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VIA ELECTRONIC FILING

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

Re: **Revised Letter of Intent - DRB24-1061** –Application for
Design Review Approval and Associated Requests for the
Property Located at 1414 Alton Road, Miami Beach, Florida

Dear Rogelio:

This firm represents Bank of America ("Applicant"), the owner of 1414 Alton Road ("Property") in the City of Miami Beach ("City"). the Applicant intends to replace and redevelopment the existing aging building with a new modern bank building that meets the current needs of the bank's customers. Please allow this letter to serve as the letter of intent in support of request for an application seeking Design Review Board ("DRB") approval for a new bank branch on the site to replace the existing bank building. In addition, the Applicant is requesting related variances of loading space requirements, waiver of certain elements of the City's frontage requirements, as well as approval of multiple wall signs associated with the new branch.

Property Description. The Property is located on Alton Road between 14 Street and 14 Court, with frontage along Alton Road. The Miami-Dade Property Appraiser's Office identifies the property with Folio No. 02-3234-018-0820. The Property is approximately 30,000 square feet (0.688 acres) in size and is developed with a 6,007 square foot Bank of America branch originally constructed in 1974. The existing bank's drive through alignment has three lanes of traffic exiting onto Alton Road. The Property is located within the Commercial, Medium Intensity District ("CD-2"), and not located in a local or national historic district.

Proposed Project. The Applicant proposes to construct a new state of the art, two (2)-story branch consisting of 8,294 square feet and two (2)-drive through lanes ("Proposed Project"). The proposed design will greatly enhance the site's integration with the surrounding pedestrian environment by eliminating the existing wide driveway along Alton Road. Upon completion of the redevelopment, all vehicular access will be relocated to Alton Court, thereby removing direct access from Alton Road entirely.

The Proposed Project incorporates generous setbacks, including 16'-5" from Alton Road, 13'-4" on the side, and 57'-4" at the rear. The parking layout and drive-through lanes have been strategically planned to improve traffic flow and safety by rerouting ingress and egress away from Alton Road. This thoughtful reconfiguration will reduce congestion, enhance pedestrian safety, and contribute positively to the overall streetscape.

Variance of Loading Space Requirements. The Applicant believes a permanent loading space segregated from standard parking is not necessary. Instead, the Applicant proposes to utilize Alton Court for the bank's infrequent deliveries. The Applicant does not contemplate large-scale deliveries given the nature of the use. The Applicant has conservatively parked the Property as a retail use, despite the historic low use of bank parking. Deliveries are not on a fixed schedule but are determined by the specific operational needs of each branch, typically occurring on a weekly or bi-weekly basis.

Signage Program. The Applicant is proposing to locate a total of four (4) signs on the Property, including a building identification sign, two (2) wall signs above the first floor, and a detached sign.

Variance Requests. In order to establish the Proposed Project, the Applicant respectfully requests the following variances:

- 1) Variance from Section 5.2.6 of the Resiliency Code to eliminate the requirement for a designated loading space.
- 2) Variance from Section 6.2.7 of the Resiliency Code to exceed the maximum area for a detached sign by three (3) square feet, permitting a detached sign of eighteen (18) square feet where fifteen (15) square feet is the maximum allowed.

Analysis. The Proposed Project complies with the codified hardship criteria under 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;

The Applicant's proposed use of the Property as a bank branch presents unique conditions that distinguish it from other uses within the same zoning district. Specifically, the operational nature of a bank does not require large-scale deliveries or frequent loading activities typically associated with retail, commercial, or service-oriented establishments. As such, the necessity for a designated loading space is not applicable to this use. Moreover, the building has been thoughtfully designed to accommodate the specific functional requirements of a financial institution, with minimal demand for loading or logistical support. Requiring a loading space under these circumstances would not serve a practical purpose and would instead result in an inefficient use of valuable site area. Additionally, Property is located along a wide, heavily trafficked road, which limits visibility of maximum sign area allowed. The requested minor increase in square footage is necessary to ensure safe and effective identification of the Property while remaining consistent with the character of the area. Therefore, the requested variances are appropriate and justified based on the unique characteristics of the proposed use and the absence of a comparable loading demand.

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

The special conditions warranting the requested variances arise from the inherent nature of the proposed use as a bank branch and not from any action taken by the Applicant. Financial institutions, such as the one proposed, do not generate the type or volume of deliveries that necessitate a designated loading space. The operational needs of a bank are fundamentally different from those of retail or commercial establishments that require frequent or large-scale deliveries. Additionally, the special conditions warranting the minor increase in the detached sign is necessary to ensure adequate visibility and identification of the Property.

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;

Granting the variances will provide no special privilege to the Applicant. Rather, eliminating the loading space requirement will help reduce unnecessary on-site circulation and potential traffic congestion, particularly along adjacent streets. By aligning the site design with the actual functional demands of the use, the project will improve traffic efficiency and better support the surrounding pedestrian and vehicular environment. The requested variance is therefore a reasonable response to existing conditions, not a consequence of the Applicant's actions.

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;

A literal application of the City's land development regulations requiring a loading space would impose an unnecessary and undue hardship on the Applicant, as the proposed bank branch use does not generate the volume or frequency of deliveries that would justify such a requirement. The variances are based on technical requirements of the Code. Allowing the additional square footage for the detached sign will enhance the Property's visibility and provide clear identification for pedestrians and drivers, giving them sufficient time to recognize the Property and respond safely.

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 minor in scope and intended solely to reduce on-site circulation and potential traffic congestion, particularly along adjacent streets.

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 granting of the variances in accordance with the proposed plan will be consistent with the intent and purpose of the land development regulations and will not be injurious to the public welfare.

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

The granting of the variances is consistent with the comprehensive plan and does not impact levels of service.

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.

The Proposed project complies with the applicable sea level rise criteria.

Design Review Criteria. The application is consistent with the City's design review criteria codified in Section 2.5.3.1 of the Resiliency Code. Below is each relevant criterion and the application's consistency with all of the standards.

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

The plan is in compliance.

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.

The plan is in compliance.

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.

The plan is in compliance.

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.

The plan is in compliance.

- 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.**

The plan is in compliance.

- 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.**

The plan is in compliance. The proposed buildings have been designed to integrate into the surrounding area and the site design represents a major improvement over the status quo.

- 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 plan is in compliance. The proposed building is an efficient use of the land and preserve pedestrian site lines.

- 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.**

The plan is in compliance. Pedestrian access from Alton Road is a focus of the design and the plan includes bike racks. Vehicular access is limited to Alton Court.

- 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.

The plan is in compliance. The project lighting has been designed to limit glare on adjacent properties.

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

The landscaping has been designed to blend well with the surrounding area.

- 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.**

The plan is in compliance.

- 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).**

The plan is in compliance. The building has been designed to integrate into the adjacent area.

- 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.**

The proposed building directly fronts the street.

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

All rooftop equipment will be screened.

- 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 this 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.**

The proposed building has significant transparency at the ground level.

- 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**

The back of house elements of the development have been located in a manner to limit the impact on adjacent properties.

- 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 this 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 analysis.

Waiver Requests. In order to establish the Proposed Project, the Applicant respectfully requests the following waivers from Section 5.2.6 of the Resiliency Code related to the City's frontage requirements. The waivers are necessary to allow for the redevelopment to

1. Waiver from Section 7.1.2.2.f.1.A.I.6. Waiver to permit less than a minimum five (5) foot wide clear pedestrian path within the circulation zone.

2. Waiver to allow certain street trees to be located between the curb and the circulation zone Section 7.1.2.2.f.1.A.II.3.

Analysis. The Applicant respectfully requests DRB approval of a waiver to permit a clear pedestrian path of less than five (5) feet in limited areas within the circulation zone. While an existing sidewalk already runs along Alton Road, the Applicant is enhancing the pedestrian environment by providing a five-foot clear pedestrian path along the eastern property line, resulting in a total circulation zone of ten (10) feet. The only exceptions occur at the northeastern and southeastern corners of the property, where the circulation zone transitions seamlessly into the existing sidewalk on Alton Road. This design ensures safe and continuous pedestrian connectivity while maximizing the usability of the site.

In addition, the Applicant respectfully requests DRB approval to allow for four (4) street trees to be location between the curb and the circulation zone. Six (6) street trees are proposed to be located at the inner edge of the circulation zone, but there is inadequate space to accommodate four street trees in that area given the constraints of the site

Sea Level Rise and Resiliency. Section 7.1.2.4 of the Resiliency Code establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

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

This will be provided along with the application.

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

All windows will be hurricane proof.

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

Operative windows are not appropriate given the nature of the bank use.

4. **Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided.**

The landscape plan is resilient as it is comprised of native and Florida-friendly plants appropriate for the area.

5. **The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.**

The project has been designed with sea level rise in mind.

6. **The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.**

The project has been designed to accommodate the raising of adjacent rights of way in the future. The applicant will be seeking a waiver of certain elements of the long frontage standards in order to comply with Florida Department of Transportation standards.

7. **As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.**

The plan is in compliance.

8. **Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.**

This provision is not applicable to the instant 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 54 of the city Code.**

No habitable space will be below base flood elevation.

- 10. As applicable to all new construction, stormwater retention systems shall be provided.**

The project has been designed with stormwater retention as required.

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

The project can accommodate cool pavement where possible.

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

The use of generous overhangs in the design will limit the potential height island effect for the buildings.

Conclusion. Granting this design review application will permit the development of a compatible and resilient commercial building enhancing the surrounding neighborhood. We look forward to your favorable recommendation. If you have any questions or comments, please call me at 305-377-6229.

Sincerely,

Graham Penn

cc: Michael Yanopoulos, Esq.