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VIA E-MAIL AND HAND DELIVERY

July 15, 2025

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

RE: Letter of Intent Conditional Use Permit for New Restaurant
located at 1784 West Avenue

Dear Mr. Belush:

This firm represents 1916 Bay Road Operations, LLC (collectively the "Applicant"), the applicant with respect to the property located at 1784 West Avenue in the City of Miami Beach (the "City") identified by Folio No. 02-3233-012-0630 (the "Property"). Please accept this letter of intent in connection with the conditional use permit ("CUP") application for a restaurant with more than 100 seats and a patron occupant load greater than 125 persons.

Property Description. The Property is located at the southwest corner of the intersection of 18 Street and West Avenue within the Sunset Harbour neighborhood. The Property is approximately 8,500 square feet in size and is improved with a one (1) story commercial building with several commercial units. Notably, the portion of the Property that is the subject of this application was previously used as a 97-seat restaurant and approximately 1,500 square foot retail space (the "Restaurant Unit"). The Property is zoned I-1 and is subject to the regulations specific to the Sunset Harbour neighborhood.

Proposed Use. The Applicant seeks to reactivate the vacant Restaurant Unit with a new restaurant known as A Pasta Bar. A Pasta Bar is known as a modern Italian restaurant concept centered around fresh, handmade pasta, served in a relaxed yet refined setting. The Applicant is known for designing warm and inviting

restaurants, often featuring a minimalist design with open kitchens or pasta-making stations visible to diners. The proposed project will feature a maximum of 150 seats, with 122 interior seats, and 28 outdoor seats, and the patron occupant load is approximately 216 persons. The proposed restaurant will operate in a similar manner as the restaurant that previously existed, however, the Applicant plans to eliminate the retail component that the previous tenant established, converting the full area to support a single restaurant operation.

A Pasta Bar will have several components: 1) a mezzanine area within the foyer containing a few benches for waiting patrons; 2) a corridor that opens to the main dining room that contains a tappanyaki style pasta cooking station with 3 stoves, where the chef will prepare the food directly in front of patrons, with a theatrical flair, surrounded by 18 seats; 3) a booth seating area along the west wall containing approximately 16 seats; 4) an L-shaped bar area with 9 seats; 5) several free standing dining tables with a range of 2-6 seats per table; 6) two (2) separate banquette seating areas along the northern and southern walls with approximately 23 seats; 7) a private dining room that can seat approximately 12 patrons around a large circular table; and 8) an outdoor dining area with limited seating. The cooler, kitchen, pasta prep room, dishwashing room, staff restroom and trash room will all be placed along the southern walls of the unit. Meanwhile the patron bathrooms will be centrally located, to the south of the entrance corridor, between the private dining room and open dining room.

The Applicant intends to play only ambient background level music at conversational levels in the interior in a manner that does not cause sound to spill from the Property to the surrounding area. With respect to the outdoor seating area, the Applicant is will not have outdoor speakers to avoid any potential impacts to neighbors. Further, the Applicant intends to include lush landscaping and umbrellas to contain patron noise within the outdoor seating area and prevent impacts to residential neighbors.

Overall, the Applicant intends to operate A Pasta Bar in a manner that is consistent with the character of the Sunset Harbour area, while providing an exhilarating option for Italian food that is currently missing from the area. Additionally, the previous restaurant has left the space dark; the Applicant will be reactivating the dark space with a respectful use. The location ensures no Sunset Harbour residents will be negatively impacted by the reactivation. The Applicant proposes high quality materials, finishes, and decorative elements within the dining room that will create an interesting and exciting dining atmosphere activating the public realm and inviting patrons.

Satisfaction of CUP Criteria. The Applicant's request satisfies the CUP Standards in Section 2.5.2.2 of the Resiliency Code of the City of Miami Beach (the "Code") as follows:

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

CONSISTENT—Policy RLU 1.1.21 provides that the I-1 FLU Future Land Use Designation permits accessory uses and conditional uses approved at public hearings as permitted by the Land Development Regulations. The proposed use is consistent with Policy RLU 1.1.21 as it is a conditional use authorized by the City's Land Development Regulations.

(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.

CONSISTENT—The proposed CUP does not result in an impact that will exceed the thresholds for the levels of service required by the Comprehensive Plan, as the Property is an existing commercial unit within a stand-alone commercial space that has previously hosted a restaurant space.

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

CONSISTENT—The structure and use associated with the Applicant's proposed CUP is consistent with the Land Development Regulations. The Property is zoned I-1, which permits commercial uses and the Applicant's proposed use does not qualify as a Neighborhood Impact Establishment, as it is a restaurant that is not operating as an entertainment establishment and would have an occupant content of less than 300 persons.

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

CONSISTENT—The proposed restaurant does not adversely affect the public health, safety morals, or general welfare. The uses, hours of operation, and operational characteristics proposed are generally consistent with the uses, hours of operation, and characteristics of other similar restaurant venues in the City.

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

CONSISTENT—There are numerous nearby parking lots and garages, and metered self-parking on surrounding streets. The Applicant further anticipates that many patrons will

arrive by foot, ride-share services, or taxi. Further, the Applicant has conducted a trip generation analysis to ensure the existing parking facilities are adequate for the proposed use.

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

CONSISTENT–The proposed CUP and associated operational plan contains safeguards for protection of the surrounding property, persons, and neighborhood values that are being retained, such as limitations on hours of operation, noise levels, and prohibitions on special events and outdoor bar counters.

(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.

CONSISTENT–As this proposed CUP will program a space that is intended for commercial uses in a zoning district that permits such uses, there will not be a negative impact on the surrounding neighborhood.

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

CONSISTENT – As analyzed further below, the project complies with the applicable sea level rise resiliency review criteria.

(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.

CONSISTENT – The project does not proposed any new driveways or alleys that negatively impact traffic and circulation. The project is an adaptive reuse of an existing commercial space previously used as a restaurant and serves to encourage pedestrianism in the neighborhood.

Review Criteria for Neighborhood Impact Establishments and Outdoor Entertainment Establishments. The proposed modification complies with the review criteria under Section 7.5.5.4(b) of the Resiliency Code as follows:

(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.

The Applicant has submitted an operations plan that addresses hours of operation, goals of the new operator, and other pertinent operational characteristics of the proposed use.

(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.

The Applicant intends to utilize valet parking to satisfy its operational parking demand. The Applicant's valet analysis has submitted to the Transportation and Mobility Department and a third-party peer reviewer for review and approval. The Applicant anticipates patrons will also arrive to the restaurant via other modes of transport, such as on foot, bicycle, or scooter, or may utilize ride share options that do not require parking.

(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 Applicant's proposed operations plan addresses crowd control. The Applicant will utilize well-trained staff to ensure patrons enter and exit A Pasta Bar in a safe and efficient manner.

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

The Applicant's operations plan provides for security and patron-age restriction enforcement. All employees will be trained to check identification to ensure patron age restrictions are followed and A Pasta Bar will employ trained security professionals to ensure patron safety.

(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.

The Applicant has submitted a detailed trip generation and traffic statement to the Transportation and Mobility Department. Based on these analyses, the Applicant's proposed use will not result in a material increase in vehicle trips as compared to the previously existing restaurant at the Property.

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

The proposed modified operations plan addresses sanitation, such as trash pick-up procedures, as well as daily sanitation and cleaning practices.

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

The Applicant will implement policies to ensure that noise is controlled and in compliance with the noise ordinance. For example, to the greatest extent possible the Applicant will reduce queuing times for patrons waiting for vehicles, as well as ask patrons to wait indoors for their ride-share pick up, in order to reduce potential crowd noise.

(8) Proximity of proposed establishment to residential uses.

The Applicant has carefully considered any nearby residential neighbors in developing the layout for A Pasta Bar, including limiting outdoor seating and limiting music to conversational levels in a manner that does not impact nearby residential uses. However, the Applicant's location is not in close proximity to established residential uses.

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

The Property is within a light industrial zoning district intended for restaurants and more intense uses. Further, the Property is a pre-existing commercial space well-suited for restaurant use.

Sea Level Rise and Resiliency Criteria. The existing commercial space advances the sea level rise and resiliency criteria in Section 133-50(a) of the Code, as follows:

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

To the extent required, a recycling or salvage plan shall be provided.

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

To the extent new windows are proposed, new windows will be hurricane proof 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.

All landscaping, if any, 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.

Not applicable. This project is a re-use of an existing space.

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.

Not applicable. This project is a re-use of an existing space.

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

To the extent possible, 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 building is existing and was developed in 2004 in accordance with applicable floodplain regulations at the time.

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.

Habitable spaces below base flood elevation plus freeboard will use flood proofing system in accordance with the Code.

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 or porous pavement materials will be utilized where possible.

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

Not Applicable. This is an existing building.

Conclusion. A Pasta Bar will be a welcomed addition to the Sunset Harbor neighborhood community. The Applicant is making efficient use of a large space that has sat vacant for several months, and is taking every step possible to ensure any potential impacts are mitigated or eliminated. In light of the foregoing, we respectfully request your favorable review of this application. Should you have any questions, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink, reading "Nicholas Rodriguez", enclosed in a light blue rectangular border.

Nicholas Rodriguez

cc: Peter Shoemaker, Esq.