

PPF 723 Lincoln Lane, LLC  
c/o Terranova Corporation  
801 Arthur Godfrey Road, Suite 600  
Miami Beach, FL 33140

Mr. Tom Mooney,  
Planning Director  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

November 26, 2018

**Re: Letter of Intent re Planning Board Application for Conditional Use under Sec 118-192 (a) 1-7 and Sec 142-1362a1-9 for 723 Lincoln Lane (the "Approval")**

Dear Mr. Mooney:

PPF 723 Lincoln Lane, LLC is the owner of the property located at 723 Lincoln Lane North (the "Property"), which includes the Lincoln Eatery, which hosts 16 establishments that will serve food and one or more which will be licensed as an alcoholic beverages establishment. This letter of intent, along with our application, seeks Permission from the Planning Board for conditional uses as required under Section 118-192 (a) (1)-(9) and Section 142-1362 (a)(1)-(9). This application is necessitated by the determination that the occupancy content of the Eatery is in excess of 199 persons and we intend to serve alcohol and from time to time function as an enclosed entertainment establishment a DJ that may play music for entertainment purposes, as opposed to only below background level.

The Lincoln Eatery is a 9,600 square foot establishment on the ground floor of the property is zoned CD-3 and contains a 44,700 sf building constructed according to approved plans. The opening of the Lincoln Eatery on the ground floor of the property is integral to the desired objective of the City of Miami Beach to (i) enliven the pedestrian experience along Meridian Avenue and Lincoln Lane North, and (ii) expanding the Lincoln Road Mall experience into the Lincoln Road District, per the master plan adopted by the City (the "Strategy"). Marshalls occupies the 2<sup>nd</sup> and 3<sup>rd</sup> floor of the building.

To further analyze the basis of the request, please see the following analysis pursuant to the applicable portions of Section 118-192 and Section 142-1362 of the City Code.

**Sec 118-192**

(a) Conditional uses may be approved in accordance with the procedures and standards of this article provided that:

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

*The use is consistent with the comprehensive plan and the Lincoln Road Master Plan.*

**(2) 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.**

*As determined by the traffic analysis provided, the intended use will not result in an impact to the current level of service in the district.*

**(3) Structures and uses associated with the request are consistent with these land development regulations.**

*The Lincoln Eatery and the building that contains it is consistent with land development regulations.*

**(4) The public health, safety, morals, and general welfare will not be adversely affected.**

*The Lincoln Eatery will not adversely affect public health, safety, morals and general welfare. The establishment provides a place for the neighborhood to dine from morning to night and will also provide a gathering space for entertainment. The business seeks to become a destination for neighbors, office workers, and visitors.*

**(5) Adequate off-street parking facilities will be provided.**

*The area immediately around the Lincoln Eatery is extremely well-served by parking facilities. There are garages and lots immediately to the East, West, and North.*

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

*The Lincoln Eatery will undertake appropriate measures to ensure that surrounding property, persons and neighborhood values are protected. As the owner of seven buildings in the Lincoln Road District, we have a deep commitment to perceptions that Lincoln Road is a safe, inviting and inclusive destination for all.*

**(7) 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.**

*There are no similar uses anywhere on Miami Beach.*

**Sec 142-1362**

In reviewing an application for an outdoor entertainment establishment, open air entertainment establishment, neighborhood impact establishment, or after-hours dance hall, the planning board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines for conditional uses pursuant to chapter 118, article IV:

**(1) An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.**

*The Lincoln Eatery seeks to increase the vitality and dynamism of the Lincoln Road District by providing a new offering to the area. The building is expected to function approximately 20 hours/day, from the morning when deliveries are going to be made to the food vendors until approximately 2am.*

*The attached operational plan describes in greater detail how we intend to operate the eatery.*

**(2) A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, self-park, shared parking, after-hour metered spaces and the manner in which it is to be managed.**

*No parking is required for commercial uses at this location, beyond the two 12'x40' off-street loading bays that we provide. We are not providing any additional valet, self-park, shared parking or after-hour metered spaces, but we do expect that the patrons of the eatery may avail themselves of centralized valet services provided under control of the City's parking department if offered.*

**(3) An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises will be controlled.**

*We don't anticipate an outdoor crowd control plan will be required. The sixteen tenants within the eatery will each have queuing space in front of their stalls to accommodate patrons waiting to order, and each tenant will have their own order management system to notify tenants waiting at tables when their order is ready. If the occupant is exceeded we can designate a staff member to restrict access and prospective guests can queue on private property in front of the entrance on Meridian.*

**(4) A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.**

*Our operational plan, attached to this application, details that we will have trained security staff in the evenings, however there are no restrictions on admission based on patron age.*

**(5) A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.**

*Please see the attached traffic circulation analysis that had previously been prepared for this project and submitted to the Board of Adjustment and has been updated for this submittal.*

**(6) A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.**

*The Lincoln Eatery has a sanitation plan detailed in the Operating Plan.*

**(7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance.**

*The attached acoustic study demonstrates that the Lincoln Eatery will meet the requirements of the noise ordinance.*

**(8) Proximity of proposed establishment to residential uses.**

*The Lincoln Eatery is not proximate to residential uses.*

**(9) Cumulative effect of proposed establishment and adjacent pre-existing uses.**

*The proposed establishment will fit in well with the surrounding and pre-existing uses.*

#### Sec 133-50

The shell space in question has already been built according to approved plans. No new construction is planned at this time, demolition materials were salvaged as appropriate, windows are NOA certified for impact resistance, landscaping is salt-tolerant, all critical mechanical systems are located on the roof. modifying building elevations is not feasible. This proposal does not affect resilience of surrounding area, however it is compatible with the city level rise mitigation and resilience efforts because we raised the base elevation of the building to match the then-intended heights of new streets.

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Thank you in advance for your time and thoughtful consideration of this request.

PPF 723 Lincoln Lane, LLC, a Florida limited liability company,  
acting by and through its sole Member, to wit:

By: PPF Lincoln Lane Venture, LLC, a Delaware limited liability company

By: Lincoln Lane MM, LLC, a Florida limited liability company, its Manager

By:

  
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Mindy McIlroy, Manager