



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

www.brzoninglaw.com

305.377.6229 office

305.377.6222 fax

gpenn@brzoninglaw.com

VIA ELECTRONIC & HARD COPY SUBMITTAL

February 4, 2024

Michael Belush, Chief of Planning and Zoning
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **DRB23-0991** – Design Review Approval for Accessory
Padel Courts for 1212 Lincoln Development.

Dear Mr. Belush:

This firm represents ARRP 1600 Alton, LLC and 1212 Lincoln, LLC (collectively the "Applicant") the owners of Phase I of the "1212 Lincoln" development located on the west side of Alton Road between 16 Street and Lincoln Road. Please consider this letter the Applicant's letter of intent in support of a minor modification to the approved development plans to reflect the introduction of two accessory padel courts on the rooftop. The proposal includes no changes to the design of the building.

The Property. The "1212 Lincoln" project spans the entire block on the west side of Alton just south of Lincoln Road: 1600, 1614, 1616, 1620, 1624, 1628, and 1634 Alton Road (hereinafter "the Property"). The Property is zoned Commercial Medium Intensity (CD-2) under the City's Resiliency Code. The Property consists of Phase I of the project.

Existing Development. The Design Review Board approved the development of the Property with an innovative commercial building and associated structured parking. The approved plan includes commercial uses on the first and second floors, addressing both Alton Road and Lincoln Road. The second Phase of the project, separated from the southern portion by a "grand stair" providing pedestrian

access from Alton to the second floor, has been developed with the City's first "Citizen M" hotel.

Anatomy Fitness and Outdoor Padel Courts Use. The Applicant is excited to be welcoming Anatomy Fitness to its first non-hotel location in the City. Anatomy Fitness offers multiple programs and options, including group classes and personal training, in a first class facility that brings true luxury to the fitness world. Adding the Anatomy Fitness use to the 1212 Lincoln project will be a benefit to this area of the City.

Anatomy Fitness desires to offer two padel courts for the use of its members and guests, which the Applicant is proposing to locate on a portion of the rooftop of the building. The rooftop is currently developed with surplus parking and the Rooftop Cinema Club outdoor movie theater. The padel courts are proposed to be located on the northeast corner of the roof, to the north of the Rooftop Cinema Club use.

The majority of the eastern half of the roof is separated from the western with a glass-topped clerestory structure running north to south that allows the Anatomy space to be filled with natural light (see photo to the right). The clerestory structure extends above the roof line and largely blocks the view of the eastern half of the roof from properties to the west.



The padel courts will feature individual lighting integrated into the court fencing. As with typical padel courts, the enclosures will be a combination of fencing and plexiglass. The courts are not roofed. As the submitted plans demonstrate, the courts will be largely blocked from the west, which will significantly limit both noise and light impacts on adjacent properties. We believe that the proposed padel court use will be an attractive and compatible addition to the Property and neighborhood.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria provided in Section 7.1.2.4. of the Code as follows:

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

No demolition is proposed.

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

This criterion is inapplicable to the instant application.

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

This criterion is inapplicable to the instant application.

(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.

This criterion is inapplicable to the instant application.

(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.

This criterion is inapplicable to the instant application.

(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 and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

This criterion is inapplicable to the instant application.

(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.

Critical mechanical and electrical systems for the new construction have been located above base flood elevation.

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

This criterion is inapplicable to the instant application.

(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.

This criterion is inapplicable to the instant application.

(10) As applicable to all new construction, stormwater retention systems shall be provided.

This criterion is inapplicable to the instant application.

(11) Cool pavement material or porous pavement materials shall be utilized.

Cool pavement material and porous pavement materials will be utilized.

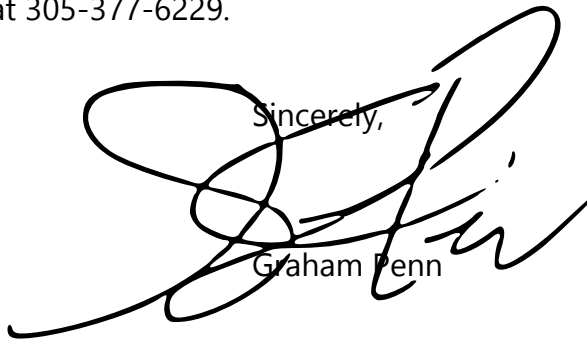
(12) The design of each project shall minimize the potential for heat island effects on-site.

This criterion is inapplicable to the instant application.

Conclusion. The Applicant is excited to bring this new use to the Lincoln Road area. We look forward to your recommendation on our application. If you have any questions or comments, please call me at 305-377-6229.

Sincerely,

Graham Penn

A large, stylized handwritten signature in black ink, appearing to read 'Graham Penn', is written over the typed name.