



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

www.brzoninglaw.com

305.377.6236 office

305.377.6222 fax

MAmster@brzoninglaw.com

VIA ELECTRONIC SUBMITTAL

July 1, 2024

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

RE: **DRB24-1002** - Letter of Intent – Design Review
Board Approval for the Property located at 1801 Purdy
Avenue, Miami Beach

Dear Mr. Madan:

This law firm represents Purdy Avenue LLLP, (the "Applicant") owner of the property located at 1801 Purdy Avenue (the "Property") in the City of Miami Beach (the "City"). This letter serves as the required letter of intent in support of an application for design review approval from the Design Review Board ("DRB") for the Applicant's installation of operable storefront windows pursuant to Section 2.5.3 of the Miami Beach Resiliency Code (the "City Code").

Description of the Property. The Property consists of one (1) lot located at the intersection of Purdy Avenue and 18th Street further identified by Miami-Dade County Folio No. 02-3233-012-0270. See Figure 1, below. The Property is approximately 11,250 square feet in size or 0.258 acres. The Property currently contains a two (2) story building with a ground floor restaurant in existence since 2006 and co-working space on the second floor. The Property is approximately 21,028 square feet in size, with an exterior terrace and exterior seating area along 18th Street and Purdy Avenue.



Figure 1,

The Property is within the Commercial, medium intensity district ("CD-2") and within the Sunset Harbor Mixed-Use Neighborhood Overlay District.

Existing Restaurant. The Applicant is a well-known restaurant operating as Sardinia Enoteca Ristorante ("Sardinia") and has been operating since 2006. The Applicant seeks to continue operating with a beautifully designed restaurant specializing in serving authentic Italian cuisine. The outdoor dining has activated the prominent intersection of Purdy Avenue and 18th Street. Sardinia is a family-oriented restaurant perfect for family outings or quiet business meetings. Sardinia plays background, ambient level music. Overall, the Applicant intends to operate Sardinia in a manner that is consistent with the residential and commercial character of the Sunset Harbor Neighborhood, while providing a unique restaurant offering upscale Italian Cuisine.

Property History. In 2022, Building Permit No. BC2220417 (the "Permit") permitted the replacement of the windows and doors with fixed impact windows. The Permit was issued on December 15, 2022, and the windows were subsequently installed on May 22, 2023. The final inspection took place on June 21, 2023, and the permit was finalized the same day.

The windows were installed quickly over a two (2) day period, in order to minimize the operations of Sardinia. After installation, Sardinia realized that operable windows were not installed, and as a result, after final inspection, Sardinia had the window vendor replace the fixed windows along 18th street with operable windows, with the intent of the

window vendor filing the correct permit revisions for approval. However, the window vendor did not complete the revisions as required.

On January 16, 2024, the Applicant received a Building Violation BVB24002276 for the installation of sliding/operable windows for Sardinia without permits. The following day, on January 17, 2024, the Applicant received Zoning Violation No. ZV2024-05093 for failure to obtain approval from the DRB for the installation of windows in contravention of the building permit. Accordingly, the Applicant wishes to correct the violations and obtain DRB approval for operable windows on the west elevation fronting Purdy Avenue pursuant to Section 2.5.3 of the City Code.

Operations Plan. Sardinia will continue to operate in accordance with its current operating plan. The restaurant is open daily from 12:00 P.M., to 11:00 P.M., Monday through Sunday.

Neighborhood Support. On May 9th, 2024, the Applicant met with two (2) members from the Sunset Harbour Neighborhood Association. While they did not object to the use of the operable windows, they offered support of the application on the condition the operable windows close and remain closed after 10:00 p.m. The Applicant and Sardinia have agreed to comply with this condition and will close the windows at 10:00 P.M.

Proposed Design Improvements. The Applicant seeks approval for improvements to the existing storefront. The entrance improvements consist of operable sliding windows on the west side of the primary entrance fronting Purdy Avenue. In general, the improvements are minor in scope and intended to further activate the Property in a manner that respects the Property's location at a prominent location in the City.

Cost Estimate. The Applicant estimates the total cost of improvements to replace the storefront windows will be approximately \$90,000.00.

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.

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.

Hurricane proof impact windows are currently installed.

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

The Applicant will provide, where feasible, passive cooling systems, such as operable windows.

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

The application is a minor renovation of an existing building that does not propose to modify 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 application is a minor renovation of an existing building that does not propose to modify driveways or ramping.

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

The application is a minor renovation of an existing building that does not propose to modify mechanical and electrical systems.

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

The existing building cannot feasibly be elevated to base flood elevation.

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 application is a minor renovation of an existing building that does not propose any alterations regarding wet or dry proofing systems.

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

The application is a minor renovation of an existing building that does not propose any alterations to water retention systems.

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

The application is a minor renovation of an existing building that does not propose any alterations to pavement materials or porous pavement.

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

The project enhances the façade by providing operable windows that minimize potential for a heat island effect.

Conclusion. The proposed design improvements facilitate the renovation of a high-quality restaurant within the Property. The design improvements are minor in scope and allow the Applicant to enhance the existing storefront in a manner that is consistent with the City Code and Design Review Criteria. Accordingly, we respectfully request your favorable review and recommendation with respect to the Project. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Michael Larkin

cc: Michael Yanopoulos, Esq.