



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

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.377.6231 office

305.377.6222 fax

[MLarkin@brzoninglaw.com](mailto:MLarkin@brzoninglaw.com)

## **VIA ELECTRONIC SUBMITTAL**

August 3, 2024

Deborah Tackett  
Historic Preservation & Architecture Officer  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

RE: **HPB24-0625** - Letter of Intent for Certificate of Appropriateness for New Restaurant at 1657 Michigan Avenue a/k/a 947 Lincoln Road: The Nice Guy

Dear Ms. Tackett:

This law firm represents The HWood Group (the "Applicant") as the operator of the proposed new "The Nice Guy" restaurant to be located at 1657 Michigan Avenue a/k/a 947 Lincoln Road (the "Property"), in the City of Miami Beach (the "City"). This letter serves as the required letter of intent for a Certificate of Appropriateness for certain renovations of the Property.

Description of the Property. The Property consists of a single lot on the north side of Lincoln Road and the east side of Michigan Avenue. The Property is approximately 7,500 square feet in size and is within the CD-3 Commercial High Intensity zoning district. The Property is identified as a Contributing Structure in the Miami Beach Historic Properties database, having been built in 1924 by William F. Brown in the Mediterranean Revival style of architecture. The one and two-story structure lies within the Flamingo Park Local Historic District. The Property features a long frontage along Michigan Avenue, and a short frontage along Lincoln Road.

In 1938, the Lincoln Road façade was renovated by L. Murray Dixon with the Streamline Moderne style of

architecture. In 2017, the Historic Preservation Board (the "Board") approved a partial demolition, extensive renovation and restoration of the building, which was not constructed. The building has remained vacant for approximately five (5) years.

Description of the Project. The Applicant respectfully requests a Certificate of Appropriateness authorizing the renovation of the Property for a location of The Nice Guy restaurant and bar, which is a popular, stylish and intimate dining establishment, featuring curated mid-century American decor and cuisine (the "Project"). The Applicant operates successful The Nice Guy locations in Los Angeles and Dubai. The proposed The Nice Guy restaurant will be operated by the Applicant with 198 total seats across 27 tables, including 54 dining seats and 14 bar seats, as well as private dining room seating (the "Project"). The restaurant will be entered via two doorways facing Michigan Avenue, with the Applicant occupying the entire building.

The Project will activate the corner of Washington Avenue and Lincoln Road, and provide a visual point of interest along Lincoln Road with a show kitchen that can be viewed by pedestrians along Lincoln Road. For the western elevation of the building along Michigan Avenue, the Applicant proposes to leave the existing windows in place, but will fabricate custom removable cypress wood lattice system that will be used to cover these windows to provide privacy for patrons within The Nice Guy restaurant and bar.

Prior Preliminary Evaluation and Recommendation. In anticipation of the present submittal, the Applicant submitted a request for Preliminary Evaluation and Recommendation from the Board. Working with Professional Staff, this application culminated in a hearing before the Board on May 14, 2024. The Applicant sought general impressions and feedback, as well as specific guidance from the Board on the following two issues: the proposed window coverings along Michigan Avenue, and the requirement for an on-street loading waiver.

On the issue of the window coverings along Michigan Avenue, the Applicant proposes to leave the existing windows in place and fabricate custom removable cypress wood lattice work that will be used to cover the windows to provide privacy for patrons within The Nice Guy restaurant and bar. This configuration and system will: provide the necessary shading and privacy required for The Nice Guy restaurant layout and operations; serve as a stylistic tie-in and homage to the existing pecky cypress panel ceiling in the contributing building; and allow the exterior of the building to be free from structural modifications since the panels will be removable, all of which will maintain and enhance the architectural integrity of one of the earliest remaining commercial buildings along Lincoln Road.

On the issue of the on-street loading waiver, the City's Staff Report prepared for the prior meeting explained that an on-street loading waiver will only be required if the Floor Area Ratio (FAR) of the site is increased, which resulted in increased on-street loading requirements. In that circumstance, Staff was generally supportive of the waiver, if required.

The prior application and proposed The Nice Guy venue was universally supported by the nearby business community, particularly after the Applicants demonstrated their proven track record of success in operating other venues, including The Nice Guy Los Angeles, the Delilah Miami, the Delilah Las Vegas, and other successful establishments in Los Angeles, Nashville, and other locations. Both the Lincoln Road Business Improvement District and the Miami Beach Chamber of Commerce expressed their enthusiastic support for the Applicants and their proposal for Lincoln Road and Michigan Avenue.

At the hearing before the Board on May 14, 2024, the Project was well-received by the Board, with some Board Members mentioning that they are "extremely supportive" of the proposed renovation. Further, the President of the Miami Design Preservation League testified in support of the proposal, drawing a stark contrast with the Walgreens that was proposed for the site at one time. The Applicant reiterated that the exterior stucco and exterior structural elements will remain unchanged, as well as the fact that the proposed cypress window coverings will be removable. The Board Members provided feedback and suggestions in connection with the configuration of the window coverings and use of awnings where appropriate, all of which the Applicant has taken to heart in the development of its latest plans.

Certificate of Appropriateness Criteria. The Project satisfies the applicable criteria for the renovation and preservation of the historic structure. The massing of the structure will remain unchanged, and the Project is designed to be compatible with the surrounding historic district in accordance with the Secretary of the Interior Standards for the Treatment and Rehabilitation of Historic Properties. The Project proposes no structural demolition, and will provide a much-needed and tasteful upgrade to the existing unoccupied and deteriorating structure. The Project design, The Nice Guy brand, interior design and decor are all entirely complimentary to both the Flamingo Park Local Historic District and Lincoln Road. The Project will use the building's existing stucco to be painted in City-approved Dove White, as well maintain the glazing along Lincoln Road, all of which will maintain and enhance the architectural integrity of one of the earliest remaining buildings along Lincoln Road.

Plan Evolution. The Project's plans have evolved in response to the suggestions of Professional Staff. For example, the details of the show kitchen fronting Lincoln Road have been refined, with exact equipment placement and careful configuration to allow for the best visual experience by passersby on Lincoln Road. Moreover, each of the former storefronts along Michigan Avenue have an individual doorway, making for a less than seamless visual progression along Michigan Avenue. Other than the two doorways being utilized by the Project, these storefront doorways have been discontinued, and knee walls added to cover the area near the ground previously occupied by the doors, all of which leads to a far more pleasing aesthetic along the western frontage.

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 Code as follows:

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

A recycling and salvage plan for the demolition of the existing structures will be provided during the building permit process.

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

Any new windows will be Miami-Dade County rated impact windows.

**(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.**

The site does not provide an opportunity for landscaping, but if feasible, the Project will use resilient, Florida-native, or Florida-friendly landscaping.

**(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 have been considered in the design and development of the Project.

**(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 is a renovation not new construction and proposes no structural demolition of the building.

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

All new 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 building and proposed renovation Project do not present a feasible or appropriate opportunity to raise the existing contributing structure.

**(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 will comply with the Florida Building Code requirements for flood resiliency.

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

Water retention systems are not feasible or appropriate for the scale of the proposed renovation.

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

If the scope of the proposed renovation implicates pavements, then porous materials are proposed where appropriate.

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

The Applicant will utilize new awnings and other strategies to minimize any potential for heat island effects on-site.

On-Street Loading Waiver. The prior Staff Report suggests that no on-site loading is required (without an increase in FAR), and thus no on-street loading waiver is required. However, the Applicant requests an on-street loading waiver at this time in an abundance of caution until this issue is conclusively resolved.

Conclusion. The proposed The Nice Guy restaurant venue will bring a sophisticated dining destination to the corner of Lincoln Road and Michigan Avenue by way of a thoughtful update and much needed renovation of the existing contributing structure. Accordingly, we respectfully request your favorable review and recommendation with respect to our request for Certificate of Appropriateness, as well as the proposed on-street loading waiver along Michigan Avenue. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Michael Larkin

cc: Paul C. Savage, Esq.