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July 5, 2021

VIA HAND DELIVERY

Chair and Members of the Historic Preservation Board ("HPB")
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

**RE: OCEAN TERRACE — MODIFICATION TO CERTIFICATE OF APPROPRIATENESS
Demolition of Contributing Structures and New Construction
File No. HPB 19-0363**

Our firm represents Ocean Terrace Holdings, LLC and its affiliates ("Owner"), the owner of several parcels of land¹ located on the block bounded by Ocean Terrace to the east, Collins Avenue to the west, 75th Street to the north and 74th Street to the south (the "Property"), which is improved with several historic buildings, including the Broadmoor and Ocean Surf hotels, all of which are contributing historic structures in the Harding Townsite Historic District. The Property is also located within the Ocean Terrace Overlay District and the North Shore Historic District.

Prior Approval

On January 9, 2018, the Historic Preservation Board ("HPB") approved Owner's application for the restoration of the Broadmoor and Ocean Surf buildings, and the construction of a new project spanning the Property containing 18,060 SF of ground floor retail, 78 hotel rooms in the Broadmoor and Ocean Surf, and 58 dwelling units in a new tower, along with the restoration and integration of numerous historic façades into the new building (the "Prior Approval").

On July 31, 2019, the City Commission approved a Development Agreement through which the Owner will – at no cost to the City – construct park and streetscape improvements in the rights of way of Ocean Terrace and 75th, 74th and 73rd Streets between Ocean Terrace and Collins Avenue and abutting property (the "Streetscape Project"), and, in exchange, the City vacated portions of Ocean Terrace, 75th Street and 74th Street that are adjacent to the Property, while at the same time receiving a perpetual easement for public access across the vacated rights of way. By operation of law, the vacated rights of way reverted back to the Owner and are now included in the lot area of the Property. Owner and the City are seeking the HPB's approval of the Streetscape Project under a separate application.²

¹ The Property consists of the following addresses and folios: 7450, 7436, 7430, 7420, 7410 and 7400 Ocean Terrace & 7449, 7441, 7439, 7437, 7435, 7433, 7421 and 7409 Collins Avenue; folios 02-3202-003-0010, -0020, -0030, -0040, -0050, -0060, -0070, -0080, -0090, -0100, -0110, -0120, and -0135.

² HPB19-0361

Proposed Project

With the additional lot area, Owner is proposing certain modifications to the Prior Approval (HPB17-0150), as noted in this letter of intent. The modification to the Prior Approval involves a new 11-story tower (7 stories on top of the 4-story base) located at the NW corner of the Property. The new tower will house 72 hotel rooms, which will be under the same operations as the hotel in the Broadmoor and Ocean Surf buildings. The new tower meets all of the required setbacks for a tower under the Ocean Terrace Overlay zoning regulations, which were specifically written with a potential tower in mind at the NW corner of the Property.

At the ground floor, the proposed project is the same as the Prior Approval. The historic façades are being incorporated in the same manner, the Broadmoor and Ocean Surf buildings are being renovated in the same manner, the pedestrian and vehicular entrances into the project are consistent with the Prior Approval, and the ground-floor setbacks are the same. Of course, the primary difference is that the proposed project will now front onto a world-class streetscape designed by Raymond Jungles.

Overall, the proposed project will include approximately 75 multifamily dwelling units, 127 hotel rooms with 2,020 square feet of accessory meeting rooms, 480 restaurant seats, 1,640 square feet of accessory bar, and 17,474 square feet of retail.³ The Prior Approval comprised approximately 359,590 square feet of new construction, and approximately 63,139 square feet of existing floor area to remain. By contrast, the proposed project will comprise approximately 525,692 square feet of new construction, and approximately 63,773 square feet of existing floor area to remain. The proposed project is valued at approximately \$75 million dollars, whereas the project governed by the Prior Approval had an approximate value of \$65 million dollars.

Even more so than with the Prior Approval, the proposed project along with the Streetscape Project will serve as the long-awaited catalyst for further improvements to the North Beach neighborhood.

Floor plate size

In the Prior Approval, the HPB approved a floor plate size of 12,407 square feet (9,797 square feet of enclosed building and 2,610 square feet of balconies), where 10,000 square feet is the maximum unless specifically authorized by the HPB. The new plans propose a floor plate size of 13,979 square feet (10,962 square feet of enclosed building and 3,017 square feet of balconies). In addition, the floor plate of the new hotel tower is approximately 10,164 square feet, and we are requesting that the HPB approve a waiver for the minor exceedance of 164 square feet. Therefore, the amended HPB order should amend the prior approval of the exceedances of the maximum floor plate size if approved by the HPB (Condition C.3 of the Prior Approval).

³ The floor area ratio ("FAR") for the proposed project excludes elevator shafts, stairwells, and mechanical chutes and chases, consistent with the Board of Adjustment's ruling in File No. ZBA19-0097, and with the Settlement Agreement between Owner and the City, dated May 3, 2021, in circuit court case number 2020-017802-CA-01. A copy of the Settlement Agreement is enclosed with this application.

Building separation

In the Prior Approval the HPB approved two waivers from the 60' building separation requirement for portions of buildings above 60' in height. One waiver was for a 34'-9" separation between the closest edge of the balcony of the residential tower and the overrun portion of a new elevator shaft on the north side of the Ocean Surf building. The other waiver was for a 48'-8" separation between portions of the proposed new construction on the top of the Ocean Surf building and existing portions of the Broadmoor building that are greater than 60' in height.

We respectfully request the HPB's waiver of the building separation requirement to permit the condition shown on the proposed plans. This can be done by ratifying and restating the building separation waiver granted in the Prior Approval (Condition C.4 of the Prior Approval).

Demolition of interior slabs greater than 25%

The same amount of demolition of interior slabs in the Ocean Surf and Broadmoor is proposed as compared to the Prior Approval. Therefore, the amended HPB order should restate the prior approval of the retention of floor area, setbacks, and parking credits for these two buildings (Condition C.2 of the Prior Approval).

Certificate of Appropriateness Criteria in Sec. 118-564

In addition to the foregoing statements of facts regarding the proposed project, we offer the following as additional documentation of the proposed project's compliance with the COA criteria contained in the Land Development Regulations.

The proposed project is appropriate and compatible with the environment and adjacent structures, and it enhances the appearance of the surrounding properties. On the Collins Avenue side, the proposed project seamlessly blends the preservation of the historic buildings and historic façades⁴ with the contemporary new construction (prefabricated perforated concrete blocks or metal panels that enable the passage of light and air) through the use of a transitional element in the form of a landscaped screen wall. On the Ocean Terrace side, the podium of the new residential building is separated from the top of the historic buildings that are being preserved on the ground floor in order to provide the appropriate recognition of the historic buildings. Also, the façade of the 7420 Ocean Terrace building, which has been deemed unsafe by the Unsafe Structures Board and has been demolished, is being replicated and used in an innovative way – as the entry way to an interior courtyard for the residential tower. Inspiration for this kind of adaptive reuse of a historic structure or feature was drawn from Franklin Court in Philadelphia and the Basilica di Siponto in Puglia, Italy. The preservation of the historic façades along Ocean Terrace will be achieved in accordance with the conditions stipulated in the Prior Approval (Conditions C.1.d.i, C.1.e.i, C.1.f.i and C.1.g.i).

The traffic engineer, Kimley-Horn, has submitted a traffic study demonstrating that the vehicular movements into and out of the Project are safe and the valet stands can handle the expected volume within the confines of the Project, without queuing into adjacent rights-of-way.

⁴ The first five feet of the façades are planned to be preserved and restored unless they are found to be structurally incapable of being preserved, at which point the applicant would use a laser survey to construct a replica of the first five feet of the façade.

The vehicular access points are confined to just four curb cuts, two on 75th Street for passenger vehicles accessing the hotel, one on 74th Street for passenger vehicles accessing the residences, and one on 75th Street for loading and service. The loading service area has a roll-down door to shield it from the right-of-way, and it has been located on the north side of the block facing the side of the library, not the adjacent St. Tropez residential uses on the south side of the block. There are multiple and separate pedestrian entrance ways into the Project, including two different and innovative ways – one pedestrian "breezeway" that connects from the Collins Avenue frontage back to the area where valet parking and hotel entrance can be accessed, which allows for the public to continue out to Ocean Terrace. In addition, the Project proposes a pedestrian "gateway"/courtyard on the Ocean Terrace frontage that residents of the multifamily building can access through the replicated historic façade of the 7420 Ocean Terrace building.

Also, the proposed project puts the access driveways into and out of the Property, including for loading functions, on the 74th and 75th Street sides of the Property, thus allowing the higher priority pedestrian streets of Ocean Terrace and Collins Avenue to be uninterrupted by vehicular curb cuts.

Sea Level Rise Criteria

To ensure that the Project is resilient in light of the effects of sea level rise, the sea level rise and resiliency review criteria from Section 133-50 of the LDRs are addressed below:

(a) Criteria for development orders:

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

A recycling plan will be provided as part of the submittal for a demolition permit to the building department. It is planned to reuse as much of the material as possible.

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

All windows in the renovated buildings will be replaced with hurricane proof impact windows and all windows in the new construction will be hurricane proof impact windows.

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

All windows that were historically operable and can continue to be operable under the restraints of the Florida Building Code will be operable.

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

All new landscaping will consist of Florida friendly plants.

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 Southeast Florida Regional Climate Action Plan projects that sea level will rise 6 to 10 inches by 2030, 14 to 26 inches by 2060, and 31 to 61 inches by 2100 above the 1992 mean sea

level. This represents NGVD elevations of 1.10' to 1.43' by 2030, 1.77' to 2.77' by 2060, and 3.18' to 5.68' by 2100 at Mean Sea Level. At Mean High Water, this represents NGVD elevations of 2.31' to 2.64' by 2030, 2.98' to 3.98' by 2060, and 4.39' to 6.89' by 2100.

According to the survey, the ground adjacent to the building varies in elevation from approximately 6.8' NGVD at the NW corner of the Property to 9.0' NGVD at the SE corner of the Property. The first floor of the building is proposed to be at an elevation that ranges from 7.3' to 8.0' NGVD for buildings facing Collins Avenue, and up to 9.6' and 10.0' NGVD for buildings facing Ocean Terrace. The adjacent land elevations are at similar or slightly lower elevations. The Project is therefore not anticipated to be excessively impacted by Sea Level Rise in the timeframe included in the Sea Level Rise projection.

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 driveways into the property are located at elevations that range from 7.5' to 7.6' NGVD. The garage ramps starts at an elevation of 10' NGVD. These elevation are above anticipated future roadway elevations.

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

All critical mechanical and electrical systems will be located above base flood elevation and on roofs when available.

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

The first floor elevations of the buildings located on Ocean Terrace will range between 9.6' and 10.0' NGVD, which is 0.6' to 1.0' above base flood elevation (8.0') plus minimum City of Miami Beach Freeboard (1').

First floor elevations for buildings located on Collins Avenue will be raised to a minimum of 7.5' and 8.1' NGVD (current conditions range from 6.9' to 8.1' NGVD). Additional elevation is not feasible due to the historic façades and FDOT regulations since Collins Avenue is controlled by FDOT.

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 building will provide dry flood proofing systems for the habitable spaces located below the base flood elevation.

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

The site is currently built-out. There are insufficient open spaces to incorporate water retention systems. Therefore, such a system is neither feasible nor appropriate at this time.

Variances

The Prior Approval included the approval of four (4) variances. The proposed project is designed within the parameters of the previously approved variances, which are as follows:

1. A variance to reduce by 3'-5" the minimum required pedestal front setback of 5'-0" for the construction of a new canopy with vertical columns setback at 1'-7" from the front property line facing Ocean Terrace.
2. A variance to reduce by 6'-0" the minimum required pedestal side street setback of 20'-0" for the construction of a new pool deck at 14'-0" from the property line facing 74 Street.
3. A variance to reduce by 29'-10" the minimum required tower front setback of 55'-0" for the construction of a new rooftop mechanical room at 25'-2" from the property line facing Ocean Terrace.
4. A variance to reduce by 18'-1" the minimum required tower street side setback of 25'-0" for the construction of a new rooftop mechanical room at 6'-11" from the property line facing 75 Street.

We submit that the proposed modification to the Prior Approval appropriately harmonizes the new hotel tower into the Prior Approval, and complements the conservation of the most significant historic buildings and the retention of certain historic façades with new construction that transitions from the lower scale historic façades to the upper floors of the new building.

We respectfully request your favorable review and approval of this important project.

Sincerely,



Neisen O. Kasdin