

The Seyer Group

October 5, 2018

Chief of Historic Preservation
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: HPB 18-0245 Sign Variances/Request to Delete Signage Condition in Final Order

Dear Ms. Tackett:

We are very excited about The BLVD at Lenox. Construction is underway and we are taking the project from concept to finality. We have worked closely with Staff, the Development team and the major tenant, Target, to achieve a balanced and sensitive Plan that works with the building's innovative design, its planned and existing mature landscaping, the project's vertical nature and the general scale of the project. The submittal shows a comprehensive and functional approach to the signage which reinforces the project's strong design. We would like to request the signage condition in the previously issued Final Order dated December 13, 2016 be rescinded.

Construction is scheduled to be completed in Spring 2019, and it will be certified LEED Gold. The following variance and general requests are minimal and make possible the reasonable and successful use of the project for the city, residents, visitors and retail tenants. These requests are intended to maintain the architectural integrity of the development and surrounding area and in compliance with the requirements of Section 118-353, Miami Beach City Code.

Given the materials used in construction and the desire to have the cleanest lines possible, we propose the location of the building identification be located on the elevator feature wall at the roof level parapet and tenant signs on the third floor level on the feature wall facing Lenox and the third floor panel facing 5th Street. Tenant signs will be 25 square feet each and a sample showing the look of the proposed signage is included with this request. Variances are requested for the 5th Street frontage to install non-permitted wall signs, signs without providing direct access from the street to the store and signs that exceed the maximum sign area allowed.

A project directory/tenant identification and wayfinding facing the 5th Street public right of way is proposed with 24 square feet. It is essential to provide a pedestrian friendly experience to potential customers on foot or bike and to easily identify BLVD tenants and services offered at the property. A variance is requested to exceed the maximum area allowed for a directory sign.

In addition to the permitted tenant façade signage, a request is being made to allow first floor tenants blade signs of the shape and size to compliment the overall architectural design of the building. Proposed signs would be 1'9" x 3' and would be installed perpendicular to the building face, at a pedestrian height of approximately 10 feet. This signage encourages flow and informs a person walking or riding a bike of what shops or services are being offered just a few steps away. Variances are requested to exceed the maximum area allowed per linear frontage per each first floor tenant.

The Seyer Group

Page 2

October 5, 2018

As the anchor tenant, Target requests a specific and detailed signage package for their retail operations. Target will occupy the entire second floor of the building and include a CVS Pharmacy and Starbucks as sub-tenants.

Specifically, Target requests approval to install the following signage:

Tabulated Target sign areas on Lenox Avenue:

- Target Blade Sign above entrance to parking garage-- $6' \times 3'4'' = 20$ s.f.
- Bullseye logo on 2nd floor external wall-- $6'6''$ diameter = 33.18 s.f
- Stacked bullseye logo/ Target wordmark street level on elevator core wall- $6'$ diameter = 50 sf
- Total Target signage on Lenox Avenue – 103.18 s.f.
- Directional Blade Sign above entrance to parking garage – $3' \times 3'4'' = 10$ s.f.

Tabulated Target sign areas on 5th Street:

- Target Blade Sign on corner – $6' \times 3'4'' = 20$ s.f.
- Stacked bullseye logo and Target wordmark on 2nd floor storefront – $8'4''$ diameter = 77 s.f.
- CVS Pharmacy on 2nd floor external wall – $16'' \times 12'3'' = 20$ s.f.
- Starbucks behind glass on 2nd floor, $6''$ - $12''$ from glass – $2'$ diameter = 3.14 s.f.
- Total Target signage on 5th Street – 120.14 s.f.
- Directional Blade Sign on corner – $3' \times 3'4'' = 10$ s.f.

Target seeks this request to facilitate pedestrian and vehicular traffic safety by clearly identifying the entrance to the elevator/escalator/stair lobby, location of the Target store and the parking garage. These signs will also help to minimize confusion for residents and shoppers visiting Target, enhance pedestrian accessibility and provide direction to the accessible and convenient off-street parking facility.

The original building plans provided for five tenants on the second floor, each allowed one sign on each frontage, or a total of ten. Target's request would reduce this to seven total signs that maintain harmony with other retail development in the area and clearly identifies the use of the building in this growing area.

Variances are requested related to the Target sign package facing Lenox Avenue to exceed the maximum area for a projecting sign, exceed the maximum area for exempted signs, to install projecting signs, a wall sign and install signs without providing direct access from the street to the store.

Variances are requested related to the Target sign package facing 5th Street to exceed the maximum area for a projecting sign, exceed the maximum area for exempted signs, install non-permitted projecting signs, install a non-permitted wall sign at the second floor, exceed the maximum area for an accessory use sign (CVS), install signs without providing direct access from the street to the store and exceed the maximum sign area allowed for a business (combined on all floors).

Careful consideration has been given to the design and location of the proposed Target signs as to not be injurious to the area nor create a hazard to vehicular traffic on the adjacent right of ways and eliminate distracted driving. Placement of signs for the second floor tenant has been designed to be in harmony with the general intent and purpose of requirements so as not to be injurious to and in coordination with development in the area.

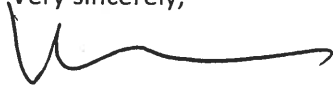
The Seyer Group

Page 3

October 5, 2018

The BLVD at LENOX and this Target location are certain to become a neighborhood destination and visitor's oasis allowing easy access to everyday household necessities, medical prescription services and quality of life resources. We respectfully requests your Board's favorable review and recommendation of this variance/modification. Should you have any questions or comments, or require additional information, please do not hesitate to phone by direct line at 941-552-2201.

Very sincerely,



Kim Binkley-Seyer

Enclosures:

Exhibit A	Code Sections
Exhibit B	Hardship
Exhibit C	Variance Summary

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The BLVD at Lenox

HPB18-0245

Exhibit A

Code Sections- Variance Request

Proposed Signage

Sign areas on Lenox Ave:

- * Target blade sign: 6' x 3'-4" = **20 SF**
- * Parking blade sign 3' x 3'-4" = **10 SF**
- * Bullseye logo on external wall: 6'-6" dia = **33.18 SF**
- * Stacked bullseye logo/Target wordmark on elevator core wall @ Street level: 6' dia lockup = **50 SF**
- * Blade sign per tenant unit – 7 units – **5.25 SF each**
- * Third floor tenant wall sign 3 units at **25 SF each**

Sign areas on 5th St:

- * Stacked bullseye logo/Target wordmark behind glass: 8'-4" dia = **77.00 SF – Located 6"-12" from glass**
- * Starbucks behind glass: 2' dia = **3.14 SF – Located 6"-12" from glass**
- * CVS Pharmacy on external wall: 16" x 12'-3" = **20 SF**
- * Target blade sign: 6' x 3'-4" = **20 SF**
- * Parking Blade Sign 3' x 3'-4" = **10 SF**
- * Blade sign per tenant unit – 6 units – **5.25 SF each**
- * Tenant Directory/Tenant Sign – **24 SF**
- * Third floor tenant wall sign 3 units at **25 SF each**

Section 138.4 Exempt Signs:

Signs directing and guiding pedestrians and traffic and parking on private property but bearing no advertising matter and not exceeding two square feet in area.

- The applicants request a variance to the size of the parking signs. They are proposing two parking blade signs that are ten square feet each, located on the southeast and northwest corners of the building. Two square feet is too small for the expansive ROW and heavy traffic flow in this area. In addition, there is heavy foliage existing on 5th Street and new trees are proposed for Lenox. The building signage will have limited viewing while driving.

- We want to eliminate distracted driving. Restricted visibility and limited parking in this area is difficult and can distract drivers searching for a spot. We want to provide direction for accessible and convenient off-street parking. These signs are designed to give the driver time to get in the proper turn lane and direct them to the parking garage in a safe manner, without frustration and distraction.
- The proposed directional/parking blade signs, coupled with Target blade signs, are designed to look like two separate signs but are actually one sign. This eliminates additional electrical and building connections into the structure. The top two-third of the combined signs are included into the Target sign calculations.

Section 138.13 General sign requirements shall apply to all signs unless otherwise exempted:

Direct access to the street or waterway from the licensed establishment is required for a sign that faces a public right-of-way or waterway.

- Request is made for a variance so that a tenant can be identified. It would be impossible for a tenant's success if we could not make the public aware that they are there. The code is incompatible with the approval of a vertical shopping center.
- One of the Target/logo signs is located on the upper portion of the first-floor elevator core wall. This location is critical to guide customers to the elevators which have been shielded from street view. It would be a hardship for the customer to think the stairs, that are visible from the street/sidewalk, are the only access to the second floor.
- This is a vertical shopping center. There have always been multiple tenants proposed on the second and third floors. This code section is inconsistent with the approved project, therefore requiring variances for all signage.

Signs located above the ground floor shall be limited to the name of the building or the use that encompasses the largest amount of floor area in the building.

- Target is the largest lease-holder in the building and will occupy the entire second floor.
- The code assumes that users would be more business or medical oriented and not retail.
- The shopping center will have tenants on the third floor.

Only one wall, projecting, or detached sign shall be permitted per allowed frontage for each principal or licensed accessory use, unless allowed in this chapter.

- The original building design was for five tenants on the second floor, allowing ten total signs, five on each frontage. Target's proposed package reduces the number of total signs to seven, five exterior signs and two signs located behind glass.

- The main Target sign will be located behind glass. If possible, the vertical mullions will be removed in this area to create a picture window effect.
- On the ground floor, we are requesting one blade (or projecting) sign per tenant space in addition to the signage located above the doorway. This is a large right of way and there is already landscaping in islands and more landscaping proposed on each street frontage. The blade sign is a guide to the walking customer to easily identify the businesses.

Section 138.15 Signs located on the valance and underside of awnings or canopies:

Signs under awnings or canopies. In all districts except RS (1-4) and in addition to other permitted signs, one non-illuminated signs, not exceeding three square feet in an area with letters not exceeding six inches in height, hanging from the underside of an awning or canopy with a minimum height clearance of seven feet six inches is permitted.

- Request is made to allow retail projecting signs for first floor tenants, each being approximately 3'x1'9" or 5.25 square feet. The proposed signs are 2.25 square feet larger than the three-square feet allowed on a canopy. There would a height clearance of 10 feet above the sidewalk, higher than the typical 7'6". The sidewalks of the building have been elevated to accommodate the future street level rising. As such, the scale of the proposed signage is appropriate. The letter size should be proportionally scaled, and we seek permission to work with staff on the letter size allowed on the signs. It is important that these signs be in keeping with the scale of the project.
- Request is made to allow the retail projecting signs to be illuminated. This signage must be visible and readable to be effective supplementing the minimal approved storefront signs.
- Request is also made that these signs not be counted against the storefront signage allowed under code. The blade signs will allow pedestrians on the sidewalks of both frontages to see the businesses or services offered on the first floor. This signage must be visible and readable to be effective supplementing the minimal approved storefront signs.

Sec 138-16 Wall Sign Design Standard per District

Maximum area 100 square feet and minimum 15 square feet.

Multiple signs for the same establishment may be permitted through the design review process if the aggregate sign area does not exceed the largest maximum permitted area.

- Target requests signage that exceeds the 100 square feet maximum on the frontage roadways. Target's proposal adds signage on both Lenox Avenue and 5th Street to guide both pedestrian and vehicular traffic into the shopping center. It should be noted that the Target and Starbucks signs facing 5th are located behind glass.
- The Target sign on 5th Street was relocated due to the height of the large existing/proposed trees included in the approved landscape plan. The CVS Pharmacy sign is positioned on the wall panel high enough to be seen for the same reason. The addition of Target sign blades (projecting signs) added to the southeast and northwest corners are designed to deter distracted driving.
- Target was not a part of the original development plan. They will take the entire second floor. The signage requested today will be less than if there were multiple tenants on the second floor as proposed. The total signage on Lenox is 103.18 square feet over and the signage on 5th Street would be 120.14.
- The Target and Starbucks signs facing 5th Street are positioned behind the glass to minimize the signage impact, but these signs are included in the signage calculations. The two external signs are CVS at 20 sf and the Target blade sign is 20 sf.

All upper façade tenant signs shall all be made of similar materials. Sample signage showing the look of this signage proposal is included with this request. The building identification sign area proposed is 118 square feet. The signage may vary from the tenant signage.

Section 138.18 Projecting sign

Signs meet the nine feet height restriction, code states 15 square feet maximum area.

- The proposed blade signs are designed to look like two separate signs, but they are actually one sign. This eliminates additional connections onto the building structure. The top two-thirds of the sign is included into the Target sign calculations.
- Request is made for a slightly larger sign. The proposed directional/parking/Target blade signs are designed to look like two separate signs but are actually one. The combined signs are 9' feet tall and 30 square feet each. Combining signs into one eliminates additional connections into the building structure. Twenty square feet of each sign is included in the Target proposal.
- The directional/parking blade sign would be routed or "push thru" signage where the acrylic copy is "pushed thru" the letter holes which are routed in the metal cabinet face. Target suggests each proposed sign be reviewed with staff for maximum visibility and design coordination.

Section 138.20 Directory Sign

Commercial buildings are allowed an exterior directory sign, attached to the building, up to six square feet in area, listing the names of all licensed uses within the building is permitted; sign material and placement shall be subject to approval through the design review process.

The owner seeks permission for a project directory/tenant identification and wayfinding sign totaling 24 square feet, to be placed on the 5th Street frontage, at the project entrance. The size and material proposed are consistent with the design and scale of the building. Sample signage showing the look of this proposal is included with this request. The Vertical Sign Ordinance currently allows at 30 square foot sign. We would like to suggest that proposed sign be reviewed with staff for maximum visibility and design coordination.

Modification to the Original Master Sign Plan

The original Master Sign Plan included the project identification and tenant signs on the elevator feature wall facing Lenox Avenue and the third-floor panel facing 5th St. The owner requests modification of these sign locations. The building identification sign would be placed on the roof level parapet and the tenant signs relocated to the third-floor level on the feature wall and the third-floor panel facing 5th St. Tenant signs would maintain the same 25 square foot sign footprint. Sample signage showing the look of the signage proposed is included with this request. All upper façade tenant signs shall be made of similar materials.

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Hardship HPB18-0245

Exhibit B

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 BLVD at Lenox is a vertical shopping center that does not fit within Section 138-58 Vertical Retail Center Signs and the current sign code, therefore, we are seeking variances. The project was approved by the Historical Preservation Board, yet the signage is not supported by code. Target and the developer have reviewed the architectural and landscape plans for the project and believe the proposed to be an attractive sign package that enhances the shopping experience. They have worked to ensure the functionality of the signage. There are 8.6 million visitors, in addition to our residents, and the directions to the parking will be vital for the property's customers. In addition, we have strived to create an informative and attractive environment so that we can compel some of our residents and guest to walk.

The developer and Target have been required to request a large number of variances due to the manner in which the sign code ordinance is written and there is not a mechanism to have signage without this duplicative process. As example, each proposed sign on the second or third floor requires three variances under existing code.

The special conditions and circumstances do not result from the action of the applicant;

The situation sought to be relieved by this sign variance request is not the result of actions by the applicant. This vertical shopping center was designed to accommodate tenants on the second and third floor from the project's inception. The code restricts signage to first floor tenants and assumes the other occupants are office or other uses with a specific clientele requiring signage limited to a building directory.

We have added blade signs with parking directions. We want to ensure that the driver can easily navigate to the parking garage. The existing and proposed trees will hide a lot of the signage.

We added projecting signs to the first-floor tenant spaces. The ceiling is approximately 10' high which is considerably higher than the typical 7'6". These projecting signs are designed to be scaled to match the building. In the original approval of the project, the developer had to assume that the street levels would one day be raised. These blade signs will be necessary for the consumer on foot to locate the various tenants.

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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 signage regulations and standards are intended to permit signs that will optimize communication, promote a sound healthy environment for housing and commerce, as well as preserve the architectural character of the city, through their design, location, numeration, and construction. Granting the requested variances allows the signage in proper scale for both pedestrians and traffic and does not confer any special privilege. By granting the variances, substantial justice will be done since the subject property will be able to enjoy rights enjoyed by a similar project in the immediate area.

Granting the variances are necessary so that the City is not isolating the project. It is impractical to assume a project would not have signage.

Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights 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 literal interpretation of the provision in the land development regulations would deprive the applicant of the ability to produce a comprehensive and functional shopping center. A center void of proper signage creates confusion, distractions and an unsafe environment. It would also be contrary to the City's desire to encourage residents and visitors to walk for their shopping trips.

The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

The developer and Target are trying to be responsive to the market and service their customer at the highest possible level. Great effort was made to minimize the variance request. Two of Target's signs are located behind glass. The developer did not seek to expand the first-floor building signage. However, the addition of the projecting signs in a scale and design were added to aid in navigation. Effective signage is key to the success for all the businesses that locate here.

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;

We have presented an attractive sign package which preserves the architectural design that was enthusiastically received. There are numerous variances, but there are numerous variances per sign.

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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 planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board voting on the applicant's request.

The variance request is consistent with the comprehensive plan.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

The shopping center project has planned for a rise in the street level.

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Variance Summary HPB18-0245

Exhibit C

Ground floor facing Lenox Avenue.

7 variances to exceed the maximum area allowed per linear frontage (each per tenant). The maximum sign area is linear feet of frontage x 0.75 sf. Requested blade signs are 5.25 sf each.

1 variance to install a wall sign without providing direct access from the street to the store (Target sign). Sec 138-13 (1). Refers to the sign on the elevator core.

Ground floor facing 5th Street.

5 variances to exceed the maximum area allowed per linear frontage (each per tenant). The maximum sign area is linear feet of frontage x 0.75 sf. Requested blade signs are 5.25 sf each.

1 variance to exceed the maximum area allowed for a directory sign. Maximum 6 sf. The requested directory/tenant sign has been reduced to 6x4 or 24 sf.

Second floor facing Lenox Avenue

1 variance to exceed the maximum area for a projecting sign. Maximum 15 sf.(Target) proposed 20sf.

1 variance to exceed the maximum area for exempted signs directing traffic (parking). Maximum: 2 sf and the proposed 10 sf. Pertains to sign located at the northwest corner at Lenox over the parking garage.

2 variances to install 2 signs without providing direct access from the street to the store (Target signs). Sec 138-13 (1).

1 variance to exceed the maximum aggregate area allowed for signs facing a street (all target signs on Lennox Avenue). Maximum=0 sf, Proposed:103.18 sf.

Third floor facing Lennox Avenue

3 variances to install a non-permitted wall sign at the third floor (tenants).

3 variances to install a wall sign w/o providing direct access from the street to the store Sec 138-13 (1).

3 variances to exceed the maximum sign area allowed. Maximum : 0 sf, proposed: 75 sf.

Second floor facing 5th Street

1 variance to exceed the maximum area for exempted signs directing traffic (parking). Maximum: 2 sf and the proposed 10 sf. Pertains to sign located at the southeast corner at 5th/alley

1 variance to exceed the maximum area for a projecting sign. Maximum 15 sf.(Target) proposed 20sf.

1 variance to install a non-permitted wall sign at the second floor (Target behind glass).

2 variances to install a non-permitted sign at the second floor (Starbucks and CVS). Starbucks sign located behind the glass.

4 variances to install 4 signs without providing direct access from street to store. Sec 138-13 (1).

1 variance to exceed the maximum aggregate area allowed for signs facing a street (all Target, CVS and Starbucks signs on 5th Street). Maximum=0 sf, Proposed:120.14

Third floor facing 5th Street

3 variances to install a non-permitted wall sign at the third floor (tenants).

3 variances to install a wall sign w/o providing direct access from the street to the store.
Sec 138-13 (1).

3 variances to exceed the maximum sign area allowed. Maximum: 0 sf, proposed: 75 sf.

Recap

Comras variances	31
Target variances	14
Parking Signs	2
Total	47