

November 15, 2023
Rev'd December 9, 2023

Via Electronic Delivery

Miami Beach Historic Preservation Board
c/o Ms. Deborah Tackett, Historic Preservation Officer
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, FL 33139

**RE: HISTORIC PRESERVATION BOARD FILE ID NO. HPB23-0602
PROPERTIES LOCATED AT 407-401 LINCOLN ROAD, MIAMI BEACH, FLORIDA 33139
CERTIFICATE OF APPROPRIATENESS - LETTER OF INTENT**

Dear Ms. Tackett and Members of the Board,

WERNICK & Co, PLLC (the "Firm") serves as land use counsel to Financial Plaza Condominium Association, Inc. (the "Owner" and "Applicant"), in connection with proposed renovations to the existing office building located at 401-407 Lincoln Road, Miami Beach, FL 33319 (the "Property").¹ The Firm submits this letter of intent to accompany Application No. HPB23-0602 for a Certificate of Appropriateness for demolition and alterations to the office building consistent with Section 118-564 of the City of Miami Beach Code of Ordinances (the "Code").

A. PROPERTY | EXISTING BUILDING. Based on the Boundary Survey prepared by J. Bonfill & Associates, Inc. dated 11.14.2023, the Property comprises .24 acres of land at the NW corner of the intersection of Lincoln Road and Washington Avenue. See Legal Description attached as Exhibit A. The Property is located within the northernmost boundary of the Flamingo Park Historic District, and has a zoning classification of CD-3 (Commercial High Intensity District), which allows for a wide range of business and professional office and commercial uses permitted by Right.

The Property is improved with a 13-story office building (132,603 square feet), originally constructed in 1955, with a ground floor Bank of America branch and ATM. The surrounding area is a high traffic commercial area within the City of Miami Beach. To south is the Lincoln Road mall and 420 Lincoln Road – a large 5-story commercial/office building occupying the entire block frontage between Washington Avenue and Drexel Avenue. To the west are low-scale commercial buildings more commonly associated with Lincoln Road. To the north of the Property is Lincoln Lane and the

¹ The Property is comprised of a primarily folio (folio no. 02-3234-072-0001) related to the land and common areas of the condominium, which are the subject of this Application.

City-owned Soundscape Park. To the east is the Washington Avenue commercial corridor with a mix of building typologies and architectural styles.

According to the enclosed Historic Resources Report, prepared by Arthur Marcus, dated June 4, 2022 ("HRR"), the office building is a non-contributing structure. The building was designed by architect Edwin T. Reeder in the MiMo architectural style as a statement building for the Miami Beach Federal Savings & Loan Bank on Lincoln Road's east end. "The ultra-modern design of the tallest building on Lincoln Road immediately set it apart from others in the neighborhood, with its major exterior materials of stamped patterned aluminum panels, turquoise glass panels and black granite. - in addition to its size." The building also included large signature clocks at the top of the office tower, facing in each direction.

Years later, in 1987, the City of Miami Beach approved changes to the facades to incorporate dark blue, reflective glass panels on the North, South and East elevations. A solid façade was intentionally designed for signage on the western elevation.

In December 2022, the HPB approved a proposed substantial overhaul of the office building by New York-based developer Michael Schvo's BH 407 LLC, which was under contract at the time to purchase the Property. See HPB Order No. HPB22-0518. That prior, more-ambitious project along with the contract to purchase the Property fell through in early 2023. Owner retained control of the Property and has decided to take a fresh approach to renovating the office building, wholly separate and scaled back from the BH407 proposal.

B. CURRENT PROJECT | SCOPE OF RENOVATIONS

With this submittal, Owner is requesting approval of a Certificate of Appropriateness (COA) for a more refined and modest renovation of the existing noncontributing, office tower (the "Project"), as presented through the architectural plans and drawings, titled *407 Lincoln Road*, prepared by Javier Barrerra, AIA, Deforma Studio, dated November 9, 2023 (the "Plans"). Owner's objective is to restore the interior common areas of the building in a manner that is more inviting to office tenants while respecting the building's integrity and relationship to surrounding context.

The Project's limited scope of work specifically includes:

- Replacement of the canvas canopy on north and south ground floor facades with a decorative metal canopy with integrated lighting;
- Replacement of storefront system at lobby on north and south ground floor facades.
- Interior remodel of ground floor lobby, including relocating the original mosaic tile artwork from the north wall to the more spacious and expansive east wall across from the elevator banks.

The new interior design of the lobby is a modern interpretation of the 1950's era office style. The design will reuse much of the same granite stone already present in the lobby. The metal drop ceiling introduced in the 1980s will be removed and a new large glass-globe style light fixture will

anchor the main space. The flooring will be replaced with Terrazzo with bronze metal inlay to create a new decorative design and seamless look throughout. The original blue mosaic tiles and the wood paneling on the walls will be replaced with a combination of dark metal panels, white oak decorative battens, wallpaper, and a small rectangular white handmade ceramic tile.

With respect to the west façade of the building, which has historically been a blank wall, Owner is currently exploring potential artists/artwork and will work directly through City staff and the Historic Preservation Office for future approval of an appropriate artistic intervention suitable for its context and visibility.

Furthermore, as noted on the Elevations, the signature clocks at the top of the office tower, which have not been functional in recent years, are being replaced in their existing location under a separate permit filed with City of Miami Beach (Permit No. BC2322243).

C. COMPLIANCE WITH CRITERIA FOR CERTIFICATE OF APPROPRIATENESS, SECTION 118-564

In accordance with Section 118-564 of the Code, the Application complies with the criteria under Section 118-564(a)(3) for the issuance of a COA for the renovation of the existing 407 Office Tower and the design approval for the Project.

- 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 existing building is a legal nonconforming site with zero (0) parking spaces provided on-site. The Project, which does not include any additional proposed FAR, will maintain the existing legal nonconforming status of the building. The Project will also maintain the existing ingress/egress and service functions consistent with the existing office building.

- 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.**

As reflected in the building cards for the Property and the Project Data Sheet G-1.0, the existing 407 Office Tower is a legal nonconforming structure within the CD-3 district. There are no changes being made to the height, FAR, building setbacks or lot coverage. It is worth noting that the current lobby entrance has a fabric awning encroachment of approximately 8'-6". The metal canopy proposed at the lobby entrance will have a lesser encroachment of 5' 0".

- 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/or developments requiring a building permit in areas of the city identified in section 118-503.

The exterior architecture and façade treatments above the ground floor will remain unaltered. The only changes being proposed to the exterior of the building is to incorporate a more attractive metal canopy to replace the flimsy fabric awnings at the lobby entrance and to replace the storefront system with impact resistant aluminum and glass window/door system and white porcelain tile wall behind freestanding planters at the south and north entrances. Interior changes proposed include an upgrade to the lobby finishes. In keeping with the original modern aesthetic, the renovations include black aluminum wall panels and floor mounted digital office directory, new millwork, and black porcelain tile flooring with bronze metal inlay.

- d. 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 proposes to maintain the existing office building. The minor exterior improvements – incorporating a more modern and architecturally pleasant entry canopy over the lobby and resilient storefront system – will enhance the relationship of the building to its surrounding context.

- e. 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 Project maintains the building configuration, floor plans, and existing use of the building. Incorporating new storefront system will add to the building's safety, noise reduction, and protection against weather events.

- f. 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.

The Project does not alter the height or scale of the existing, legally nonconforming building. As such, City staff determined no traffic analysis was required for this Application. Pedestrian access will be maintained or enhanced by minor ground floor lobby entrance changes.

- g. 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.**

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

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

The Plans do not include any modifications to hardscape/paving treatment or permanent landscaping, with exception of moveable freestanding planters to provide a softening of the office building's footprint at the north and south lobby entrance.

- i. 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.**

The existing building, inclusive of proposed renovations, does not include any on-site parking that would require screening or buffering materials.

- j. 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).**

Not Applicable.

- k. 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 is enhancing the pedestrian experience at the lobby entrance through replacement of the canopy and new storefront system. The building maintains a commercial use (bank branch) on the ground floor.

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

Existing building rooftop architectural treatment to remain as-is.

- m. 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.

- n. 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 Project includes incorporating a new storefront system (impact windows/doors) on ground floor façade at north and south entrances to the building.

- o. 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.

Existing building configuration to remain as-is.

- p. 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.

CONCLUSION. In conclusion, the scope of the Project is quite limited in nature – aimed at updating certain elements of the office building to attract new tenants while maintaining the building's integrity – and consistent with evaluation criteria considered by this Board pursuant to Section 118-564 of the City Code. There are no changes to the building's footprint, height or floor area, and there are no Variances being requested as part of this Application.

For the above-mentioned reasons, we kindly ask for the Historic Preservation Board's approval of the requested Certificate of Appropriateness. Thank you for your consideration.

Sincerely,



Steven J. Wernick
WERNICK & CO, PLLC