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VIA ELECTRONIC SUBMITTAL AND 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: PB23-0629 Final Submittal Letter of Intent / Planning Board Application for Modification of Previously Approved Planning Board File No. PB22-0503 (the "Application") / Properties located at 1665, 1667 and 1671 Washington Avenue; 1666 and 1670 James Avenue, Miami Beach, Florida (collectively, the "Overall Property")

Dear Planning Board Members:

Our firm represents KK 1665 Washington LLC and BSD Raleigh Trustee LLC, a Delaware limited liability company as the trustee of the Raleigh Land Trust (collectively, the "**Applicant**"), in connection with certain land use and zoning matters relating to the above-mentioned Property before the Planning Board. Please accept this Application for a modification to the previously issued Planning Board Order File No. PB22-0503, dated October 31, 2022, that approved a Conditional Use Permit ("**CUP**") for the construction of a 6-story, office development on a portion of the Overall Property, as detailed below, in excess of 50,000 gross square feet and mechanical parking spaces with car elevators (the "**Approved CUP**").

I. The Overall Property

The Overall Property consists of several parcels of land on the city block generally located between 17th Street, Lincoln Road, Washington Avenue and James Avenue. Specifically, the Overall Property consists of the following parcels that will be unified via a Covenant in Lieu of Unity of Title, and applied as one unified development site for zoning purposes.

- The Crest Hotel, located at 1666 and 1670 James Avenue, improved with approximately 29,183 +/- square feet (the "**Crest Parcel**");
- The Greenview Hotel, located at 1671 Washington Avenue, improved with approximately 15,259 +/- square feet (the "**Greenview Parcel**"); and
- 1665 and 1667 Washington Avenue, currently improved with an office/commercial tower and a surface parking lot (the "**Main Property**").

The Crest Parcel, Greenview Parcel and Main Property, are collectively referred to as the **Overall Property**. As mentioned above, 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 Miami Beach Resiliency Code (the "**Resiliency Code**"),and applied as one unified development site for zoning purposes. However, it is important to note that the previously approved office development and proposed modifications are limited to construction at the Main Property only. In other words, the Approved CUP and the current Application do not include any proposed demolition or alterations to the existing historic Crest Hotel and Greenview Hotel.

II. Project History

On September 20, 2022, the Planning Board ("**PB**") issued the Approved CUP for the construction of a 6-story, office development with ground floor commercial and mechanical parking lifts (the "**PB Order**"). Subsequently, on November 8, 2022, the Historic Preservation Board ("**HPB**") approved a Certificate of Appropriateness for the total demolition of the existing structures at the Main Property for the new office development (the "**HPB Order**"). Specifically, the plans prepared by Kobi Karp and approved under the PB and HPB Orders, included a ground floor café (20 seat occupancy), approximately 21,435 +/- square feet of upper-level office space and 58 parking spaces with a total of 3 mechanical parking lifts (the "**Original Plans**" **or** "**Original Project**"). Copies of the PB and HPB Orders are enclosed with this Application for your ease of reference.

III. Proposed Modifications to the Office Development

At this time, the Applicant seeks to unify the Overall Property to allow for the redistribution of additional floor area dedicated to the upper-level office space, with increased mechanical parking lifts (the "**Proposed Modifications**"). As detailed in the enclosed plans prepared by Kobi Karp and dated September 26, 2023 (the "**Updated Plans**" or "**Updated Projec**t"), the Proposed Modifications for the office development include the following:

- Improved floor area for the overall office development with an increase from 32,998 +/- square feet (as approved) to 50,957 +/- square feet of proposed FAR;
- Augmented office space from 21,435 +/- square feet (as approved) to 37,424 +/- square feet of total office development located on Levels 2-5; and
- 18 mechanical parking lifts to accommodate a total of 38 on-site parking spaces on Levels 2 and 3.

As reflected in the Updated Plans, the parking garage is still designed with internalized parking toward the rear portion of the Main Property. Also, the parking spaces on these upper levels are accessed via a car elevator that is operated by a valet attendant. The internalized parking program consists of 38 parking spaces, including mechanical lift parking spaces, and therefore exceeds the applicable parking requirement.

It is also important to note that the above-mentioned Proposed Modifications are all contained within the same building envelop and external design as reflected in the Original Plans, as previously approved by the PB and HPB. In other words, the Proposed Modifications do not

result in any change to the architectural façade of the building (including height) and does not change the vehicular access to/from the Main Property. As a result, the Proposed Modifications remain in compliance with the conditional use criteria provided in Section 2.5.2.2.a and Section 2.5.2.2.b of the Resiliency Code.

IV. Conditional Use Permit Criteria.

Pursuant to Section 2.5.2.2.a and Section 2.5.2.2.b of the Resiliency Code, the Applicant requests a Conditional Use Permit from the Planning Board for the new construction of the mixed-use office development, including the Proposed Modifications, exceeding 50,000 gross square feet. As detailed below, the Application complies with the review criteria for the issuance of a CUP for new structures above 50,000 square feet, in accordance with Section 2.5.2.2.a and Section 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 Updated Project−consisting of a mixed-use development with Class A office space−is consistent with the uses permitted under the City's Comprehensive Plan and underlying CD-3 zoning district.

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 Updated Project will not result in an impact that will exceed the thresholds for the levels of service as set forth in the City's Comprehensive Plan. It is important to note that the Property is currently improved with an office building and legal nonconforming surface parking lot. As such, the Updated Project (although adding additional office space), will continue the current office use redesigned as a Class A office space within a more efficient and sustainable building envelope. Additionally, the increased office space will have a minimal impact on the level of service as it will provide internalized, on-site parking. In addition, the legal nonconforming 24-hour surface parking lot currently operating will be removed, reducing impacts to the surrounding properties.

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

As mentioned above, the Updated Project is a mixed-use development with office space and a small café located at the ground floor. In compliance with Section 7.2.12.2 of the Resiliency Code, commercial uses (including office and eating and drinking establishments) are allowed as a main permitted use in the CD-3 zoning district and are therefore consistent with the City's land development regulations.

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

The Updated Project will not adversely affect the public health, safety, morals, and general welfare of the neighborhood or City. To the contrary, the proposed state of the art office building designed with open terraces and a heavily landscaped rooftop deck should contribute to the overall health and general welfare of the future office tenants and visitors. Additionally, the Updated Project will positively impact the residents of the surrounding areas by providing job opportunities and a space to gather at the ground floor coffee shop. The removal of the nonconforming surface parking lot will improve the surrounding areas.

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

The Updated Project has no parking requirements for the main use, office under Section 5.2.4.2.c.i.. Tier 2, Area C, nonetheless the Updated Project is designed to accommodate parking on site as if it was following Tier 1 (38 parking spaces) and therefore exceeds the City's off-street parking requirements.

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 tenants and patrons of the Updated Project, but also the surrounding properties, persons, and neighborhood values. Specifically, the office building will include state-of-the-art security equipment (i.e. security cameras and attendants) at the Main Property. In addition, there will be valet operations with fully enclosed parking, unlike the current situation.

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.

As the Updated Project is essentially a continuation and enhancement of the office uses approved under the Original Project, the proposed use will not add an additional concentration of similar uses in the surrounding neighborhood. In fact, the Class A office space will only enhance and be a welcomed addition to this area and satisfy the growing demand for quality, office space within the City, all while facilitating a diversity of uses on this block which largely consists of hotel uses.

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

The Updated Project complies with the sea level rise and resiliency criteria as detailed below.

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.

Appropriate consideration has been given to the safety of and friendliness to pedestrian traffic. The traffic plan will be amended as needed in order not to create any negative impacts to the area.

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 café tenant have not yet been finalized. However, the office and ground floor café use will maintain normal business hours in compliance with the City's Resiliency Code. The building will have an operation plan that will include operations services as required with loading areas and trash removal allow the alley following City regulations. Additionally, the Updated Project (inclusive of Class A office space) is designed to attract world class businesses to the City.

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.

The Updated Project maintains the same loading operations as previously approved under the Original Project. As reflected in the Updated Plans, the Updated Project contains two (2) loading spaces located on the ground floor along the South side of the Main Property. All loading and delivery operations are designed within these designated ground floor loading areas. The Updated Plans also maintain that there is adequate turning radius and maneuverability for a delivery truck on the ground floor and within the general vehicular circulation. In addition, the service alley to the South will allow trash pickup.

Additionally, the exterior façade abutting the loading spaces continues to be enhanced with a green screen system to ensure that the loading vehicles are not visible from the alley and the adjacent building to the South, and therefore substantially reduces any potential impact to the nearby properties and neighborhood.

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.

It is important to note that the Updated Project maintains the same height (80 feet), elevations and scale as the Original Project. Additionally, there have been no modifications to the exterior facades. As such, the Updated Project maintains its compatibility with the existing, approved and permitted buildings in the surrounding area. For example, on the northern side of the block a hotel development was approved at 83 feet in height and is currently under construction. Additionally, 100 feet in height is permitted for office uses at the adjacent property to the South along Washington Avenue and 75 feet in height is permitted on the other side of the block to the East. Across the street sits 407 Lincoln Rd at over 150 feet in height. Therefore, the Project is in the middle range and is proposed at lesser height than what is allowed and approved in the immediate area. Therefore, the Updated Project is designed to continue to be compatible with the urban character and scale of the 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.

Similar to the Original Project, the parking plan provided in the Updated Plans is also designed with a valet operator to attend to tenants and patrons of the Updated Project. The valet attendant will operate a car elevator to park the vehicles in the mechanical lift parking spaces, provided on Levels 2 and 3. The parking plan will be amended as needed in order not to create any negative impacts to the area. The parking plan is using a 22' two-driveway in order to efficiently minimize impacts of traffic.

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

Similar to the Original Project, the primary customers will be visitors to the individual office tenants, while the circulation and entrance will be through the first floor.

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.

The Updated Project is still designed to include state-of-the-art security equipment as well as on site security to address the safety of business and users. The parking operations are still planned to be by valet only, in secured areas not open to the public. Additionally, the valet ramp is designed internal to the building with a separate valet office on the ground floor; and not designed on Washington Avenue to avoid potential effects on Washington Avenue.

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.

The previously approved traffic circulation analysis has been provided that addresses the concerns in conjunction with the transportation department.

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.

The Updated Project maintains the small, ground floor commercial space for a café intended for the office tenants and local visitors. This limited commercial use will keep normal business hours and there will be no augmented or amplified sound devices used at any time on the Main Property not otherwise allowed by the Code.

Additionally, the loading and parking areas are all internal to the site 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 Updated Project's garbage and disposal needs will continue to fully comply with the City's Code, and a sanitation plan will be provided prior to the submission of a building permit.

However, the Updated Project maintains a fully enclosed trash room provided at the ground level for the office and small commercial uses. The trash room is conveniently located at the ground level to provide direct access to the ground floor commercial use and in close proximity to the internalized loading area and the alley.

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 Updated Project remains the same as the Original Project. As such, the Updated Project is compatible with and in some instances, smaller than the existing and approved developments in the immediate area. Additionally, many of the abutting or adjacent properties contain hotel developments which cater to a transient demographic. As such, there are no traditional residential developments abutting or adjacent to this Main Property. Even so, the Updated 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.

The development of the Main Property with the Updated Project will not adversely affect the surrounding properties as the Updated Project is not creating a new use but improving and expanding a current use, as was previously approved. Additionally, the Updated Project does eliminate the 24 hours a day legal nonconforming surface parking lot.

V. Mechanical Parking Criteria

Pursuant to Section 5.2.11 of the Resiliency Code, and as part of this Application, the Applicant requests modification to the Approved CUP to allow for additional mechanical parking lifts (18 in total).

a. **Section 5.2.11.b.iii.1**

a. 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 5, and other provisions of these land development regulations, and requiring no variances from these provisions; and

Please refer to the Updated Plans.

b. 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 Updated Plans, the Proposed Modifications include 38 total parking spaces. Similar to the previously approved Original Plans, the required parking for the office uses are voluntary parking since the Resiliency Code does not require parking for the office use. The on-site parking garage consists of 18 mechanical-lift parking spaces (that can accommodate a total of 36 parking spaces). Please note, the parking garage remains fully screened and internalized so that there is no visual impacts to the surrounding properties.

b. Section 5.2.11.e

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

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

ii. 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;

Consistent with the Approved CUP, the approved use of vehicle elevators and mechanical lifts improves the design characteristics and vehicular operations at the Main Property. The increase of mechanical parking spaces, from 3 to 18, will further streamline the parking operations and continue to provide a more efficient design and use of the space at the Main Property.

iii. 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;

As reflected in the Updated Plans, the increased number of mechanical lifts does not allow for increased height as the height remains the same. To the contrary, by providing additional mechanical parking lifts, the required area that would otherwise be necessary to accommodate the optional parking and ramping is reduced. The provision of additional mechanical parking lifts reduces the intensity (in comparison to conventional parking spaces) and increased the usable, office space at the Main Property. With this in mind, the Proposed Modifications further the Approved CUP by ensuring that the office development is designed for the future and is people-oriented rather than vehicle-oriented.

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

Consistent with the Approved CUP, the additional mechanical parking lifts are still located toward the rear of the Property and is internalized on Levels 2 through 6. As such, the mechanical parking lifts, vehicle elevators and general parking operations should not be visible from an exterior view. This would be a substantial improvement on current conditions with an existing surface parking lot with you protections or buffers to surrounding properties.

v. 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 Approved CUP and Proposed Modifications only contain Class A office space and ground floor café. There are no proposed residential uses.

vi. 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;

Consistent with the Approved CUP, the previously approved vehicle elevators and proposed additional mechanical parking lifts will be operated by a valet attendant. As such, a covenant will be proffered.

vii. 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 see David Plummer & Associates Traffic analysis dated May 11, 2022. The Traffic Study contemplated an office development with 38,332 square feet of office space and a 20-seat, ground floor café. As such, even with the Proposed Modifications – including increased office space (37,424 square feet) – the Traffic Study is still pertinent and actually contemplates more intensity and visitors to the Main Property.

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

Please refer to updated Operations Plan.

ix. 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;

As mentioned above, the Updated Plans reflect the same ground floor, coffee shop (20-seat occupancy) as contained in the Approved CUP. The coffee shop access remains the same and will be accessed by the office tenants and patrons via the South entrance from the lobby, but will also invite members of the public through the North entrance from Washington Avenue.

x. 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

The Main Property and office development, is adjacent to similarly sized structures, and in some cases, smaller than structures in the immediate area. Also, the block contains mainly hotel uses rather than traditional residential uses.

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

The Proposed Modifications, including the additional mechanical parking remain fully internalized and are not visible from the public right of way. 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

i. 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;

Consistent with the Approved CUP and Original Plans, the proposed additional mechanical parking lifts remain located in the rear interior of the Main Property and are fully enclosed in the building, any noise or vibration impacts resulting from this equipment should be minimal.

ii. 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;

Consistent with the Approved CUP and Original Plans, the additional mechanical parking lifts are 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.

iii. 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 Proposed Modifications will be in compliance with above condition.

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

Consistent with the Approved CUP, the mechanical parking lifts have an automatic hydraulic safety valve to prevent the accidental lowering of the platform while accessing the platform.

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

Consistent with the Approved CUP, the levels that contain the mechanical parking lifts are designed in compliance with the minimum height.

vi. 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

Consistent with the Approved CUP, 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.

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

Consistent with the Approved CUP, the Applicant intends to implement a comprehensive maintenance plan, which will include the mechanical parking lifts and vehicle elevators. Additionally, the yearly inspection by the licensed engineer or elevator authority will ensure compliance.

VI. 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.

1. 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. The scope of the total demolition of, as reflected in the in the Original Plans, has not changed and is only limited to the existing structures at the Main Property.

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

As reflected on the Original Plans, all windows will be impact resistant and is also designed with hurricane proof glass railings, louvres and storefront systems.

3. *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.

4. ***Resilient landscaping (salt tolerate, highly water absorbent, native or Florida friendly plants) will be provided.***

   As reflected in the Original Plans, resilient landscaping will be included in accordance with the Resiliency Code.

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.***

   As with the Approved CUP, the Applicant will evaluate Southeast Florida Regional Climate Action Plan.

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.***

   Consistent with the Approved CUP, the height (designed with up to three additional feet) remains the same.

7. ***Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation with room to raise.***

   Consistent with the Approved CUP, the mechanical systems remain located on the roof of the building, with landscaping and appropriate screening concealing the equipment from view.

8. ***Existing buildings shall, where reasonably feasible and appropriate, elevated to the base flood elevation, plus freeboard.***

   Consistent with the Approved CUP, the existing building at the Main Property will be demolished. Please note, the scope of work and Proposed Modifications does not include demolition of or renovations to the existing Crest Hotel and Greenview Hotel.

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

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

    Consistent with the Approved CUP, Applicant will work with staff on an appropriate water retention system, as appropriate for this development.

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

Consistent with the Approved CUP, there are no changes to the proposed landscape and pavement materials.

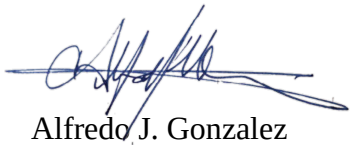
12. ***The design of each project shall minimize the potential for heat island effects on site.***

As with the Approved CUP, the rooftop design with significant landscaping remains the same and will continue to help reduce the urban heat island effect by shading the building surface.

VII. Conclusion

In line with the City's vision, the Proposed Modifications will allow for enhanced and augmented Class-A office space at the Main Property – all within the same building envelop and exterior design as originally approved. Based on the foregoing, we respectfully request your favorable consideration and approval of this Application and Updated Project.

Sincerely,



Alfredo J. Gonzalez

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