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VIA ELECTRONIC SUBMITTAL

July 7, 2024

Rogelio Madan
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **Sign Approval/Variances for citizenM Hotel – DRB24-1029.**

Dear Mr. Madan:

This firm represents OSIB Miami Beach Properties, LLC (the "Applicant") the owners of Phase II 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 sign approval and related variance to allow for a "blade" sign for the citizenM Hotel.

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. The Property represents Phase II of the overall project, located on 1628-1634 Alton road (hereinafter "the Property"). The Property is zoned Commercial Medium Intensity (CD-2) under the City's land development regulations.

Existing Approvals. The Design Review Board approved the development of the overall 1212 Lincoln assemblage with an innovative commercial building and associated structured parking in 2016. The approved plan includes commercial uses on the first and second floors of Phase I, addressing both Alton Road and Lincoln Road. Phase I of

the development has been completed. The second Phase of the project, separated from the southern portion by a "grand stair" providing pedestrian access from Alton to the second floor, will include the City's first "citizenM" hotel and additional retail space.

The entrance to citizenM use is located at the far end of building, close to Alton Court – hundreds of feet from the intersection of Lincoln Road and Alton Road. The Applicant is proposing to erect a single "blade" hanging sign to be located at the hotel entrance. The proposed sign would exceed the three (3) square feet permitted for blade signs and is proposed to be subtly illuminated, which will necessitate the approval of minor variances.

Design Review Criteria. The design is consistent with the criteria provided in Section 2.5.3.1 of the Resiliency Code, as follows:

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.**

This criterion is inapplicable to the instant application

- b. 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.**

This criterion is inapplicable to the instant application.

- c. 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.**

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- d. The color, design, selection of landscape materials and architectural elements of exterior building surfaces and primary public interior areas for**

developments requiring a building permit in areas of the city identified in section 2.5.3.2.

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- e. The proposed site plan, and the location, appearance and design of new and existing buildings and structures are in conformity with the standards of this article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.**

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- f. The proposed structure, or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties.**

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- g. The design and layout of the proposed site plan, as well as all new and existing buildings 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 contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.**

The proposed signage is consistent with the goal of supporting pedestrian wayfinding and crime prevention.

- h. 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 all parking spaces are usable and are safety and conveniently arranged; pedestrian furniture and**

bike racks shall be considered. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

This criterion is inapplicable to the instant application. The existing building meets this requirement. The proposed signage is consistent with the goal of supporting pedestrian wayfinding.

- i. 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. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.**

This criterion is inapplicable to the instant application. The existing building meets this requirement.

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

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- k. 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.**

This criterion is inapplicable to the instant application.

- l. The proposed structure has 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).**

This criterion is inapplicable to the instant application. The existing building meets this requirement.

- m. The building has, where feasible, space in that part of the ground floor fronting a 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 street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

This criterion is inapplicable to the instant application. The existing building provides storefront space along both frontages.

- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.**

This criterion is inapplicable to the instant application. The existing building screens all mechanical equipment.

- o. An 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).**

This criterion is inapplicable to the instant application.

- p. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.**

This criterion is inapplicable to the instant application. The existing building frontages provide generous transparency.

- q. 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.**

This criterion is inapplicable to the instant application.

- r. In addition to the foregoing criteria, section 104-6 (t) the General Ordinances shall apply to the design review 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.

This criterion is inapplicable to the instant application

s. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

See below for the discussion of those criteria.

Need for Variances. Section 6.2.3 of the Resiliency Code establishes the requirements for “hanging signs” that are located under a canopy, providing that the area of a sign shall not exceed three (3) square feet and the letters cannot exceed six inches in height. Hanging signs are not permitted to be illuminated.

The proposed sign will exceed three square feet in size – the sign is proposed at 30 inches on side, measured from the edge of the frame. Since the “M” portion of the logo is larger than six inches tall, the Applicant is requesting a variance of the letter size provision as well. Finally, the Applicant is seeking to illuminate the sign.

Variance Request. The variances are consistent with the criteria provided in Section 2.8.3 of the Resiliency Code, as follows:

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;

There are special conditions and circumstances that are peculiar to the land and not applicable to similarly situated sites. This site is uniquely burdened by location, size, existing development and street frontage. The site’s unique location makes wayfinding for those looking for the hotel to be paramount.

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

The Applicant did not create the special conditions inflicted on the Property – including size, shape, street frontage, and existing development status.

- 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 approval of the requested variances will only serve to bring the Property into parity with similarly situated sites, which have not been burdened with the size, elevation, design, and orientation issues seen here, and would allow the Applicant to directly benefit the public through the creation of a first-class hotel experience along Alton Road.

- 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;**

The Property is so uniquely impacted by the above-described issues, conditions and characteristics that it would cause unnecessary hardship on the Applicant if the variances are not approved.

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

The requested variances are the minimum needed to ensure adequate wayfinding for a high-quality hotel.

- 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;**

The approval of the requested variance would permit the development of an innovative and compatible hotel development on this Property. The City's regulations are intended to promote compatible development throughout the City. The instant application seeks approval of a viable project that is compatible with its surroundings and provides significant amenities open the general public.

- 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; and**

Granting these requests is consistent with the comprehensive plan and does not will reduce the levels of service set forth in the comprehensive plan.

8. 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 7, article I, as applicable.

This criterion is inapplicable to the instant application.

Practical Difficulty. There are multiple practical difficulties that must be addressed in order to make use of the Property for a hotel development. The location of the hotel entrance – far from the corner of Lincoln Road and Alton Road – necessitates adequate signage to allow for proper wayfinding.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria in Section 7.1.2.4.a.1. of the Resiliency Code, as follows:

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

This criterion is inapplicable to this application.

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

This criterion is inapplicable to this application.

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

This criterion is inapplicable to this application.

4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

This criterion is inapplicable to this application.

5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.

This criterion is inapplicable to this 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.

This criterion is inapplicable to this application.

7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

This criterion is inapplicable to this application.

8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

This criterion is inapplicable to this 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 this application.

10. Where feasible and appropriate, water retention systems shall be provided.

This criterion is inapplicable to this application.

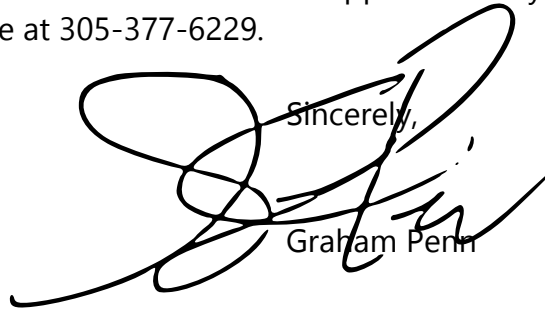
11. Cool pavement materials or porous pavement materials shall be utilized.

This criterion is inapplicable to this application.

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

This criterion is inapplicable to this 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