



200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131

www.brzoninglaw.com

305.377.6229 office

305.377.6222 fax

gpenn@brzoninglaw.com

April 17, 2023

VIA ELECTRONIC FILING

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

Re: Certificate of Appropriateness for Ritz Carlton / Sagamore
Private Improvements (HPB23-0574)

Dear Tom:

This firm represents of EBJ Sagamore, LLC, Di Lido Beach Commercial Lessor, LLC, Di Lido Beach Commercial, LLC, Di Lido Beach Resort, LLC, Di Lido Beach Resort Land, LLC, and Sobe Sky Development, LLC (collectively the "Applicant"), the owners and developers of 1 Lincoln Road, 1669 Collins Avenue, and 1671 Collins Avenue (the "Property"). The Property is currently developed with the Ritz Carlton South Beach and Sagamore hotels. Please consider this letter the Applicant's letter of intent in support of an application for a Certificate of Appropriateness to allow for the renovation and residential addition for the Property. This application is part of proposed public/private development plan that will bring significant improvements to the public realm of Lincoln Road east of Collins, the beach access walk, and the Beach Walk.

Description of the Property. The Property is approximately 208,661 square feet (4.79 acres) in size and is located on the east side of Collins Avenue just north of Lincoln Road. The Property is zoned Residential Multifamily, High Intensity ("RM-3").

The southern portion of the Property includes the north half of Lincoln Road (vacated over twenty years ago) and a beach access easement providing a connection from Lincoln Road to the City's Beachwalk. Across Lincoln Road to the south of the Property is the large "Decoplage" mixed-use condominium building. To the north of

the Property are the "National" and "Delano" hotel properties. The land to the west of the Property across Collins Avenue is developed with commercial uses.

Existing Development. The Property's current development includes 477 hotel rooms as well as hotel accessory uses, including pools and recreational elements, restaurants, a large ballroom and event spaces, and meeting rooms. The Ritz Carlton building was renovated and expanded in the early 2000s at the cost of more than \$200 million to become the Ritz Carlton South Beach. The Sagamore similarly underwent expansions and renovations in the late 1990s.

Public/Private Project. The instant application is an essential element in a public/private redevelopment plan designed to significantly improve Lincoln Road east of Collins Avenue, the beach access, and the Beach Walk area.

The project has three main components:

1. First, the Applicant has agreed to assume maintenance of the existing Lincoln Road, beach access, and Beach Walk, which currently are the City's obligations.
2. Second, the Applicant has proposed significant new pedestrian focused improvements to the public realm of Lincoln Road, the beach access on the Property, and the Beach Walk. These improvements are the subject of a companion HPB application (HPB23-0574) as well as a development agreement to be reviewed by the City Commission.
3. Third, the Applicant has proposed the instant private redevelopment plan, which will be focused on adding residential uses to the Property, not increasing hotel room count.

Proposed Private Development. The proposed private redevelopment includes the following scope:

1. Modifications to the Sagamore lobby space and the introduction of a new outdoor seating area and corridor.
2. The restoration of the historic Sagamore façade massing.
3. Improvements to the rear yard areas of the Property, pool decks, and beach restaurant.
4. New fifteen (15) story ground level residential tower behind the existing Sagamore hotel building and cantilevered over the existing Ritz Carlton cabana building that will include thirty (30) residential units.

5. Single-story rooftop addition on the existing cabana building on the Ritz Carlton site, which will not be visible from Collins Avenue.
6. A new Ritz Carlton entry canopy designed to integrate with (and compliment) the proposed public improvements to Lincoln Road.

In sum, the proposed private redevelopment will reduce the number of hotel rooms by forty-three (43), significantly improve the appearance and functionality of the hotel operation, and add thirty (30) new residential units to the Property.

Plan Review Standards. Below are the standards applied by your Department and the Historic Preservation Board as well as the status of the proposed development with each criterion:

- a. 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 provided plans provide the necessary details.

- b. 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 provided plans provide the necessary details.

- c. 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.

The provided plans provide the necessary details.

- d. 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.

The provided plans provide the necessary details.

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

Care has been taken in the design of the proposed development to be compatible as possible with the surrounding development.

- f. 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.

The Applicant has created the site plan in a manner that most efficiently utilizes the Property without negatively impacting the surrounding area. The related pedestrian improvements to the public realm will significantly improve the pedestrian experience – with a focus towards creating an attractive and safe pedestrian access to the public beach.

- g. 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.

An important element of the instant application and companion public/private application is to improve the pedestrian access to, within, and across the Property. Care has been taken to maximize pedestrian safety and comfort while retaining vehicular access – including access for patron, loading, and trash vehicles.

- h. 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 building elevations have been designed to minimize glare on adjacent parcels.

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

New landscaping has been designed to enhance the architecture and integrate with the public realm.

- j. 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.

Care has been taken in limiting the glare and noise escaping the Property.

- k. 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).

There are no public view corridors that need to be retained.

- l. 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.

Both street facades are lined with active uses.

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

All rooftop elements are integrated into the overall architecture and screened from view.

- n. 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).

The two additions – ground up tower and single story rooftop – have been designed to be compatible with the existing development on the Property.

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

The existing street-facing facades have significant transparency and the proposed entrance revisions have been designed to increase pedestrian compatibility.

- p. 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.

The proposed plan will significantly improve the buffering of the Ritz Carlton loading and service area from the public and neighboring parcels.

Sea Level Rise and Resiliency. 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 minor partial demolition will be subject to a recycling/salvage plan.

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

All new windows will be hurricane proof.

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

Operative sliding doors will be implemented in the new residential tower to provide access to balcony areas.

4. 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 landscape plan is resilient as it is comprised of native and Florida-friendly plants appropriate for the area.

5. 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.

The project has been designed with sea level rise in mind.

6. 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.

The project has been designed to accommodate the raising of adjacent rights of way in the future. The first residential level will be located at 22'10" NGVD.

7. 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 plan is in compliance.

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

It is not economically feasible to raise all existing areas above City of Miami Beach Freeboard .

- 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.

Care has been taken to keep habitable space above City of Miami Beach Freeboard .

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

The project has been designed with stormwater retention as required.

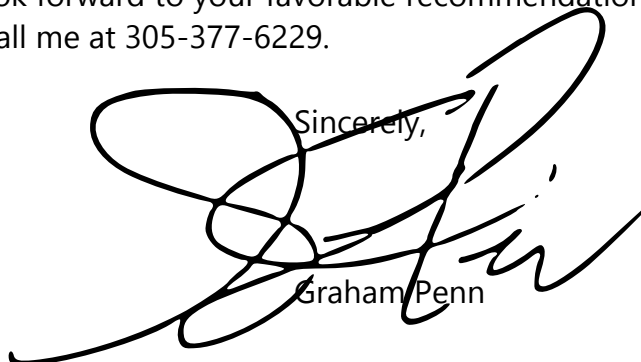
- Cool pavement materials or porous pavement materials shall be utilized.

The project can accommodate cool pavement where possible.

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

The project has been designed to avoid the heat island effect by maximizing landscaped areas throughout the Property.

Conclusion. We are excited to bring forward the first major set of improvements to this area of the City in over twenty (20) years. The proposed public/private improvements will significantly improve the pedestrian experience in one of the City's major beach access points in South Beach. We look forward to your favorable recommendation. If you have any questions or comments, please call me at 305-377-6229.

Sincerely,

Graham Penn