

Greenbriar Owner, LLC
c/o Scott Robins Companies
230 Fifth Street
Miami Beach, FL 33139
(305) 674 – 0600

May 11, 2017

VIA HAND DELIVERY

Ms. Deborah Tackett
Preservation and Design Manager
Planning Department, City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

**Re: 3101 Indian Creek Drive (“Property”) – Amended Letter of Intent for
Historic Preservation Board Application for Historic Room Size
Variance and Waiver of Off-Street Loading Requirements**

Dear Ms. Tackett:

This letter shall constitute our Amended Letter of Intent on behalf of the South Beach Bayside Condominium Association I, Inc. (“Applicant”) in support of Applicant’s Historic Preservation Board application (“Application”) for approval of requests for i) a variance of minimum hotel room area to permit historic room size; and ii) a waiver to allow on-street loading for one of the two required loading spaces in connection with the restoration of the building on the Property to its historic name, the Greenbrier Hotel, and use, as a hotel. The Property is located at 3101 Indian Creek Drive, Miami Beach, Florida, within the Collins Waterfront Historic District. The Property is currently a 41-unit multi-family residential condominium. The restoration plan for the Greenbrier Hotel includes (a) the reinstallation of doors and bathrooms in accordance with the original hotel layout, (b) replacement of windows with hurricane impact windows, (c) replacement of the through-the-wall air conditioning units with a central HVAC system, (d) removal of the unit added to the lobby, (e) renovation of the lobby and (f) renovation of the Property to restore the Miami Beach Art Deco-style to the boutique hotel.

The Greenbrier Hotel was designed by one of the fathers of Miami Beach’s Art Deco design, L. Murray Dixon. Dixon’s notable hotel designs include The Tides Hotel (1936), The Victor Hotel (1937), The Tiffany (1939), The Marlin (1939), Tudor Hotel (1939), The Senator (1939), The Raleigh (1940), The Ritz Plaza Hotel (1940), Regent Hotel (1941) and The Betsy Ross (1942). The Greenbrier Hotel was constructed in 1941 and was originally designed and built with a series of hotel “lock-out” rooms, which have two rooms with two full bathrooms and a connecting door (which could be sold as one suite or two separate rooms). The Property was one of approximately 45 properties leased by the U.S. Military for use as a redistribution center for returning Army and Air Force veterans, where the veterans would stay during processing of their final paperwork.

As noted above, Applicant seeks approval of a Certificate of Appropriateness for a variance of minimum hotel room size and a waiver to permit on-street loading for the Property. The approval of these requests will ensure that the Property is properly restored. The specific details of these requests are provided below.

Request for Variance to Permit Historic Hotel Room Area

The Property is zoned RM-2 on the City of Miami Beach's zoning map. The RM-2 District regulations require that hotel rooms are configured with 15% of rooms that are 300 to 335 square feet and 85% of room that are 335 square feet or larger pursuant to Section 142-217 of the City's Land Development Regulations. The proposed floor plan for the restoration of the Property contemplates the restoration of doors in their original locations to re-establish the 66-room hotel. Only 31 of the 66 rooms are under 300 square feet and only 3 are smaller than 250 square feet. It is important to note that Section 142-217 also provides that contributing hotel structures located within an individual historic site, a local historic district or a national register district, may retain the existing room configuration and sizes of at least 200 square feet. If the Property had maintained its hotel use over time, the proposed room configuration would be permitted.

The proposed restoration of the floor plan meets the criteria for a variance set forth in Sec. 118-353(d) of the Land Development Regulations as follows:

(d) In order to authorize any variance from the terms of these land development regulations and sections 6-4 and 6-41(a) and (b), the applicable board shall find that:

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The Property was originally designed as a hotel and configured in a manner that would have otherwise met the current requirements for minimum room size for a hotel in a historic district. If the Property had maintained its hotel use over time, the proposed room configuration would be permitted. Unlike other existing hotels in the Collins Waterfront Historic District, the Greenbrier Hotel was converted to apartments in 1994. This change of use impacted the ability of the Property to meet the current LDR requirements. In order to preserve the integrity of Dixon's original design and restore the original intended use of the building, approval of the requested variance is necessary.

(2) The special conditions and circumstances do not result from the action of the applicant;

The restoration of the floor plan for the Greenbrier Hotel will help to preserve the building and its intended use. The proposed room size meets the criteria applicable to existing hotels zoned RM-2 within the Collins Waterfront Historic District and will not result in any special conditions or circumstances.

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

The Land Development Regulations permit existing hotels within this and other zoning districts to have smaller minimum room sizes. These buildings are excluded from the current room size requirements for new construction to encourage the preservation of these important buildings. As such, approval of the request will not result in the any special privilege.

(4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;

Recently renovated properties in the zoning district have been granted the room size variance due to the same factors that the Application sets forth. If the Greenbrier Hotel had not been converted to apartments in 1994, the proposed plan would comply with the minimum room size requirement. Without the variance, the Property would not be able to be reestablished as a hotel and would not have the opportunity for this restoration. The proposed design is consistent with that of other Art Deco hotels in Miami Beach. On average, rooms sizes at the Property will be larger than many comparable hotels in the Collins Waterfront Historic District.

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

The proposed plan seeks a variance to restore the historic room sizes. The Property will otherwise maintain its current configuration. Only 31 of the rooms are under 300 square feet and only 3 smaller than 250 square feet. There are no rooms under 200 square feet being proposed. Therefore, this is the minimum variance request possible.

(6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

The granting of the variance will have no detrimental impact to the area. Applicant intends to restore the Property to its original, historic use and will make improvements to the Property that will provide benefit to the area and the Collins Waterfront Historic District overall.

(7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this

requirement prior to the scheduling of a public hearing or any time prior to the board voting on the applicant's request.

RM-2 zoning allows for hotel use and, historically, the Property has been operated as a hotel significantly longer than as apartments.

Request for Waiver to Permit On-Street Loading

- The Property, as currently operated, utilizes on-street loading zones for deliveries and pick-ups. The Code requires two off-street loading zones for hotels with 50 to 100 units. However, the Applicant is seeking to maintain as much parking as possible. The creation of two new off-street loading zones will eliminate parking, which is crucial to hotel operations. Loading needs are typically at highest demand during the early morning, off-peak hours. The Applicant is proposing two loading zones to comply with Code requirements, one off-street and the second on 31st Street. The Applicant believes that these two loading zones will adequately serve the needs of the proposed hotel, which belief is based on its hotel experience and its observation of similarly sized hotels in the surrounding area: The El Paseo Hotel, a 71 room hotel located on Espanola Way, is able to meet its loading needs with on-street loading zones and does not create additional traffic. El Paseo has one delivery each day in the morning (drop off and pick up of laundry, which takes about 10 minutes) and an additional 3 deliveries during the course of a month (for hotel supplies, which take about 10 minutes each). Applicant has similar, and very minimal, demand for delivery and loading.
- The Freehand, which is located 3 blocks south of the Property, has no off-street loading. The City created a loading zone specifically for The Freehand on the south side of 27th Street (and its hours were recently extended until 3 p.m.).
- The Atlantic Princess property (immediately to the Property's north and currently under construction) also received a waiver from the City for on-street loading.

The Property will have a similar schedule of deliveries and loading and operate similarly to El Paseo. While one on-street loading zone can handle this level of drop off and pick up traffic, the Applicant plans to have an additional off-street loading zone in its parking lot. This will accommodate the neighbors and making loading easy during the Indian Creek road raising, which is scheduled to start in 2017. The sea wall and storm drain work are already underway. The Property has a front door facing Indian Creek, a side door facing 31st Street (on-street loading zone) and a back door facing the Property's own parking lot (off-street loading zone), which will make the delivery process more efficient.

Conclusion

Based on the forgoing, the approval of the i) variance of minimum hotel room area to permit historic room size; and ii) waiver to allow on-street loading for one of the 2 required spaces in connection with the restoration of the building on the Property to its historic name and use, The Greenbrier Hotel, will allow Applicant to restore the Property to its historic use without

jeopardizing the unique Art Deco design of the building and its original footprint. The Property was originally built as a hotel and, to this day, still has the bathrooms and configuration of the historic hotel. The proposed improvements, including the installation of hurricane impact windows and central HVAC, the restoration of the historic lobby configuration and the overall beautification of the Property, will ensure that the Property is properly preserved and will enhance the Collins Waterfront Historic District.

The proposed restoration of the Property will also help reactivate hospitality in the Collins Waterfront Historic District while creating an economic benefit to the City of Miami Beach and its tourists and visitors who are looking for a more affordable alternative to the ultra-luxury hotels. Based on hotel market trends, particularly in the City of Miami Beach, there is heightened focus on smaller more efficient hotel room design.

With the passing of the Washington Avenue Zoning Overlay, which allows rooms as small as 175 square feet, and the many properties in Miami Beach that the City has granted a historic room size variance, there has been a significant increase in the supply of smaller, new, clean rooms at an affordable price, the result of increased market demand for this type of hotel room product.

Additional Information:

Per discussion with Public Works, City Staff and the current building management, Applicant was advised to hold off on proposing landscape changes to the front of the Property. The seawall and storm drainage system are currently being upgraded on Indian Creek. Additionally, Pubic Works is still in the planning and approvals phase of the street raising effort in conjunction with the City-wide Resiliency Plan. During the last few years, the current management of the Property has replaced the landscaping three times. Each time, it got washed out at the first king tide. Once the City finalizes the plan for the road, passes it through the 2 commission hearings and obtains FDOT's approval, Applicant will be eager to meet with staff and propose a landscape plan that will complement and enhance the beauty of this L. Murray Dixon gem. Applicant will also fight to keep some of the beautiful tress that Public Works mentioned might get removed.

Applicant also would like to reiterate that all kitchens at the Property will be removed and the Property will be licensed as hotel not hotel suites.

Based on the above, Applicant respectfully seeks the Planning Department's favorable review and recommendation of approval for this Application. Thank you in advance for your considerate attention to this request. If you have any questions or require additional information, please feel free to call me directly at 305-951-1136.

Sincerely,


Rory Greenberg

May 11, 2017

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Enclosures

cc: Ms. Tracy Slavens
Ms. Jennifer McConney
South Beach Bayside Condo