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## VIA ELECTRONIC SUBMITTAL

March 8, 2026

Rogelio Madan  
Development & Resiliency Officer  
City of Miami Beach  
1700 Convention Center Drive, 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139

Re: Letter of Intent – DRB25-1159: Design Review  
Approval for New Multifamily Apartment Building for the  
Property Located at 1250 West Avenue -

Dear Mr. Madan

This law firm represents Bay Garden Manor Condominium Association, Inc. c/o 1250 West Ave Owner, LLC (the "Applicant") relating to the property located at 1250 West Avenue, Miami Beach, Florida (the "Property"), in the City of Miami Beach (the "City"). Please allow this letter to serve as the letter of intent in support of an application to the Design Review Board ("DRB") for approval of a new residential apartment building on the Property.

Description of the Property. The Property is located on the west side of West Avenue, south of 13th Street, and is identified on the Miami-Dade County Property Appraiser's records as Folio No. 02-3233-048-0001. The Property is located within the RM-3 zoning district, which permits multifamily residential development, subject to compliance with the applicable regulations of the City Code. The surrounding area consists primarily of existing multifamily residential buildings along West Avenue.

Project. The Applicant seeks DRB approval for the development of a new residential apartment building to replace the existing 238-unit multifamily building

currently developed on the Property (the "Project"). The proposed Project will consist of a maximum 106-unit, 28-story multifamily residential building, with accessory commercial uses and on-site parking provided within an understructure, consistent with the requirements of the City Code. Notably, the Project is in furtherance of Development Agreement between the Applicant and the City authorized under Chapter 163, Florida Statutes, which is recorded at Official Record Book 34884, Page 3768 of the Public Records of Miami-Dade County, a copy of which is submitted with this application (the "Development Agreement"). As explained further below, the Development Agreement ties the Project to certain public benefit requirements, including acquisition of the former Bikini Hostel parcel, and development of segments of the City's Baywalk system that will allow for completion of the public Baywalk promenade from 5<sup>th</sup> Street to Lincoln Road.

The building has been designed with a contemporary architectural vocabulary that responds thoughtfully to the existing scale, pattern, and character of development along West Avenue, while introducing a quality, context-sensitive modern design. Primary building materials will include concrete and wood-like finishes, with a carefully composed façade with recessed balconies, and wide fenestration that together establish an engaging and harmonious streetscape presence.

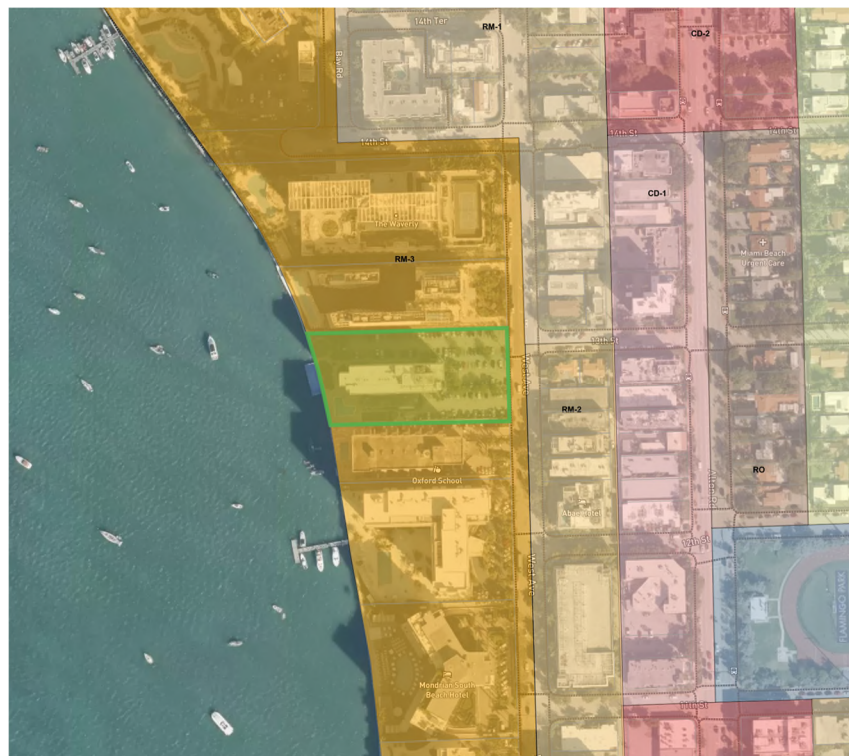


Figure 1, Aerial.

The Project has been carefully organized to internalize vehicular circulation and minimize potential impacts on the pedestrian environment. A two-way driveway provides seamless access to generous internal circulation areas, allowing vehicles to enter, queue, and exit efficiently without disrupting the public sidewalk or nearby properties. Service and loading functions are fully internalized and screened, reinforcing the Project's commitment to maintaining an attractive and active pedestrian edge along West Avenue.

The ground floor has been programmed to support a lively and welcoming streetscape, accessed through plentiful landscaping and street front architectural accentuation, and centered around a clearly defined residential lobby entrance. Adjacent to the lobby, an accessory commercial space will contribute to the vibrancy of the corridor while complementing the building's residential character. The ground level also includes a resident-only dining room serving as a social and amenity space, creating opportunities for informal gatherings and fostering a sense of community within the building.

Below grade, the Project provides three basement levels containing structured parking in a mechanical configuration, consistent with the provisions of the applicable overlay. These underground levels have been designed to accommodate all required parking on-site, thereby reducing visual and operational impacts at street level. The basement program also includes an accessory health club and fitness facility, offering convenient access to recreation and wellness amenities within the building.

Levels 2 through 28 are dedicated to residential units, each designed to maximize natural light, cross-ventilation, and panoramic views of the surrounding city and bayfront. The building's massing and orientation have been refined to promote privacy between units and ensure a cohesive architectural expression throughout the tower.

The Project's ground level incorporates a landscaped pool deck and garden designed with lush tropical planting and refined, elegant detailing that reinforce the notion of quiet urban luxury. The pool area is thoughtfully integrated into the surrounding landscaping to complement the outdoor environment while maintaining an elegant residential character. At the uppermost level, the top-floor will feature a rooftop pool area.

Baywalk. In addition to the building and landscape improvements, the Project proposes an over-water addition the City's Baywalk in the Property's riparian rights area along the west side of the Property. The Project's portion of the Baywalk will connect be a part of the City's continuous waterfront pedestrian promenade, contributing to the long-term vision for enhanced public access and connectivity along Biscayne Bay. The design incorporates quality materials, ensuring a visually engaging waterfront experience

that aligns with the architectural character of the Project and in compliance with the standards set forth in the recorded Development Agreement."

To facilitate public access to the Baywalk, the Project will include a dedicated pedestrian pathway along the south side of the Property that connects West Avenue to the waterfront. This landscaped walkway will provide convenient and publicly accessible passage for residents, visitors, and the general public. The over-water Baywalk segment will link seamlessly with adjoining segments of the Baywalk network as they are developed. Together, these elements advance the City's goals of expanding recreational access to the Bay while maintaining a harmonious interface between private development and the public realm.

Alton Beach Bayfront Overlay. The Property lies within the RM-3 zoning district, Parking Tier 1, and is more specifically regulated via the Alton Beach Bayfront Overlay (the "Overlay"). The latter establishes a framework for increased Floor Area Ratio ("FAR") and building height, as well as modified tower setback requirements compared to the underlying RM-3 zoning district.

The Alton Beach Bayfront Overlay governs use mix, transient activity, massing, and parking by offering optional FAR and height incentives layered over the underlying RM-3 zoning district. In exchange, participating properties must permanently prohibit short-term rentals and provide binding public-benefit improvements focused on the West Avenue corridor and Baywalk system. These measures are intended to preserve a residential character and mitigate off-site impacts while accommodating additional development intensity.

The Overlay prescribes fixed setbacks, including a 150-foot tower front setback, a 63-foot rear setback, and a minimum combined side yard of 42 feet. Limited encroachments are permitted to support architectural articulation and Baywalk access: ledges, overhangs, and terraces may project up to 10 feet into side yards, and supporting columns for the first two pedestal levels may extend up to 8 feet. Pedestrian pathways to the Baywalk may also traverse required yards to maintain continuous public connectivity.

Parking must be located almost entirely below grade, with only loading, valet circulation, and up to ten visitor spaces allowed above grade. Fully enclosed mechanical or robotic parking systems may satisfy parking requirements without additional board approval, provided they meet general code standards and are secured by a recorded covenant requiring continuous valet operation.

*FAR and Height Bonuses.* Properties within the Overlay may achieve a cumulative FAR of up to 5.75 and a height of up to 330 feet, subject to three conditions: limiting density to a maximum of 75 units per acre, recording a covenant prohibiting short-term rentals, and entering into a Development Agreement committing to specified capital and public-realm improvements. The Property satisfies each of these conditions pursuant to the Development Agreement recorded at Official Record Book 34884, Page 3768 of the Public Records of Miami-Dade County, a copy of which is submitted with this application.

The Project achieves the maximum cumulative FAR of 5.75 through the sequential application of floor area bonuses under Section 7.3.12.b of the Miami Beach Resiliency Code, as follows:

- Default FAR. The Overlay establishes a base FAR of 2.75 as of right, consistent with the underlying RM-3 land development regulations.
- Density Reduction (0.25 FAR Bonus). The Project qualifies for an additional 0.25 FAR density bonus by proposing a residential density at 55.17 units per acre, well below the 75 units per acre threshold, for a subtotal FAR of 3.0. The proposed maximum 106-unit project complies with this bonus criteria.
- Short-Term Rental Covenant (0.25 FAR Bonus). The Applicant shall record a restrictive covenant running with the land, in a form approved by the City Attorney, permanently prohibiting the lease or rental of any residential unit on the Property for a period of less than six months and one day. The covenant shall expressly require an affirmative vote of six-sevenths of all members of the City Commission to release or modify it in any manner that imposes a less stringent restriction. The Applicant will provide the required covenant prior to issuance of a building permit for the project.
- Development Agreement (2.50 FAR Bonus). The remaining 2.50 FAR is achieved through the Development Agreement, which obligates the Applicant to deliver the following capital improvements and public benefits within the West Avenue corridor, each as a condition precedent to the issuance of a building permit:
  - Transient Use Acquisition and Conveyance to City (2.0 FAR Bonus). The Applicant has acquired the properties at 1247, 1255 West Ave and 1234 13th Street in accordance with the Development Agreement. These properties previously operated as "Bikini Hostel", a transient use within the West Avenue corridor. The Applicant will convey it to the City, to be used as a public park, or such other use

selected by the City, in accordance with the requirements of the Development Agreement.

- Bay Walk Construction (0.50 FAR Bonus). Under the Development Agreement, the Applicant is required to design, permit, and construct the Bay Walk segments identified in Section 7.3.12.b.d.2, located at 800 West Avenue, 1228 West Avenue, and 1450 Lincoln Road, or make a financial contribution in lieu as set forth in the Development Agreement. As to the Property itself, the Project incorporates a dedicated Bay Walk along its western edge, as described above. With respect to the segments at the three other identified properties, the Applicant is actively engaged in negotiations with the respective upland owners, and the corresponding legal documentation necessary to obtain permits for the proposed Baywalk segments is currently being prepared.

The foregoing base FAR, density bonus, and Development Agreement bonuses together yield a total FAR of 5.75, and a maximum height of 330 feet, the maximum permitted under the Overlay.

Design Review Criteria. The application is consistent with the City's design review criteria codified in Section 2.5.3.1 of the City Resiliency Code (the "Resiliency Code"). Below are 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 Project is designed with resilience and careful consideration of the existing conditions and geographic location and provides lush landscaping with a variety of species.

- 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 Project effectively provides multiple modes of ingress and egress, utility services, drainage facilities, and screening devices, as well as encouraging alternative modes of transportation with extensive bicycle racks and shower facilities for bicycle users.

- 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 architectural plans submitted with the application materials include a comprehensive zoning data legend and detailed architectural drawings detailing the Project's compliance with the Resiliency Code.

- 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 Applicant has selected quality materials and finishes for the Project.

- 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 Project conforms with the intent of the Resiliency Code and all other applicable ordinances and guidelines, as is illustrated by the extensive architectural plan set which includes multiple detailed renders.

- 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 Project is sensitive and compatible with the surrounding neighborhood, while elevating the appearance and character of its surroundings. The resilient design will enhance the surrounding area, as intended and contemplated by the Development Agreement.

- 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 proposed layout of the structures, lush landscaping, and other features of the Project were carefully designed and arranged to minimize potential impacts on adjacent neighbors.

- 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 Project provides for efficient ingress and egress to-and-from the Property, and features a new understory to provide additional parking. Additionally, vehicle parking is heavily landscaped and screened from view. Finally, the Project's components encourage alternative modes of transportation with extensive bicycle racks and shower facilities for bicycle users.

- 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 designed to allow effective lighting to ensure safety of people and property, while minimizing glare and reflection on adjacent properties. The Applicant intends to minimize glare and reflection, if any, on adjacent properties consistent with the City Code.

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

Included in the application materials are architectural and landscape plans with sufficient details relating to the proposed landscape and paving materials. The proposed landscape will be lush, with a variety of species.

- 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 Project includes multiple landscape buffers to shield lights and noise from the Property and vehicles.

- 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 Project is sensitive and compatible with the surrounding neighborhood. The Project is designed to maintain important view corridors.

- 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 Project has a significant landscape and parking buffer and does not front any streets directly.

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

The Project complies with this criterion, having all rooftop elements screened or recessed.

- 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 Project meets required setbacks, and is therefore substantially setback from the front property. Nonetheless, the design of the property provides for a landscaped and refined street front treatment by substantial vegetation and architectural elements.

- 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 Project 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.

Confirmed. The structure and site comply with the sea level rise and resiliency review criteria, as described in more detail below.

Mechanical Parking Requirements - Section 5.2.11.f. 1 to 7. The Applicant proposes mechanical parking aimed to reduce the unnecessary massing of a large parking podium at the Property. The introduction of mechanical parking lifts results in more efficient below-grade parking levels, which serve to reduce the impact of the development on surrounding properties. The more efficient use of the below-grade parking levels result in an improved design and a structure that is compatible in size and character with the surrounding neighborhood.

Within the Overlay, mechanical parking lifts are permitted by right so long as the requirements of Section 5.2.11.f. are satisfied, and the Applicant provides a restrictive covenant requiring valet service for use of the mechanical parking lifts for as long as the mechanical parking lifts remain in use. The Applicant will provide the required restrictive covenant prior to issuance of a building permit. The proposed design complies with the criteria in Section 5.2.11.f 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 stacked parking lifts are located entirely within the building envelope, surrounded by residential floor plates and structural walls that serve as multiple layers of acoustic and vibration attenuation. The lifts will not be plainly audible or perceptible to any individual standing outside a residential unit at any adjacent or nearby property. Noise and vibration barriers are integrated into the building's construction to ensure that sound and vibration emissions do not extend beyond the parking garage enclosure.

(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 stacked parking lift platforms are fully load-bearing and will be sealed and of sufficient width and length to prevent dripping liquids or debris onto any vehicle parked below.

(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 are designed so that power is required to raise a vehicle, but not to lower it. Each lift is fitted with a manual crank system that allows the upper platform to be lowered and the vehicle accessed in the event of a power outage. The building will also include an emergency back up generator that will be capable of operating the mechanical parking system in case of emergency.

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

The mechanical lifts are equipped with an automatic hydraulic safety valve that prevents the upper platform from lowering while the bottom parking position 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 ceiling height at the parking level where the stacked lifts are located meets or exceeds the minimum requirement of 11 feet 6 inches.

(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 mechanical parking lifts will be inspected and certified as safe and in good working order by a licensed mechanical engineer no less than once per year. The findings of each inspection will be summarized in a signed report by the same licensed mechanical engineer or firm, which will be furnished to the Planning Director and the Building Official.

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

All parking lifts will be maintained and kept in good working order. Routine maintenance will be performed in conjunction with the annual inspection required under condition (6) above.

Transportation and Mobility Review. The Applicant has submitted a traffic study for review and approval by the City's Transportation and Mobility Department through File No. TRN25-0056. Since this application proposed a redevelopment an existing 238-unit multi-family building, the Project will not result in a significant increase in vehicle trips. The traffic analysis also evaluates the proposed valet operations, maneuverability of trash collection and emergency vehicles, and proposed Transportation Demand Management ("TDM") strategies to further reduce transportation and mobility-related impacts.

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 at permitting.

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

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

All landscaping will be Florida friendly and resilient.

- (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 consideration to sea level rise projections, and in fact the project's construction plan is informed by regional floodplain regulations and sea level rise policies.

- (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, with appropriately sloped sidewalk and harmonization between the front setback area and the street.

- (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.

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

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

This criterion is inapplicable to this application as the project will be reconstructed to comply with modern floodplain regulations.

- (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.

Cool pavement or porous pavement materials will be utilized where any new pavement is proposed.

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

The Project limits the potential heat island effect on-site by incorporating passive design strategies such as shading devices and natural ventilation and providing significant vegetation on the Property.

Conclusion. The proposed residential mixed-use apartment building at 1250 West Avenue represents a high-quality, context-sensitive infill project that is compatible with the surrounding neighborhood, improves the streetscape along West Avenue, and advances the City's goals for resilient, pedestrian-oriented development. The Applicant respectfully requests your favorable review and recommendation. If you have any questions or require additional information regarding the Project or this letter, please do not hesitate to contact me at (305) 377-6236.

Sincerely,



Michael W. Larkin

cc: Nicholas Cabllero-Rodriguez  
Carlos A. Markovich