

August 24, 2025

## Via Online Submission

Chair & Board Members  
Design Review Board  
c/o Miami Beach Planning Department  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

**Re: Letter of Intent for Application to Modify Previously Approved Variance to Exceed the Allowable Hours of Operation for Accessory Outdoor Bar Counter for Change in Ownership for the Restaurant Located at 1664 Lenox Avenue, Miami Beach, Florida**

Dear Chair & Board Members:

Our Law Firm represents SO&RA Hospitality LLC (the "Applicant"), the new tenant of the restaurant space located at 1664 Lenox Avenue, Miami Beach, Florida 33139 (the "Premises"). Please allow this correspondence to serve as the Applicant's Letter of Intent in support of the enclosed application seeking a Change of Ownership for a previously approved variance under Design Review Board ("DRB") File No. DRB17-0147 ("DRB Order"), which extends the hours of operation from 12:00 a.m. (midnight) to 2:00 a.m for the accessory outdoor bar counter located within the interior courtyard of the Premises. Enclosed with the application materials, please find a copy of the previously approved DRB Order as well as the previously approved DRB plans.

Request No. 1. Condition No. 10 of the existing DRB Order requires "Any change of operator, or ownership by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Design Review Board as a modification ...." Since the Applicant is the new tenant and will operate this restaurant previously approved by the DRB at the Premises, this application seeks the DRB's approval under Condition No. 10 to update the owner/operator, and also, to meet the Applicant's requirement under Condition No. 14 to appear before the DRB to affirm their understanding of the conditions contained in the DRB Order.

Request No. 2. The Applicant may seek to introduce limited dinner-style entertainment to the restaurant, as would accommodate a supper club, which would require a Conditional Use Permit ("CUP") approved by the Planning Board. To the extent the Applicant applies for a CUP, and is approved by the Planning Board, as more fully explained below, this application also seeks to modify certain operational conditions to accommodate the Planning Board's jurisdiction over any entertainment operations, if approved. Further, since the patron occupant load is determined by the Fire Department on a case by case basis under a new application, even when the restaurant was previously approved and licensed, as more fully explained below, the Applicant is seeking to replace the patron occupant load metric in Condition No. 4 with a maximum seat count to limit the size of the restaurant operation.

The Concept. The Applicant intends to operate a restaurant concept, which will be known as Silk (the "Restaurant"). Silk is will be an immersive, multi-concept culinary and nightlife experience rooted in Italian-Japanese fusion, which is all thoughtfully designed to engage your senses. The environment is inspired by a Mediterranean tribal design.

The Property. The Premises is located on the West side of Lennox Avenue between 17th Street and Lincoln Road, located within the CD-3 (Commercial, High Intensity District) zoning district, which is designed to accommodate a highly concentrated business core in which activities serving the entire city are located. *Sec. 7.2.12.1 Resiliency Code.* Commercial uses, including alcoholic beverage establishments, are main permitted uses in that zoning district. *Sec. 7.2.12.2 Resiliency Code.* The Restaurant is generally located within site commonly known as 1111 Lincoln Road and the Premises is owned by the same property owner. The Restaurant is separated from 17th Street by a surface parking lot and across Lennox Avenue is another surface parking lot, each of which are owned by the City and open to the public for parking.

The Applicant is not seeking to increase the size of this restaurant premises previously approved by the DRB (e.g. square footage and seating will not increase over that which was previously approved and licensed). The prior tenant/applicant of the Premises, which was known as “Chotto Matte,” operated as a two hundred eighteen (218) seat restaurant, with Alcohol No Later than 2:00 a.m., and a patron occupancy of two hundred forty seven (247) patrons. Enclosed with the application materials please find a copy of the previously approved Business Tax Receipt and previously approved Occupant Content Certificate.

The Applicant is requesting this approval under the DRB Order to maintain the same extended hours previously approved by the DRB for the same accessory outdoor bar counter as has also been approved for other operators on Lincoln Road and in other areas in Miami Beach. As depicted on the previously approved DRB plans, the Premises was designed with an interior courtyard where the bar is located. Due to the open air interior courtyard at the Premises, the accessory bar was considered to be “outdoor” even though it is substantially enclosed, and pursuant to Section 7.2.12.2(c)(2) of the City’s Resiliency Code, accessory outdoor bar counters are not permitted to be utilized between 12:00 a.m. (midnight) and 2:00 a.m. without a Variance.

Modifications Requested. As part of this application, the Applicant is seeking to modify the following conditions of the existing DRB Order and any other conditions as may be required to implement the Applicant’s concept:

- Condition No. 4: ~~The patron-occupant load~~ licensed seat count shall be a maximum of 218 seats, unless an increase in the seat count is approved by the Planning Board under a Conditional Use Permit (“CUP”), in which case the CUP would control the maximum permitted seat count. ~~247 persons, or as determined by the Fire Marshall, whichever is lower.~~
- Condition No. 6: The sound system and sound attenuation measures shall be implemented as per the recommendations of the sound study, unless approved by the Planning Board under a CUP, in which case the CUP would control the sound system and sound attenuation measures.
- Condition No. 8: Except as may be required by the Fire, Building, or Life Safety Codes, no loudspeakers shall be affixed to or otherwise located on the exterior of the premises, including the interior open courtyard, unless approved by the Planning Board under a Conditional Use Permit (“CUP”), in which case the CUP would control the location of any loudspeakers.
- Condition No. 10: This approval is granted to SO&RA Hospitality, LLC NZR, LLC dba Chotto Matte only. Any change of operator, or ownership by fifty (50) percent or more of stock ownership, partnership interest, or the equivalent, shall require review and approval by the Design Review Board as a modification to this Order. Any changes in ownership or operator shall require the new owner or operator to submit an affidavit, approved by the City, to the City of Miami Beach Planning Department transferring approval to the new owner or operator and acknowledging acceptance of all conditions established herein. If deemed necessary, at the request of the Planning Director, the applicant shall provide a progress report to the Board. The Board reserves the right the modify the Variance approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address problems and to determine the timing and need for future progress reports.

Below please find the Applicant’s responses to satisfy each of the Sea Level Rise and Resiliency Review criteria pursuant to 7.1.2.4 of the City’s Resilience Code.

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

Not Applicable.

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

Not Applicable.

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

Not Applicable.

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

Not Applicable.

- (5) Whether adopted sea level rise projections in the Southeast Florida regional Climate Action Plan, as many be revised from time to time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation surrounding properties were considered.**

Not Applicable.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public right-of-ways and adjacent land.**

Not Applicable.

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above flood base elevation.**

Not Applicable.

- (8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to base flood elevation.**

Not Applicable.

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry floor proofing systems will be provided in accordance with Chapter 54 of the City Code.**

Not Applicable.

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

Not Applicable.

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

Not Applicable.

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

Not Applicable.

In light of the foregoing, and the application materials submitted herewith, we respectfully request the Design Review Board approve this application to modify the DRB Order.

Very Respectfully Submitted,  
/s/ James E. Rauh  
James E. Rauh, Esquire  
For the Firm