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VIA ELECTRONIC SUBMITTAL

February 25, 2024

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

RE: **PB23-0636 Final Submission**: Letter of Intent for New Office Project at 1100 5th Street

Dear Mr. Madan:

This law firm represents The Alton Venture LLC (the "Applicant") relating to the property located at 1100 5th Street in the City of Miami Beach (the "City"). This letter serves as the required letter of intent for a Land Use Board Hearing Application for a Conditional Use Permit before the Planning Board, in accordance with the City's Land Use Board Revised Process and Guidelines.

Description of the Property. The subject property is an "L" shaped parcel fronting 5th Street to the north, Alton Road to the west, Lenox Avenue to the east, and 4th Street to the south, and identified by Folio No. 02-4203-009-8190 (the "Property"). The Property is approximately 32,650 square feet (approximately 0.75 acres) in size. On the portion of the Property on the corner of 5th Street and Alton Road, there is two-story commercial office building that is 8,556 square feet in size and was formally a Pier One retail store. On the portion of the Property on the corner of 5th Street and Lenox Avenue, there is a two-story 5,143 square-foot commercial office building now used as a Burger King fast food restaurant location.

The Property is zoned C-PS2, Commercial performance standard, general mixed-use commercial ("C-PS2"). The Property is near the Ocean Beach Historic District, but is not within the Ocean Beach Historic District

or any other Historic District, and the existing structures on the Property are not classified as contributing structures.

Unified Development Site. The Property is part of a unified development site pursuant to the Covenant in Lieu of Unity of Title recorded in Official Record Book 33412, Page 3139 of the Public Records of Miami-Dade County (the "Covenant").

Project. The Applicant seeks Conditional Use Permit approval to develop an innovative and attractive five-story commercial office building with a first-floor restaurant referred as 1100 Fifth Street (the "Project"). The Project is consistent with the type of "commercial, office and hotel" development contemplated by the Commercial Performance Standards to encourage "more flexible and innovative design." §7.2.15.3(a)(i), City of Miami Beach Resiliency Code.

Overall, the Project is approximately 101,381 square feet in total size of gross new construction area, and approximately 65,253 square feet of floor area ratio ("FAR"), with 105 parking spaces. The Project introduces a new restaurant that will activate the corner of 5th Street and Alton Road, and features a unique vehicular entrance and drive isle from Lenox Avenue to improve traffic circulation to and from the Project.

The ground floor will contain the entrance to the office lobby, along with the restaurant establishment, and sufficient back-of-house spaces. The Project is intentionally designed with loading and back-of-house operations located along a screened elevation on the east side of the Proposed Project, along Lenox Avenue. The Applicant demonstrates a significant commitment to traffic reduction in furtherance of resiliency policies by dedicating 1,647 square feet of the Project to serve as a Mobility Hub to house long-term bicycle racks & lockers, short-term bicycle racks and a bicycle workshop (as well as four onsite showers for use by bicyclist commuters).

The second level of the Project features the parking deck with required ADA parking spaces, four "CEO" VIP designated self-parking spaces for the office tenants (strictly controlled by security card with no public use), and the remainder are mechanical stacker parking spaces to be operated solely by valet staff. Levels three (3) through (5) feature the balance of the office space. No entertainment -- including outdoor entertainment -- is proposed. The Project will provide a compatible and appropriate transition from the busy commercial thoroughfare along 5th Street, and the civic and residential uses to the south and east.

Requests. In order to develop the Project, the Applicant respectfully requests Conditional Use approval for a project in excess of 50,000 square feet (Neighborhood

Impact Structure), as required by the City of Miami Beach Resiliency Code, as well as approval of a mechanical parking system as part of the Conditional Use approval, and in accordance with the factors required by Section 5.2.11(e) of the Resiliency Code. Finally, to authorize the restaurant with a projected occupancy load of 300 or greater, the Resiliency Code requires satisfaction of the factors for a Neighborhood Impact Establishment under Section 7.5.5.4.

Conditional Use Criteria. Every conditional use permit application requires the Planning Board to determine the application's consistency with nine (9) criteria. The Applicant's satisfaction of the conditional use permit criteria, codified in Section 2.5.2.2.a. of the Resiliency Code, is outlined below.

(1) The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.

Hotels and other commercial uses such as offices and restaurants are consistent with the Comprehensive Plan and permitted by the C-PS2 zoning regulations. Commercial uses are defined as retail sales, offices, and eating and drinking establishments. *See*, §1.2.2.4, City of Miami Beach Resiliency Code (Commercial Use Definitions). The purpose of the General Mixed-Use Commercial Performance Standard is to provide development opportunities that enhance the desirability and quality of residential areas with a mix of residential, hotel, and commercial uses. *See* Comprehensive Plan Policy §1.1.28. Office use in this area will further the public policy of siting work spaces in proximity to residential living spaces, as well as provide the amenity of a new restaurant for use by both neighborhood residents as well as employees and patrons from nearby businesses along Fifth Street.

(2) The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the comprehensive plan.

Development of the Project is not expected to have any negative impact in excess of the thresholds of level of service provided for in the City Comprehensive Plan. The Project will provide opportunities for commercial uses in close proximity to retail, other restaurants, and nearby multi-family condominiums. A professional Traffic Impact Analysis / Traffic Study, included with the application materials, concludes that the Project will not adversely impact the traffic in the area or exceed the acceptable level of service of nearby intersections.

(3) Structures and uses associated with the request are consistent with these land development regulations.

The Proposed Project is consistent with the land development regulations as it conforms to the C-PS2 regulations with respect to density, height, and minimum requirements for commercial uses. The C-PS2 regulations specifically provide for 75-foot height for "office buildings." §7.2.15.3 (Development Regulation Table), City of Miami Beach Resiliency Code.

(4) The public health, safety, morals, and general welfare will not be adversely affected.

The Project will not adversely impact the public health, safety, morals, and general welfare. Rather, it will enhance the pedestrian and neighborhood experience. The Project benefits the community by continuing the revitalization of the area along 5th Street and along Alton Road to the south with a vibrant new office and restaurant destination. There is no outdoor entertainment proposed. The attractive, airy, modern design of the Proposed Project also updates the aesthetics of the area, while maintaining compliance with all required resilience measures in order to ensure enhanced resiliency for the area.

(5) Adequate off-street parking facilities will be provided.

The Applicant will utilize valet to service the Project, and the enclosed plans depict the parking deck configuration, drive isle circulation, and required number and type of parking spaces as set forth in the plans and included parking calculation legend. The Project will use stacking mechanical parking spaces to be solely operated by the valet personnel, with no parking facilities to be accessed by the general public other than through designated valet staff.

(6) Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

The new modern office building and restaurant proposed by the Project will greatly improve the current status of an empty retail space and fast food location presently on the Property. The Applicant will have dedicated security staff on the Property and security cameras at all major entrance and exits points. The point of sale locations and elevators will also be monitored with security cameras. Entrances and exits will be secured by electronic systems, including a gate at the bottom of the parking garage ramp to preclude unauthorized vehicle access to the parking garage.

(7) The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.

This area south of 5th Street near Alton Road presents an ideal location for low-noise and low-traffic impact offices and a new restaurant. The Project will not create a concentration of similar conditional uses in light of the nearby retail, civic/governmental uses and residential condominiums.

(8) The structure and its site comply with the sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable.

The sea level rise and resiliency code criteria are recited individually and addressed below in the freestanding section dedicated to the governing Chapter 7 factors.

(9) Appropriate consideration is given to the safety of and friendliness to pedestrian traffic; passageways through alleys is encouraged where feasible and driveways shall be minimized to the extent possible.

As noted, the Project will offer a marked improvement from the existing traditional retail and fast food restaurant structures. The new Project accommodates its loading and drive isle entrances by way of a new curb cut along Lenox Avenue, leaving the remainder of the Project with inviting pedestrian approaches. The loading and drop off area is internal to the site. The pedestrian access and general pedestrian circulation through and around the Project will provide a secure and intuitive experience for pedestrians visiting or walking near the Project.

Compliance With Long Frontage Standards. The Project complies with the Long Frontage Standards by providing the Future Crown of Road values for each adjacent right-of-way, as those values were provided to the Applicant by Public Works. The ground floor elevation is accordingly placed at fourteen inches above the Future Crown of Road for Fifth Street. Plan Sheets 1.1 and 1.1O depict the on-street parking, pedestrian circulation zone, and clear pedestrian path required by the Long Frontage Standards for the sidewalks along Alton Road and Lenox Avenue.

Further, the Applicant proposes to raise the sidewalk along Lenox Avenue to the applicable Future Crown of Road elevation, in accordance with the Long Frontage Standards, but requests a relaxation of this requirement for the 5th Avenue frontage. The Long Frontage Standards require elevation increases, except for "transition areas," and where there are "street crossings" and "intersections." §7.1.2.2(f)(1.), Resiliency Code. The

unique situation presented by this particular Property is that more than half of the 5th Avenue frontage is dedicated to a wide, landscaped public swale, with mature palms, all of which act as a "transition area" in the form of a pedestrian buffer for the rather complex street crossing configuration for pedestrians crossing Alton Road and Fifth Street (which includes a right-hand turning lane from Alton Road onto Fifth Street). Thereafter, progressing eastward toward the corner of Fifth Street and Lenox Avenue, there is an existing bus stop and associated shelter in place just prior to the to the intersection and crosswalks at Fifth Street and Lenox Avenue. As a consequence, the majority of the Fifth Street frontage is adjacent to a "crosswalk," "intersection" or "transition," making a wholesale elevation increase along this elevation difficult. As a consequence, the Applicant is respectfully requesting from the Design Review Board approval of a Waiver of the requirement to raise the Fifth Street sidewalk, as contemplated by Section 7.1.2.2(f)(2)(C)(IV) of the City of Miami Beach Resiliency Code, in the companion File No. DRB23-0982.

Compliance With Open Court Requirement. The Code contemplates an open court for those lots with greater than 100 feet in width. §7.2.15.3.f.(3), Resiliency Code. The Code defines "Court" as "an open space which may or may not have direct street access and around which is arranged a single building or a group of related buildings." §1.2.1, Resiliency Code. The open court requirement is three square feet for every linear foot of frontage. With this Property measuring 262 feet along the Fifth Street frontage, this requirement presents a requirement of 786 square feet of court area. In satisfaction of this requirement, the Project features an open patio area near the first-floor lobby entrance at the easternmost end of the Fifth Street elevation. The first-floor site plan, Ground Floor Hardscape Plan, and North Elevation rendering on Sheet 3.1 depict the details of this public area with stone tile as well as planter features and hardscape areas. Plan Sheet 1.1 confirms that this open patio is 1,351 square feet in area. The large open patio and hardscape area at the eastern end of the north elevation is within the private property line and readily satisfies the Open Court requirement with an attractive, well-landscaped area that is open to the public. The foregoing compliance program is being submitted to the Design Review Board. A variance is also being submitted to the Design Review Board, in an abundance of caution and in the alternative.

Supplemental Standards for New Structures Exceeding 50,000 Square Feet. Pursuant to Section 2.5.2.2.b. of the Resiliency Code, there are supplemental standards that must be addressed when seeking approval of a structure exceeding 50,000 square feet. The Applicant's satisfaction of the additional criteria is outlined below.

(1) Whether the proposed business Operations Plan has been provided, including hours of operation, number of employees, goals of business, and other

operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.

The Applicant has submitted an Operations Plan with the application materials. The Operations Plan includes pertinent operational characteristics (to the extent that they are available at this time as the office tenant and restaurant tenant are not yet identified), and the goals and objectives of the Applicant and Project. The Applicant's plans depict loading operations to occur interior to the site, and all of which mitigates the impacts of loading on the surrounding roadway network. The Operations Plan further outlines the goals of the Proposed Project and highlights the compatibility of the Proposed Project with the Fifth Street corridor, while maintaining an appropriate transition from Fifth Street with sensitivity to the civic and residential uses to the south.

(2) Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan will mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.

The Applicant's plans depict after-hours loading operations to occur interior to the site, and this configuration works to mitigate the impacts of loading on the surrounding roadway network. The Proposed Project has been designed to receive deliveries in an efficient manner in the interior of the site, with the loading area to be accessed via the new curb cut on Lenox Avenue, with all back-of-house and loading areas located in the interior of the site to minimize any adverse impacts to nearby property owners along Lenox Avenue. The Project will be used principally for office use, with no proposed retail use that would give rise to the mass delivery of merchandise.

(3) Whether the scale of the proposed use is compatible with the urban character of the surrounding area and create adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.

The design ensures that there is a minimal impact on the surrounding area, and the uses are compatible with the commercial character of Fifth Street, with every consideration given to the nearby civic and residential uses to the south. Specifically, the majority of the massing and the height is along the commercial frontage on Fifth Street, with the project stepping down in height and mass on the south elevation. The main office building is comprised of five levels reaching 75 feet in height facing Fifth Street. The Project then steps down toward the south to two levels reaching approximately 35 feet in height. The modern, light-filled Project design, with decorative columns that narrow for each floor in height, and ample glazing, draws inspiration from the nearby

residential condominiums to the west and new commercial buildings along Fifth Street. This high-quality development is consistent with the City's vision for Fifth Street. Overall, the proposed Project will have a minimal impact on the surrounding built environment, and provide an exciting new office workplace for the community that will be a dramatic improvement to the existing conditions at the site for both Fifth Street and nearby civic and residential areas.

(4) Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.

A professional Traffic Impact Analysis / Traffic Study has been conducted and submitted with the Application. The layout, security and operations of the proposed parking configuration are set forth in the Traffic Study and Operations Plan. Moreover, the unique and exciting 1,647-square foot Mobility Hub featured in the plans (with short-term and long-term bicycle racks and showers for bicyclists on site) furthers the City's goal of becoming multi-modal and less reliant on motor vehicles for transportation.

(5) Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.

The architectural drawings, together with the Operations Plan, and Traffic Study provide details of the indoor and outdoor customer circulation. Pedestrians will enter the site from the designated patio near the entrance located at the corner of Fifth Street and Lenox Avenue. Further, the corner of Fifth Street and Alton Road will be activated with outdoor cafe seating, all of which will enhance the pedestrian's experience. Vertical circulation is accessible from the ground floor office lobby, which pedestrians can access via the entrance podium on Fifth Street and Lenox Avenue.

(6) Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.

The Applicant's goal is to provide safe accommodations for the office tenants and restaurant patrons. There will be 24-hour security monitoring, and each amenity will be staffed with its own security personnel. Cameras will be located at all entrances and exits, at all points of sale, and within the elevators. Additional security will be allocated during high occupancy periods.

(7) Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.

The Applicant engaged a professional traffic engineer to determine the effect of the Project on the roadways. The traffic engineer's report, produced by Kimley Horn, is included with the application materials. The Traffic Study includes analysis of the exiting land uses and access and parking, existing conditions of the roadway system surrounding the Project, traffic counts, trip generation, trip distribution, traffic assignment, and traffic impact.

(8) Whether a noise attenuation plan has been provided that addresses how noise will be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.

Notably, the Project does not include any outdoor entertainment uses, and is therefore not anticipated to generate significant noise impacts. Further, all operational noise will be confined within the building, minimizing and eliminating and impacts to adjoining or nearby properties. For example, the back-of-house facilities and operations such as trash and recycling, loading, and kitchen areas are all located within the interior of the Project.

(9) Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.

The Operations Plan included with the application materials provides specific parameters for the Project's collections. They will utilize the designated loading area (interior to the site) accessed via the new curb cut proposed along Lenox Avenue. Building employees will transport refuse from the trash room on the south end of the Project to the loading area for collection and disposal. Management will ensure minimal impact to tenants and patrons, as well as traffic by keeping refuse internal to the site. The refuse and recycling will be stored within the building and visually blocked from the public right of ways or neighbors, as is depicted on the architectural plans. Additionally, management will provide cleaning and maintenance services for the entire Property.

(10) Whether the proximity of the proposed structure to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated.

The Project complies with the City Code requirements for intensity and density. It is not larger in size than certain existing structures and approved projects along Fifth Street. The thoughtful layout focuses the Project's height and massing along Fifth Street, with a dramatic reduction and step down to the south. Further, the Applicant is proposing lush landscaping and high-quality materials to soften the architecture of the district and mitigate any visual impacts, as is reflected in the enclosed landscape plans for the Project. Notably, the landscape plans feature extensive vegetative enhancements, including trees, to be place upon both of the roof elevations of the Project, thereby greatly enhancing the visual impact for the benefit of any nearby residential high rises to the west.

(11) Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect will be addressed.

Fifth Street is one of the main commercial corridors of Miami Beach. The Project is designed to balance the surrounding mix of uses and designs, and promote bicycle use and pedestrianism. The articulation presented by the Project's heavy reliance on balconies, glazing, and planters at all levels, provides a beautiful modern workspace for the office use along Fifth Street, while stepping down in mass and height to the south and providing a perfectly appropriate and compatible transition to nearby civic and residential uses.

Neighborhood Impact Establishment (NIE). Pursuant to Section 7.5.5.4. of the Resiliency Code, there are additional standards that when seeking approval for a restaurant (under definition (a) for an establishment that is not operating as an entertainment establishment) with an occupant content of 300 or more persons as determined by the chief fire marshal. While the restaurant tenant and precise occupancy load for the restaurant space is not yet available, the submitted plans depict a total of 214 seats for the restaurant space, and the Applicant projects an occupancy load in excess of 300 patrons triggering NIE status. The Applicant's satisfaction of the NIE criteria is consequently provided below.

(1) An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.

Included in the application materials is an Operations Plan, which includes details relating to the hours of operation, employees, the goals and style of the business (to the extent available at this time, without the benefit of the identity of the future office or restaurant tenants).

(2) A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, selfpark, shared parking, after-hour metered spaces and the manner in which it is to be managed.

As noted, a professional Traffic Impact Analysis / Traffic Study has been conducted and submitted with the Application. The layout, security and operations of the proposed parking configuration are set forth in the Traffic Study and Operations Plan. These materials confirm that the parking system will be operated by valet staff, with no direct public access, and that a gate will be in place at the parking ramp entrance to prohibit unauthorized vehicle entry. Further, the use and programing encourage multi-modal transit by way of the Mobility Hub space with ample short-term and long-term bicycle parking on-site together with the shower facilities for bicyclist commuters.

(3) An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises will be controlled.

The proposed restaurant is modest in size and does not anticipate any large groups. All access will be managed within the ground floor office lobby and restaurant entrance.

(4) A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.

The Operations Plan includes security related details. The parking system will be operated by valet staff, with no direct public access, and that a gate will be in place at the parking ramp entrance to prohibit unauthorized vehicle entry. Any restaurant tenant serving alcohol will be subject to all applicable local ordinances and state statutes and regulations governing lawful alcohol service and proof of age requirements.

(5) A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.

This site cannot accommodate traffic circulation on site. The Traffic Study included in the submittal materials provides full details relating to the traffic impact to the immediate neighborhood.

(6) A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.

Any sanitation on-site or off-site as a result of the operation of the Project will be the responsibility of the Applicant. The plans depict the dedicated trash and recycling areas located in the interior of the site, and the Traffic Study and Operations Plan includes additional details relating to the waste pick up.

(7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance.

No entertainment is proposed, including no outdoor entertainment. Operation of the restaurant will be controlled and meet the requirements of the noise ordinance.

(8) Proximity of proposed establishment to residential uses.

There are residential uses within 200 feet of the Project.

(9) Cumulative effect of proposed establishment and adjacent pre-existing uses.

The effect of the Project and restaurant establishment will be that it enhances the pedestrian experience and will add a valuable, walkable amenity to the nearby community. Placing the restaurant at the corner of Alton Road and Fifth Street is the most suitable location on the site, and the cafe seating on this corner well help to activate it for pedestrians.

Satisfaction of Criteria for Mechanical Parking: Alternative Parking Plan. The Applicant's request satisfies the review criteria and guidelines enumerated in Section 5.2.11(b)(3)(A)(1) through (2) of the City's Resiliency Code.

As for Criteria (1), the Plans provide on Sheet 1.8 a schematic plan set of the alternate parking program that would occupy Alternate Parking Level 1, Alternate Parking Level 2, Alternative Parking Mezzanine, and Alternate Parking Level 3, all of which illustrate the alternative parking program. These Plan Sheets include a breakdown of parking space type and number, illustrating compliance with parking requirements via the alternative parking program, as well as a complete parking calculation for the alternative parking

program on Sheet 1.9. This parking calculation Sheet illustrates that the alternative parking program may be achieved with no variances. Finally, there is no below-grade parking utilized in the alternative parking program.

As for Criteria (2), the proposed mechanical parking program is depicted on Sheet 1.2, with numbered and designated parking spaces by type, including ADA spaces. The Project's proposed parking calculations and requirements are set forth in detail on Sheet 0.4, in compliance with the City's parking requirements.

Satisfaction of Criteria for Mechanical Parking Systems: The Applicant's request satisfies the review criteria and guidelines enumerated in Section 5.2.11(e)(1) through (11) of the City's Resiliency Code, as follows:

(1) Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood;

The Project is sensitive to and compatible with the existing mixed-use environment. The Project is a drastic improvement from the current underused condition and complies with the applicable land development regulations. As noted, the Project's placement of the principal height and massing along Fifth Street and stepping down on the south elevation provides a compatible and sensitive transition to nearby civic and residential areas.

(2) Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood and has demonstrated how the scale, mass, volume, and height of the building are reduced by the use of mechanical parking;

The incorporation of mechanical parking aims to reduce the stories and extra massing of the Property. The Property is an irregular-shaped lot with active frontages on three (3) sides. Limiting access to one vehicular driveway, and one level of parking results in an improved design and a structure that is compatible in size and character with the surrounding neighborhood.

(3) Whether the proposed use of mechanical parking does not result in an increase in density or intensity over what could be constructed with conventional parking;

As is illustrated by the enclosed Alternative Parking program submitted within the plans in accordance with Section 5.2.11(b)(iii) of the City's Resiliency Code, the proposed

development program could be achieved through the use of a traditional, non-mechanical parking garage. Therefore, the use of mechanical parking does not result in an increase in the density or intensity.

(4) Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view;

The parking lifts and related mechanisms for the parking are located on the second level, fully enclosed, and not visible from exterior view.

(5) In cases where mechanical parking lifts are used for self-parking in multifamily residential buildings; whether approval is conditioned upon the proper restrictive covenant being provided limiting the use of each lift to the same unit owner;

The Project does not feature any Residential units. All mechanical parking lifts will be operated by the valet.

(6) In cases where mechanical parking lifts are used for valet parking, whether approval is conditioned upon the proper restrictive covenant being provided stipulating that a valet service or operator must be provided for such parking for so long as the use continues;

Valet service will be mandatory for the operation of the mechanical parking lifts. A gate at the bottom of the parking entrance ramp will prohibit unauthorized entry.

(7) Whether a traffic study has been provided that details the ingress, egress, and circulation within the mechanical parking facility, and the technical and staffing requirements necessary to ensure that the proposed mechanical parking system does not cause excessive stacking, waiting, or backups onto the public right-of-way;

The Applicant has submitted its complete Traffic Impact Analysis / Traffic Study.

(8) Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided;

An Operations Plan with the required details has been provided, with the necessary information to the extent it is available at this time (without the identification of the office or restaurant tenants).

(9) In cases where the proposed facility includes accessory uses in addition to the parking garage, whether the accessory uses are in proportion to the facility as a whole, and delivery of merchandise and removal of refuse, and any additional impacts upon the surrounding neighborhood created by the scale and intensity of the proposed accessory uses, are adequately addressed;

The Project is a commercial office building with a ground floor lobby and restaurant. These are not accessory uses in addition of the parking on level 2. All delivery and trash will be accommodated within the loading area onsite. No large retail use with merchandise is contemplated. There will be appropriate delivery and removal of refuse for the entire Project, and the scale and uses are appropriate in connection with the Project and match the scale of the surrounding area.

(10) Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated;

There will be no adverse impacts from the proposed mechanical parking facilities because the parking garage is entirely enclosed on the second level.

(11) Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed;

There will be no negative cumulative impacts as a result of the Project. The Property lies along a commercial corridor along Fifth Street with a mix of office and retail uses with varying hours of operations at the intersection of major roadways. The additional patrons of the office and restaurant will have sufficient parking capacity with the proposed Project configuration and mechanical lifts.

Satisfaction of Criteria for Mechanical Parking Systems: The Applicant's request satisfies the review criteria and guidelines enumerated in Section 5.2.11(f)(1) through (7) of the City's Resiliency Code, as follows:

(1) The noise or vibration from the operation of mechanical parking lifts, car elevators, or robotic parking systems shall not be plainly audible to or felt by any individual standing outside an apartment or hotel unit at any adjacent or nearby property. In addition, noise and vibration barriers shall be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the parking garage;

The lifts are located in the garage that is surrounded by multiple barriers integrated into the design of the building. There will be several layers of screening including a metal box for planters, a dense layer of landscaping with fencing material to support the vegetation, as well as an opaque metal mesh screening material that is detailed on Sheet 2.8. Additionally, the Klaus parking systems that will be used come with a sound insulation package that minimizes the sound level.

(2) For mechanical lifts, the parking lift platform must be fully load-bearing, and must be sealed and of a sufficient width and length to prevent dripping liquids or debris onto the vehicle below;

The Klaus Multi-parking lifts come fully integrated as a complete system designed to meet these standards.

(3) All free-standing mechanical parking lifts must be designed so that power is required to lift the car, but that no power is required to lower the car, in order to ensure that the lift can be lowered and the top vehicle can be accessed in the event of a power outage; robotic garages and vehicle elevators must have backup generators sufficient to power the system;

The mechanical lifts come fitted with a manual crank system designed to lower the lifts without power.

(4) All mechanical lifts must be designed to prevent lowering of the lift when a vehicle is parked below the lift;

The mechanical lifts come with an automatic hydraulic safety valve to prevent accidental lowering while the bottom area is occupied.

(5) The ceiling heights of any parking level with parking lifts within the parking garage shall be a minimum of 11 feet by six inches;

The parking garage ceiling height where the lifts are located is fourteen feet high, with at least thirteen feet, four inches of clearance to accommodate the lifts, as is depicted in detail on Sheet 2.6.

(6) All mechanical parking systems, including lifts, elevators and robotic systems, must be inspected and certified as safe and in good working order by a licensed mechanical engineer at least once per year and the findings of the inspection shall be summarized in a report signed by the same licensed mechanical engineer or firm. Such report shall be furnished to the planning director and the building official; and

The lifts will be inspected on a yearly basis; however, due to the relatively minor number of lifts, the Applicant requests that the yearly report be required for submission every three years.

(7) All parking lifts shall be maintained and kept in good working order.

All lifts will be maintained and kept in good working order as part of the yearly inspection.

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

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

A recycling and salvage plan for any proposed demolition will be provided at permitting.

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

Miami-Dade County product approved impact glazing will be provided.

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

The Applicant will provide, where feasible, passive cooling systems.

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

New landscaping provided will be Florida-friendly and resilient.

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.

Sea level rise projections are being considered.

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.

The Project will be entirely new construction above base floor elevation.

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

All mechanical and electrical systems will be located above base flood elevation.

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

The Project will be entirely new construction above base floor elevation.

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.

The Project is entirely new construction above base floor elevation.

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

Where feasible, water retention systems will be provided.

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

Cool pavement materials and/or porous pavement materials will be utilized.

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

The Applicant proposes (with its landscape plan) additional landscaping around the perimeter of the site to minimize potential for heat island effects on-site. Notably, the enclosed architectural plans and landscape plans feature extensive vegetative features on the roof, including trees.

Conclusion. The Project will revitalize and update the Property in a manner that will greatly benefit the surrounding area. The massing, scale and design of the Project are compatible with the adjacent commercial structures while providing a sensitive transition to nearby civic and residential uses. Accordingly, we respectfully request your favorable

review and recommendation with respect to the proposed Project. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Michael Larkin

cc: Paul C. Savage, Esq.