

August 8, 2022

VIA ELECTRONIC DELIVERY

**The Chairperson and Members of the
City of Miami Beach Historic Preservation Board**

c/o Ms. Deborah J. Tackett
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

**Re: Final Submittal / Letter of Intent for Historic Preservation Board Application
HPB22-0515 (the “Application”) / Properties located at 1665 & 1667
Washington Avenue, Miami Beach, Florida (collectively, the “Property”)**

Dear Chairperson and Members of the Historic Preservation Board:

Our firm represents KK 1665 Washington LLC (the “**Applicant**”) and BSD Raleigh Trustee LLC, a Delaware limited liability company as the trustee of the Raleigh Land Trust (collectively, the “**Owner**”), in connection with certain land use and zoning matters relating to the abovementioned Property before the Historic Preservation Board. Please consider this correspondence as the letter of intent requesting a Certificate of Appropriateness (“**COA**”) for the demolition of the existing, noncontributing office building and for the construction of a 6-story, mixed use development with Class A office space, mechanical parking spaces and car elevators. Please note, the Applicant submitted a concurrent Planning Board Application (PB22-0503) in furtherance of the development of the Property, in compliance with Section 142-303 of the Miami Beach Code of Ordinances (the “**LDRs**”).

I. The Property

The Property is generally located at Washington Avenue between Lincoln Rd and 17th Street. Specifically, the Property consists of two (2) individual parcels - 1667 Washington Avenue (the “**North Parcel**”) that consists of a surface parking lot and 1665 Washington Avenue (the “**South Parcel**”) that contains an office/commercial tower. The North Parcel is owned by BSD Raleigh Trustee LLC, a Delaware limited liability company as the trustee of the Raleigh Land Trust and the South Parcel is owned by KK 1665 Washington LLC. Per the Miami-Dade County Property Appraiser’s Office, the Property contains approximately 12,000 +/- square feet of lot size.

The Property is zoned CD-3, Commercial High Intensity District, which allows for a wide array of business and professional office and commercial uses as permitted uses. Currently, the Property is improved with an office building and a surface parking lot. Additionally, the Property is located within the Museum Historic District but does not contain any historically designated or contributing structures. Specifically, as referenced on the City’s online Historic Database and the

enclosed Historic Resources Report, the existing office building located on the South Parcel is a noncontributing structure. It is important to note that, the Miami Beach City Commission adopted Ordinance No. 2022-4500 on June 22, 2022, which allows a height of 80 feet for main use office buildings located in the CD-3 zoning district, fronting Washington Avenue and further located between Lincoln Road and 17th Street. As mentioned above, the North Parcel currently has a surface parking lot with thirty (30) parking spaces that operates as a legal non-conforming, 24-hour self-park and valet parking lot with a curb cut in excess of 22' for two-way car traffic. In addition, the South Parcel consists of approximately 10,111 square feet of retail and commercial uses in a 75' office building constructed in the 1990's.

II. Proposed Office Development

The Applicant is requesting approval of a Certificate of Appropriateness to allow for the demolition of the existing noncontributing, commercial/office tower and the construction of a mixed use development with ground floor commercial use and upper level, Class A office space referred to as One Soundscape Park (the "**Project**"). The One Soundscape Park Project is a signature Class-A office development cultivated by Michael Shvo, a real estate development firm, and acclaimed New York architect Peter Marino. As detailed in the plans prepared by Kobi Karp Architecture & Interior Design, Inc. and updated August 5, 2022 (the "**Plans**"), the proposed development consists of a 6-story building with ground floor commercial, five (5) levels of Class A office, and a landscaped rooftop deck. Specifically, the ground level contains approximately 1,094 square feet of commercial space for a small coffee shop that will service the future office tenants and local visitors. The upper levels of the Project (Levels 2-6) contain Class A, west-facing office space ranging from 3,800 +/- square feet to 4,400 +/- square feet, with each floor intended for single office tenants. Notably, all the office levels above the second floor contain open space terraces overlooking the Soundscape Park neighborhood.

Under Section 130-33(d) of the LDRs, there are no parking requirements for office uses under Parking District 7¹, and provided parking under Parking District 1 is further exempt from counting towards FAR. Nonetheless, the Project is designed with internalized parking on Levels 2 through 6 to accommodate 58 parking spaces, including mechanical lift parking spaces. The internalized parking is designed toward the rear portion of the Property, with access to the upper levels via a car elevator that is operated by a valet attendant. The general vehicular circulation for the Project consists of both an ingress and egress driveway located on the southwest corner of the Property fronting Washington Avenue with direct access to the loading entry way (tucked on the far South side of the Property) as well as the car elevator toward the rear of the Property. Additionally, the Project is also designed to allow secondary egress onto Washington Avenue via the existing, abutting alley to the South of the Property.

¹ Please note, the sunset provision for Parking District No. 7 was extended another five (5) years and adopted at second reading at the July 20, 2022 Miami Beach City Commission meeting.

III. Compliance with COA Criteria

In accordance with Section 118-564 of the Code, the Application complies with the criteria for the issuance of a COA for the demolition of the existing office building and the design approval of the Project.

a. 118-564(a)(3)

- i. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.*

The Project seeks to maintain vehicular circulation, loading, and parking internal to the development, in an effort to promote a more pedestrian friendly frontage along Washington Avenue over current conditions.

- ii. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.*

The Project is designed in compliance with the standards and requirements of the CD-3 zoning district and Museum Historic District. For example, the Project is designed in strict compliance with the 80' height limitation adopted under Ordinance 2022-4500. Additionally, the Project seeks to eliminate the legal non-conforming surface parking lot on the North Parcel with the construction of the mixed-use building with internalized parking, whereby bringing the Property into full conformity with the LDRs. The setbacks follow what is typically found along that corridor of CD-3 and Washington Avenue.

- iii. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 118-503.*

Please refer to the Plans that are enclosed with this Application for detailed renderings illustrating the architectural design and landscape materials selected for this Project that are compatible and complement the existing and approved developments in the Soundscape Park neighborhood.

- iv. The proposed structure, and/or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.*

The Project is compatible with the surrounding area and is intended to enhance and compliment the surrounding structures along Washington Avenue and in the Soundscape Park neighborhood.

Specifically, the Project's height (80 feet) and scale is compatible 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' 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 and is compatible with the environment and adjacent structures.

- v. ***The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.***

As mentioned above, the Project is designed with office space as its primary use and ground floor commercial use. The mixed-use development provides an efficient arrangement and diversity of land uses at the Property. Specifically, the Class A office space will satisfy the growing demand for quality, office space within the City and the ground floor, neighborhood café will serve as a pedestrian-friendly, active use along Washington Avenue.

The Project, designed to attract world class businesses to the City, will include state-of-the-art security equipment as well as on site security to address the safety of the business tenants, visitors and patrons of the Property.

- vi. ***Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.***

Please refer to the enclosed Traffic Analysis prepared by David Plummer & Associates and dated May 11, 2022 (the "**Traffic Analysis**"). It is important to highlight that the Project is designed to optimize the pedestrian and vehicular movement at the Property and in the surrounding area. For example, the Project is

thoughtfully designed to optimize vehicular traffic movement by internalizing the provided parking and shifting the parking entry/car elevator towards the rear of the Property, and away from the main pedestrian thoroughfare along Washington Avenue. Not to mention, the parking operations (i.e. vehicle elevator and mechanical parking spaces) will be managed by a 24/7 valet attendant with security equipment monitoring the Property to ensure the safety of those visiting this area. The propose parking improves the current conditions operating on the site.

Additionally, the Project includes a street side café conveniently located on the ground floor, northwest corner of the Property. The ground floor coffee shop will be accessible to pedestrians walking along Washington Avenue and from Soundscape Park.

- vii. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.***

The Applicant will coordinate with Staff to submit an appropriate lighting plan in compliance with this requirement.

- viii. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.***

Please refer to the landscape sheets contained in the enclosed Plans that were submitted as part of the Application.

- ix. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.***

As mentioned above, the Project is designed with the vehicular parking and mechanical operations located towards the rear of the Property. This allows for the office use to serve as a buffer from any potential noise and lights from the vehicles, thereby shielding the vehicular operations at the Property from public view and the pedestrian realm along Washington Avenue and Soundscape Park to the West. This will create a mark improvement from the current conditions of a 24 hour self/valet parking lot abutting the Greenview and Crest hotels.

Additionally, the loading spaces for the Project are internalized and purposefully located on the far southern side of the ground floor (along the alley). The exterior façade abutting the loading spaces is enhanced with a green screen system to ensure that the loading vehicles are not visible from the pedestrians on Washington Avenue, the alley and the adjacent building to the South.

- x. ***Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).***

The Project intends to maintain the current orientation of the existing office building, with the building entry facing towards Washington Avenue. The massing is intentional in design to compliment the surrounding area and the proposed use. As mentioned above, the height and scale of the Project is compatible with and in some instances, smaller than the existing and approved developments in the immediate area. Additionally, by internalizing the vehicular parking and circulation, the Project alleviates visual pollution along Washington Avenue.

- xi. ***All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.***

The Project was designed to maximize the Washington Avenue frontage with active, commercial and office uses to the greatest extent possible. With the exception of the vehicular entry on the southeastern portion of the Property, the ground level contains a neighborhood café to invite pedestrian-friendly activity along the Washington Avenue frontage.

Above the ground floor, the Project contains Class A office space on all upper levels strategically placed along the street-facing side of the building, providing a visual buffer from the parking spaces and operations situated at the rear of the Property.

- xii. ***All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.***

The mechanical systems are located on the roof of the building, and contains substantial landscaping and appropriate screening concealing the equipment from view.

- xiii. ***Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).***

Not Applicable; the Application includes the request to demolish the existing, noncontributing structure in order to construct a new, mixed use building with Class A office space.

- xiv. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.*

The ground floor café, fronting Washington Avenue, incorporates transparent features intended to invite pedestrian activity to this frontage.

- xv. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.*

All service areas, including but not limited to loading/delivery bays, trash receptacles and trash rooms are internalized to the Property therefor maintaining a minimal impact on adjacent properties.

For example, the Project includes 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. Also, as mentioned above, the loading area is tucked along the southern edge of the ground floor parking area, and is buffered from the adjacent Property to the South with a greenscreen and the adjacent alley.

- xvi. In addition to the foregoing criteria, subsection [118-]104(6)(t), and the requirements of chapter 104, of the City Code shall apply to the historic preservation board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.*

Not Applicable. The Project does not include the placement, construction, modification or maintenance of a wireless communications facility or other over the air radio transmission or radio reception facility at the Property or in the public rights-of-way.

- xvii. 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.*

Not Applicable; the Project is designed in compliance with the applicable LDRs and does not require any variances. Please see Section V herein for an analysis of the sea level rise and resiliency review criteria.

IV. Demolition Criteria

- a. **The building, structure, improvement, or site is designated on either a national or state level, as part of a historic preservation district or as a historic architectural landmark or site, or is designated pursuant to division 4 of this article as a historic building, historic structure or historic site, historic improvement, historic landscape feature, historic interior or the structure is of such historic/architectural interest or quality that it would reasonably meet national, state or local criteria for such designation.**

The Property is located within the Museum Historic District but does not contain any historically designated structures.

- b. **The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty and/or expense.**

The existing building at the Property was designed and constructed in the 1990's and is deemed a noncontributing structure.

- c. **The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.**

According to the City's Historic Database, the existing building is noncontributing and therefore has no architectural significance.

- d. **The building, structure, improvement, or site is a contributing building, structure, improvement, site or landscape feature rather than a noncontributing building, structure, improvement, site or landscape feature in a historic district as defined in section 114-1, or is an architecturally significant feature of a public area of the interior of a historic or contributing building.**

Not applicable; the existing building at the Property is noncontributing building.

- e. **Retention of the building, structure, improvement, landscape feature or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.**

Retention of the building would not promote the general welfare of the City as it does not provide for opportunities to study culture, heritage, local history, architecture, or design.

- f. **If the proposed demolition is for the purpose of constructing a parking garage, the board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, and/or the design review guidelines for that particular district. If the district in which the property is located lists retail uses as an allowable use then the ground floor shall contain such uses. At-grade parking lots shall not be considered under this regulation. Parking lots or garages as main permitted uses shall not be permitted on lots which have a lot line on Ocean Drive or Espanola Way.**

Not applicable.

- g. **In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.**

Not applicable, as the building is noncontributing.

- h. **The county unsafe structures board has ordered the demolition of a structure without option.**

Not applicable, the County's Unsafe Structures Board has not ordered the demolition of the existing building at the Property.

V. **Sea Level Rise and Resiliency Review Waiver**

Section 133-50(a) provides review criteria for compliance with the City's sea level rise and resiliency criteria.

- a. **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. Please refer to the demolition sheets provided as part of the Plans for the detailed scope of demolition plans for the redevelopment of the Property.

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

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

- c. **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.

- d. **Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 126 of the city Code.**

The Project will include resilient landscaping, in accordance with Chapter 126 of the City Code.

- e. **The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.**

Project will evaluate Southeast Florida Regional Climate Action Plan.

- f. **The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.**

Project is designed to address up to three additional feet in height.

- g. **As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.**

The mechanical systems are located on the roof of the building, with landscaping and appropriate screening concealing the equipment from view.

- h. **Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.**

Not Applicable; As part of the Project, the existing building at the Property will be demolished.

- i. **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.

- j. **As applicable to all new construction, stormwater retention systems shall be provided.**

Applicant will work with staff on an appropriate water retention system, as applicable and appropriate for the Project.

- k. **Cool pavement materials or porous pavement materials shall be utilized.**

As reflected in the landscape sheets as part of the Plans, the Project contemplates the use of crushed aggregate for permeable interlocking paving systems.

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

As provided in the Plans, the rooftop includes significant landscaping that consists of various trees, shrubs and other vegetation that will help reduce the urban heat island effect by shading the building surface.

VI. Conclusion

The Applicant is requesting the approval of the above-mentioned COA for the demolition of the existing noncontributing, office building and the new construction of a beautifully designed, mixed use development with Class A office space. Based on the foregoing, we respectfully request your favorable consideration and approval of this Application and Project.

Sincerely,



Alfredo J. Gonzalez