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VIA HAND DELIVERY

January 5, 2018

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Modification of Design Review Approval for the Property located at 1681 West Avenue

Dear Tom:

This law firm represents 1681 Ventures, LLC (the "Applicant") in its application concerning the parcels located at 1681-1683 West Avenue and 1698 Alton Road (the "Property"). Please consider this letter the Applicant's letter of intent in support of a modification to the existing design review approval from the Design Review Board.

Property Description. The Property is located on 17th Street between West Avenue and Alton Road, and is identified by Miami-Dade County folio nos.: 02-3234-017-0200, 02-3233-017-0040 and 02-3233-017-0030. The Property is comprised of 39,318 square feet or approximately 0.90 acres, and currently serves as a surface parking lot and the former Shell gas service station. The Applicant previously obtained approval for the project from the Planning Board, pursuant to PB File No. 2284 for conditional use approval for the construction of a project exceeding 50,000 square feet. Additionally, it has obtained approval from the Design Review Board, pursuant to DRB File No. 23214 on May 3, 2016 and then again for a modification on February 6, 2017.

Proposed Modifications. The Applicant is proposing several modifications to the existing DRB approval. These modifications are as follows:

1. Approval of Trader Joe's storefront window display along a portion of the 17th Street ground floor window storefront. In addition to showcasing the signature window are that is part of a national Trader Joe's campaign, the

storefronts also cover some cooler / merchandise equipment that is proposed along the 17th Street perimeter interior.

2. Approval of a one (1) foot knee wall along the east storefront facade
3. Approval of a sliding glass door to the west façade for additional ingress/egress
4. Approval of a Signage Package for Trader Joe's (anchor tenant) and general tenant signage package
5. Approval of a supergraphic on the south façade as required by DRB Order No. 23214
6. Request for Flexibility of Administrative Staff Approval for a Recessed Wall along the ground floor if required by future tenants.

Signage Package. The current application includes a request for approval of project signage, including specific signage for the Trader Joe's and an overall tenant signage package. As for the Trader Joe's signs, the Applicant is proposed two wall signs - one on West Avenue and one on 17th Street, including Trader Joe's trademark logo. Each sign is 72.66 square feet in size and are LED illuminated white "Trader Joe's" channel letters on the red backer panel. Additionally, one hanging illuminated blade sign is proposed for each Trader's Joe's frontage - again West Avenue and 17th Street, to be a total of 5.06 square feet in size each. In addition to the Trader Joe's signs, the application includes tenant signage for the remainder of the project.

Supergraphic. Pursuant to DRB Order No. 23214, the Applicant was required to install a supergraphic on the southern façade of the structure. After several months of review and consideration, the Applicant selected Johnny Robles to create this exciting element. Johnny Robles is a Miami-born painter, sculptor and street artist whose work ranges from small scale drawings to large murals. The mural is based off an ongoing series of color study paintings driven by the minutes before and after the sun sets. In their harmonious order, the colors are blended into the next by a method of rapid repeated gestures to achieve an effect of multiple altered transitions and values between each hue. Each color was chosen on the basis of visual sensitivity and a responsive perceptual process to the interactions between them.

Flexibility for Recessed Wall. While not a formal request to the board, the Applicant seeks flexibility in allowing staff to approved some recessing of the ground

floor level walls. There have been some discussions with prospective tenants, which would be willing to give up some internal tenant square footage in order to have some outdoor seating space along the street. While these requests may come later, depending on tenant negotiations, the Applicant simply seeks the DRB's consent to allow staff the ability to modify some of the ground floor elevations. None of these potential modifications would decrease the setback of the building, but would only increase the setback at the ground floor. As a result, no variance or other formal approval would be required.

Variance Request. The current proposal includes two variance requests related to the Trader Joe's blade signs. The Applicant requests the following variances for each of the blade signs (Signs B and D – as shown on Plan Page S-8):

1. A variance to Section 138-15(a) of the City Code to permit signs under awnings or canopies to be illuminated, where the code requires the sign to be non-illuminated.
2. A variance to Section 138-15(a) of the City Code to permit signs of 5.06 SF where the code permits signs of 3 SF.

Pursuant to Sec. 118-353 of the Code, in order to authorize any variance from the land development regulations, the Design Review Board must find that:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;**

The Property consists of a large aggregation of land along the bustling Alton Road corridor and located at one of the City's busiest intersections. The requested variance as to the size and illumination of the signage is commensurate with the size of the Property and visual corridors that lead to the site.

- (2) The special conditions and circumstances do not result from the action of the applicant;**

Recognizing the inherent issues with traffic, circulation, and parking at the Alton and 17th intersection, the Applicant has specifically designed a building suited for this unique Property. The surrounding area will have multiple commercial uses with signage that is compatible with what is being requested.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

The Property would not benefit from a special privilege that is not already possessed by other nearby properties. On the contrary, the land development regulations permit variances in useful and practical circumstances that advance sound planning objectives. Through its innovative architecture, context-appropriate density, and diversity of mixed uses, this project typifies responsible infill development and place making.

- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

The proposed variance for the signage will allow for signage that is comparable to the size of the structure, while drawing the requisite amount of attention to the tenant user, despite the surrounding commercial uses.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The dense, mixed-use project will serve to beautify the highly visible Alton and 17th intersection and enhance the public space. The Trader Joe's grocery store intended as anchor tenant will provide additional choice and convenience for the abundant multifamily residential uses nearby. The proposed signage further enhances that use and has been reduced from the original, much larger intent.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and**

The Applicant is not proposing any harmful neighborhood impact establishment or undesirable use that results in added noise or nuisance to the neighborhood. A commercial grocer and additional housing and parking that serve Miami Beach residents will contribute to, rather than adversely impact, this important area.

- (7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.**

The Property is located along the Alton Road commercial corridor, where a larger intensity of uses is encouraged by the Code. With the incorporation of traffic studies, intelligent design, and sufficient parking and loading, the project as proposed is consistent with the policies of the comprehensive plan.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

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

The Applicant will provide a recycling or salvage plan during permitting.

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

Noted.

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

Noted.

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

The Applicant will be providing landscaping on the property, including on the roof, as previously approved by the DRB. The Applicant's proposed landscape plan is resilient as it will serve to be comprised of native and friendly plants that are highly water-absorbent.

- (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.**

The west lot has a finished floor elevation of 5' 1" NGVD or greater. And the east lot has a finished floor elevation of 3'8" NGVD or greater.

- (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 Project has been designed with adequate ceiling heights on the ground level to accommodate future street raising.

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

As the Applicant is proposing the ground floor be raised to BFE +1, critical mechanical and electrical systems will be located above BFE.

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

None of the buildings are existing.

- (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 City Code.**

The Applicant is proposing only commercial uses, parking, and back of house uses on the ground level, not habitable space.

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

Noted.

Conclusion. We believe that approval of the proposed request will promote quality development that addresses increasing demand for residential and commercial uses in the Lincoln West neighborhood. The responsible operation and management of the Property will ensure that the Project exemplifies thoughtful planning and well-designed development. We look forward to your favorable review of the Project. Please contact me on my direct line at (305) 377-6238 should you have any questions or concerns.

Sincerely,



Michael J. Marrero