant is proposing a design that is not only engaging to pedestrians but also offers an atmosphere of exclusivity which is sought after by their patrons.

Compliance with Design Review Criteria

The project satisfies the design review criteria set forth in Section 118-251 of the Land Development Regulations, as follows:

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

The Application is only focused within a first floor unit - a restaurant space - and will include landscaping to activate the outdoor patron areas.

- (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.

Not Applicable.

- (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.

Not Applicable.

- (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.

The Application is only focused within a first floor unit - a restaurant space - and will include design features that will activate the patron areas in an appropriate manner.

- (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.

Not applicable. No structural changes to the approved project are proposed by the Application.

- (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.

Not applicable. No structural changes to the approved project are proposed by the Application.

- (7) The design and layout of the proposed site plan, as well as 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.

Attention is being given to safety, crime prevention and fire protection. The relationship to the surrounding neighborhood is also taken into account with the proposed design.

- (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 safely 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.

Not applicable.

- (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.

Not applicable.

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

The landscaping proposed will ensure an adequate relationship and will enhance the overall aesthetic of the restaurant that compliments the approved design of the project.

- (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.

The landscaping design for the restaurant, separate from and in addition to the project's overall landscape design, provides an appropriate buffer from any street nuisances to provide patrons with a pleasant dining experience.

- (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).

Not applicable.

- (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.

Not applicable. The Application does not propose any changes to the building design.

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

Not applicable. The Application does not propose any changes to the rooftop elements.

- (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 Application does not propose any changes to the approved building.

- (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.

The Application is requesting approval of the proposed transparency at the first level to allow for moveable furniture that will create inviting and comfortable seating and bar areas for patrons.

- (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.

Not applicable. The Application will not change the approved locations of said areas.

- (18) In addition to the foregoing criteria, subsection 118-104(6)(1) 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.

Sea-Level Rise and Resiliency Criteria

The proposed project complies with the criteria set forth in the City Code Section 113-50, as follows:

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

Not applicable.

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

The approved windows will be hurricane proof impact windows.

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

The approved HVAC system integrates passive cooling systems.

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

Resilient landscaping is being incorporated into the 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.

Not applicable. The Application will not change the building elevations.

- (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.

Not applicable. The Application will not change project access.

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

Not applicable. The Application will not change the approved mechanical and electrical systems.

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

Not applicable. The Application will not change the approved elevations.

- (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 54 of the City Code.

Not applicable. The Application will not change the approved flood proofing design.

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

Not applicable. The Application will not change the approved water retention systems.

(11) Whether cool pavement materials or porous pavement materials shall be utilized.

Not applicable. The Application will not change the approved pavement design.

(12) The design of each project shall minimize the potential for heat island effects on-site.

The design incorporated will minimize the potential for heat island effects.

Based on the above, we respectfully seek your favorable review and recommendation of approval of the Application. Thank you in advance for your considerate attention to this request. If you have any questions or require additional information, please feel free to contact me directly at tslavens@lsnlaw.com or (305) 673-2585.

Respectfully submitted,

LSN Law, P.A.

A handwritten signature in blue ink that reads "Tracy Slavens". The signature is written in a cursive, flowing style.

Tracy R. Slavens, Esq.