

**PZB – July 13,
2020**

**Public
Comment
Emails**

June 15, 2020

Dear Mayor DeFillipo, Justin and Commissioners:

justin.proffitt@cityymb.com <justin.proffitt@cityymb.com>; Commissionall@cityymb.com
<Commissionall@cityymb.com>; Anthony.defillipo@cityymb.com <Anthony.defillipo@cityymb.com>

As you know, we are still in the middle of a pandemic. Therefore all meetings and votes relating to Dezer's Intracoastal Mall Redevelopment Proposal should be postponed until after the current health-safety emergency orders are lifted.

North Miami Beach city leaders should set safety guidelines in place for all face-to-face public meetings. These wisely would include holding any assemblies in auditoriums, so as to adhere to social-distancing dictates. Everyone's temperatures should be taken and all present must wear masks.

Local and national news organizations state that the virus is still virulent and highly contagious. Sunday's *The New York Times* article, "Infections Rise in Many States that Reopened," confirmed that the numbers of new cases in states that reopened is increasing. (June 14, 2020)

There's no reason that the city of North Miami Beach and its elected officials should be exempt from abiding by the same stringent procedures obligingly implemented by businesses, corporations and universities.

Just presenting this massive redevelopment proposal in a few meetings, let alone in a limited-to-100-participants June 8th Zoom meeting with a two-minute, not the standard three-minute speaking allowance, as is listed on the city's website, was far from acceptable. At best, this wasn't a truly public meeting.

It would be prudent for public meetings to resume only when:

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Just having a meeting without setting public-safety protocols is careless governance. The Dezer Intracoastal Mall Redevelopment Project is not an emergency. It requires multiple stages before reaching the approval step.

In 2015, when the mall was rezoned, the proposal was:

- Ushered through preliminary and subsequent strategy meetings
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Besides these steps, the development plan was deliberated in public discussions and town hall meetings.

The ingress/egress and rezoning issues were deferred until July 13th most likely because several residents wrote letters stating their concerns. If they hadn't voiced their opposition, the motions would have passed that day and been approved the following week.

Instead of following basic Sunshine Laws, this rushed process borders on hiding-the-project in the shadows, then hastily pushing it through. It clearly lacked any attempt at transparency, fair democratic process or even good faith.

The amount of studies that have to be presented by Dezer's project to us as Eastern Shores residents, Sunny Isles and N Miami Beach Residents, of the impact in the area; before any approval;

Environmental

Noise Pollution

Traffic

Sewer studies

While life

Naval Engineering Intracoastal impact and Canals

Mangrove Protection etc

Ultimately, Dezer's project impacts not just Eastern Shores' residents, but also all of Sunny Isles Beach citizens and Oleta State Park visitors, not to mention all beachgoers in the North Miami Beach area. Therefore, it demands to be open to all avenues of proper, public discussion with timely notification to every home and condo owner in Eastern Shores.

Seriously concerned,

Eduardo Piana

Resident since 1988.

Cino, Sharon

From: George Vallejo <george@georgevallejo.com>
Sent: Monday, June 8, 2020 11:36 AM
To: NMBCOMDEV; Proffitt, Justin; Scott, Esmond; Bernard, Andrise; Daniel Espino; Williams, Greg
Subject: PUBLIC COMMENT Intracoastal Mall item on P&Z June 8, 2020

Madame Clerk: Please ensure my letter is circulated to the P&Z Board with sufficient time for them to read it. I also ask it be read as Public Comment and entered into the record of tonight's P&Z meeting. Finally, please forward to Commissioners and City Attorney. I have timed it and the below reads in under 3 minutes. Kindly reply confirming receipt of this email. Thank you and have a great day!

Dear Members of the Planning & Zoning Board:

Hello to all and I hope this message finds you doing well. I respectfully request you and the City postpone any action on the Agenda items related to Intracoastal Mall redevelopment, zoning changes, or traffic changes. At minimum, they should be postponed until such time as (A) citizens can appear in person at the meeting, and (B) Staff and the developer have held at least one town hall meeting in the neighborhood.

Right now, most residents are distracted by the ongoing disruptions from COVID-19 and civil unrest, leaving them in the dark as to what is proposed. Many are unaware City Hall is open for business, much less planning to bring an item of this magnitude to a vote. Hearing it under the current circumstances, with minimal public awareness, Zoom-only meetings, and emailed comments during a declared state of emergency is, on its face, bad public policy. Besides that, it arguably may violate the NMB Citizen's Bill of Rights. **Just because the Governor's Emergency Order allows you to do it does not mean it is prudent to do it.**

Recall the original "MU" re-zonings were the result of a unanimous vote after a two-year long public process with multiple town halls, workshops, public forums, surveys, Strategic Plan votes, P&Z votes, State of Florida Planning reviews, and Commission votes. There were dozens of opportunities for citizen involvement. It was the most studied, vetted, and discussed vote in the history of our City and every step along the way was conducted in the sunshine.

In contrast, here is one of the most critical decisions involving the MU-Waterfront-East district about to be conducted in a hurried and almost clandestine manner: No workshops, no town-hall meetings, minimal mailed notices to neighbors, limited public transparency, and less than a week to review Staff reports.

It is fundamentally unfair for an applicant and their attorneys to present in person, making eye contact, and able to have sidebars with Staff and Commissioners while the public is essentially in the dark, only able to see and hear what is broadcast online. That is if they even can even get online, which many citizens may not be able to do.

Please ask yourselves: How can the current environment be so dangerous that it requires curfews, stay-at-home orders, and online-only meetings but safe enough to vote on a purely discretionary traffic/re-zoning/development agreement? Mind you this project is to take a decade. What is the rush?

Finally, I am reserving judgment on the merits of the actual proposal because frankly, the reports were only released to the public less than a week ago. However, regardless of how good or bad the proposals may be, there is no doubt hearing them tonight is inappropriate. It may meet the minimum legal standard, but prudence and sound governance

dictate you postpone. On something of this magnitude, it is more important to get it right, than to rush it. Thank you for your time and attention.

Sincerely,

George Vallejo
Resident of Eastern Shores and Former Mayor
2940 NE 164 ST, NMB, FL 33160

(I am speaking for myself personally and not for any organization.)

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Cino, Sharon

From: qbish1 <qbish1@aol.com>
Sent: Saturday, June 20, 2020 10:48 AM
To: Proffitt, Justin
Subject: Dezer Intracoastal project

As a 30 year resident of this community, I am respectfully requesting the following on behalf of myself, family and neighbors:

Zoom meetings that only allow 100 participants are NOT allowing public access.

On-site meetings must be held in an auditorium to abide by social-distancing protocols and allow more citizens to attend.

Adding another traffic light at "N.E. 36th" Avenue (the tiny entrance behind the Dollar Store), will create more traffic problems.

A massive mega complex is NOT compatible with the surround homes and nearby residences.

Do not pass the Intracoastal Mall Redevelopment Project rezoning amendment. Larger buildings will increase density and traffic, which is already gridlocked from the 2015 rezoning.

The city should not enter into an agreement with the developer. It silences the residences and blocks future commissioners from making any future changes.

Sincerely
Beile Axelrad

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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Cino, Sharon

From: Maria Julia Sotolongo <julitasotolongo@yahoo.com>
Sent: Sunday, June 21, 2020 12:16 PM
To: Proffitt, Justin; Commission All External; DeFillipo, Anthony
Subject: Dezer Project

Mayor Anthony DeFillipo

Mr. Justin Proffitt, AICP

Manager, Planning & Zoning Department

Commissioners of North Miami Beach

City of North Miami Beach

[17050 NE 19th Avenue](#)

[North Miami Beach, FL 33162-3100](#)

June 15, 2020

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Ultimately, Dezer's project impacts not just Eastern Shores' residents, but also all of Sunny Isles Beach citizens and Oleta State Park visitors, not to mention all beachgoers in the North Miami Beach area. Therefore, it demands to be open to all avenues of proper, public discussion with timely notification to every home and condo owner in Eastern Shores.

Seriously concerned,

María Sotolongo

North Miami Beach, FL 33160

Sent from my iPhone

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Cino, Sharon

From: Diane Serna <bikinicityusa@yahoo.com>
Sent: Monday, June 15, 2020 9:43 PM
To: Defillipo, Anthony
Cc: Bernard, Andrise; Proffitt, Justin; Commission All External
Subject: Re: Request for a complete traffic impact analysis for the proposal of the "Intracoastal Mall Redevelopment Project" (Eastern Shores)

Hello!

As a very concerned longtime Eastern Shores resident on 35th Ave., (directly facing the 35th Ave. side of the Intracoastal Mall), I would like to please obtain a copy of the March 2020 completed traffic impact analysis that was used by the developer for the newly proposed Intracoastal Mall development. I was told that there is a condensed one available, however it may lack vital information.

Please email it to me, the entire report including ALL Appendices, as well as ALL third party data used to create the report in an electronic format (CSV, Excel, XML, etc).

I was additionally told that there were earlier traffic impact studies performed and I would like to receive copies of them as well.

Also- my statements at tomorrows and future meetings will be as follows;

Where will the 2,000 "multifamily" residential units be housed on the proposed development?

Are the 35 low-rise buildings supposed to be townhomes?

What type of buildings are the 48 mid-rise units going to be and look like?

Where is the sites 35,000 sq. ft. gym supposed to be placed at exactly?

Where will the 200,000 sq. ft. office space be on the site plan?

What is 1917 high-rise units mean exactly?

Lastly, where will the 345,000 sq. ft. of retail be placed in the entire project?

A few other things I'd like to add, is that all meetings and votes relating to Dezer's Intracoastal Mall Redevelopment Proposal should be postponed until after the current health-safety emergency orders are lifted. Local and national news organizations state that the virus is still virulent and highly contagious. Sunday's *The New York Times* article, "Infections Rise in Many States that Reopened," confirmed that the numbers of new cases in states that reopened is increasing. (June 14, 2020)

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Thank You,

Diane Serna

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Cino, Sharon

From: qbish1 <qbish1@aol.com>
Sent: Friday, June 19, 2020 12:10 PM
To: Proffitt, Justin
Subject: Eastern Shores Dezer project

I am writing to protest this project. I have lived in Eastern Shores 30 years and I've stayed because it's truly a great area. My children grew up here, went to school in the area and this project will totally RUIN our peace.

THIS REZONING MUST NOT PASS. THIS PROJECT MUST NOT HAPPEN.

Beile Axelrad
Eastern Shores resident

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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Cino, Sharon

From: Jeanne Aguilar <jeannaguilar@gmail.com>
Sent: Monday, June 8, 2020 6:17 PM
To: Proffitt, Justin; Commission All External
Subject: Stop massive Dezer development now! Their Building high should be limit to 17 Floors AT MOST!. Density Must be reduced! OVERCROWDING CAN'T BE UNDONE!, 40-story skyscrapers, is insanity!

To: to the city planning manager Justin.Proffitt@citynmb.com, and all the commissioners at commissionall@citynmb.com
June 8th meeting at 6 p.m

I have been a homeowner in Eastern Shores since November 2005. I love my neighborhood and tranquil atmosphere. I do not agree with this massive Dezer development project at the Intracoastal Mall.

- Building 40-Story skyscrapers. **Their Building high should be limit to 17 Floors AT MOST!**
- **Density Must be reduced!**
- On the other hand, What will be the size of the marina, they may be built? are there any regulations on that?

OVERCROWDING CAN'T BE UNDONE!, **40-story skyscrapers**, is insanity!
OUR PARADISE LOST!

--

Aracelis Jeannette Aguilar, MBA Finance
+ 1 305 510.95.55 - JeannAguilar@gmail.com

This information is intended to be confidential and solely for the use of Jeannette Aguilar PA and those persons or entities to whom it is directed. It is not to be reproduced, retransmitted, or in any other manner redistributed

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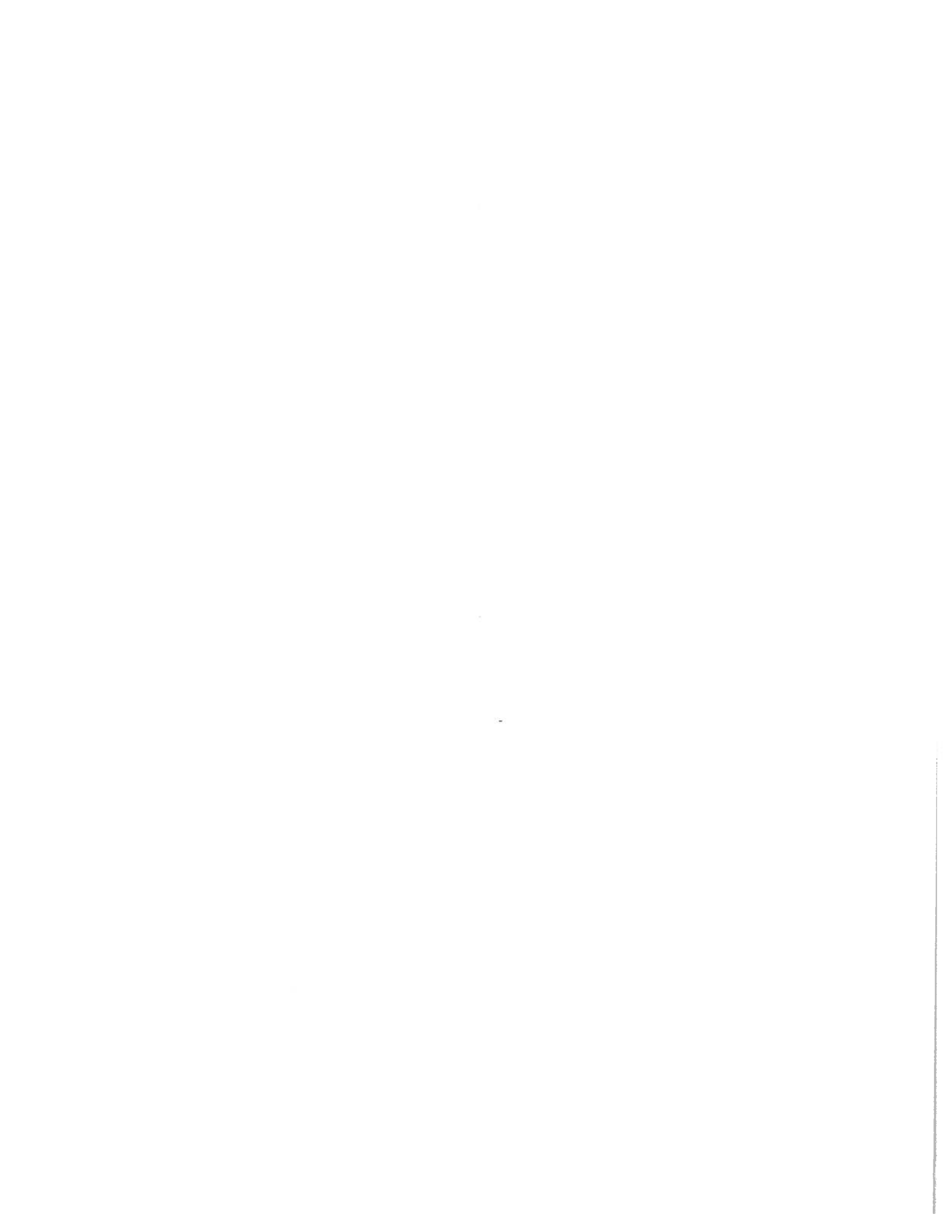
Mangrove Protection etc

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Seriously concerned,

Eduardo Piana

Resident since 1988.



Cino, Sharon

From: Mayling Ganuza <mayling.ganuza@gmail.com>
Sent: Monday, June 8, 2020 10:53 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna
Subject: High rises at Intracoastal Mall

Good morning,

I am writing to express my objection to permitting the construction of monstrous high-rises at Intracoastal Mall.

There is only one entrance to the property which will result in grid-lock and collisions. Lives will be at risk, not to mention the strain on mental health. In addition, I am concerned about the lack of infrastructure to support so many more units. The water pipes are under stress as it is. Sewage leaks are unfortunately a common occurrence, polluting the waters of Oleta State Park. The glossy ads advertising homes in the neighborhood and their waterfront views surely will not capture the smell of putrid water. This is a threat to the environment and public health, not to mention property values.

Michael Dezer is worth \$12.4 billion dollars. Why do we have to sell out our neighborhood to him and his family? I cannot imagine ANY benefits this will bring to the community. Sure, more tax money will come in. But the negative effects to public health and safety, not to mention quality of life, far outweigh the tax revenue.

Please REJECT any proposal to develop the site.

Thank you,

Mayling Ganuza
16477 NE 30 Avenue
North Miami Beach, FL 33160

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Cino, Sharon

From: Liliana Custy <lcusty@airlinesupportgroup.net>
Sent: Friday, June 26, 2020 5:53 PM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony
Subject: I oppose to the redevelopment of the Intracoastal Mall

Dear All,

I live in Tides Townhomes. I am a neighbor of Eastern Shores.

I oppose to the rezoning and upzoning of the Intracoastal Mall proposed by Mr. Dezer and his group. The scope of this project does not belong in front of our Eastern Shores Community. The Mayor of North Miami beach and the commissioners should consider, before approving any changes, all environmental issues caused by this redevelopment, issues that will destroy the fauna and the flora, affect our waterways, affect our traffic, increase noise pollution and other pollutions, and is against all recommendations made by experts regarding building on or near waterways because of sea rise levels problem, salt water intrusion and storm surges.

If the city leaders can spend significant time discussing a mural to beautify a building project, they should dedicate their time to study more important matters as well, such as Eastern Shores neighbors' concerns regarding Dezer's redevelopment project that will affect the health, welfare, and economy of the citizens that they represent.

I would recommend that you do your own independent studies of how your city will be affected by these environmental and traffic issues and , before candidly accepting the "studies" presented by Dezer and his team.

Best regards,

Joseph Custy

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Cino, Sharon

From: Liliana <info@korninteriordesign.com>
Sent: Monday, June 15, 2020 4:25 PM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony
Subject: Intracoastal Mall Redevelopment Meeting

Mayor Anthony DeFillipo

Mr. Justin Proffitt, AICP

Manager, Planning & Zoning Department

Commissioners of North Miami Beach

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

June 15, 2020

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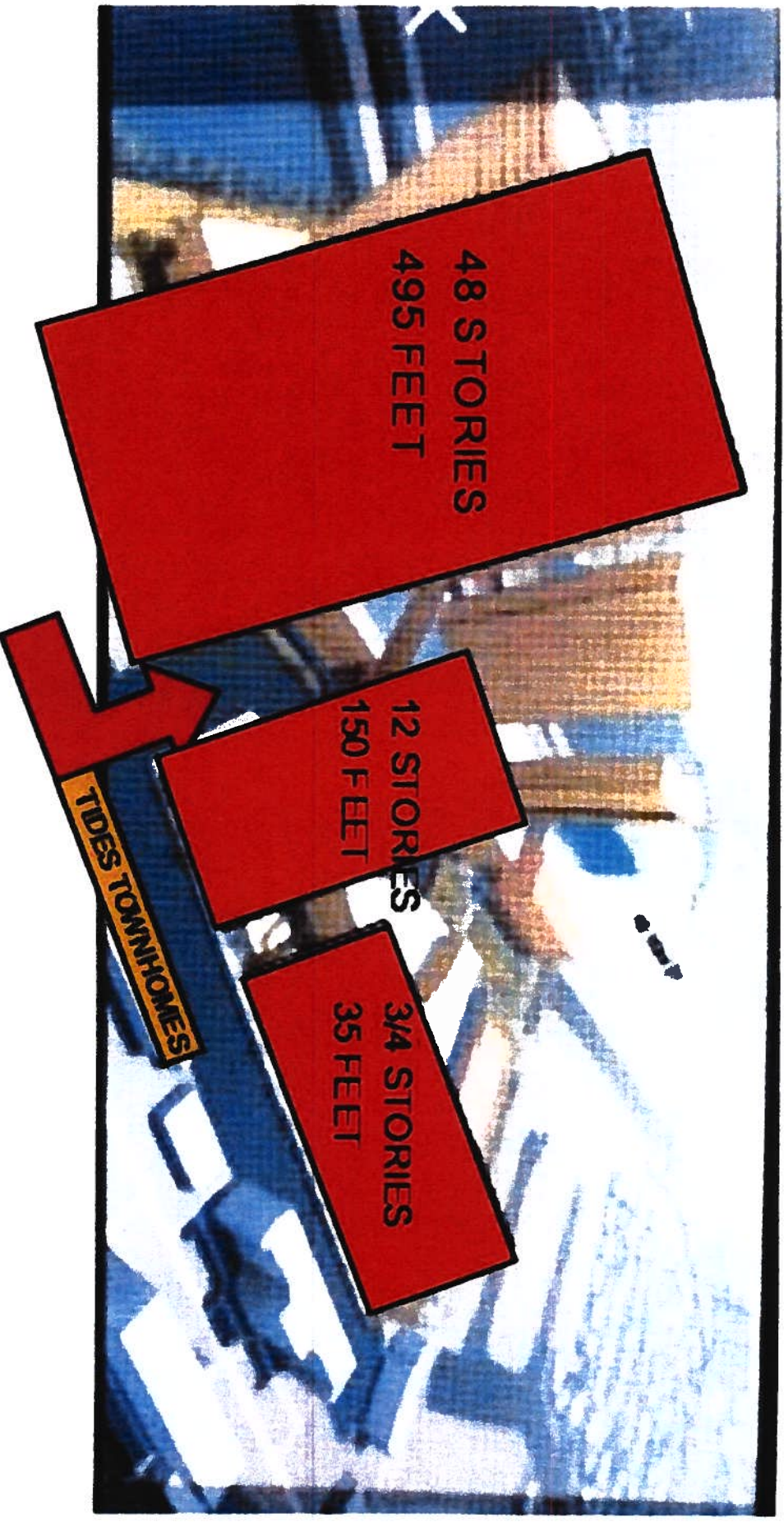
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THE PROPOSED REDEVELOPMENT PROJECT BUILDS A WALL
ALONG THE 166TH CANAL, WITH A 48 STORIES HIGH BUILDING, A
12 STORIES HIGH BUILDING AND A 3/4 STORIES HIGH BUILDING.

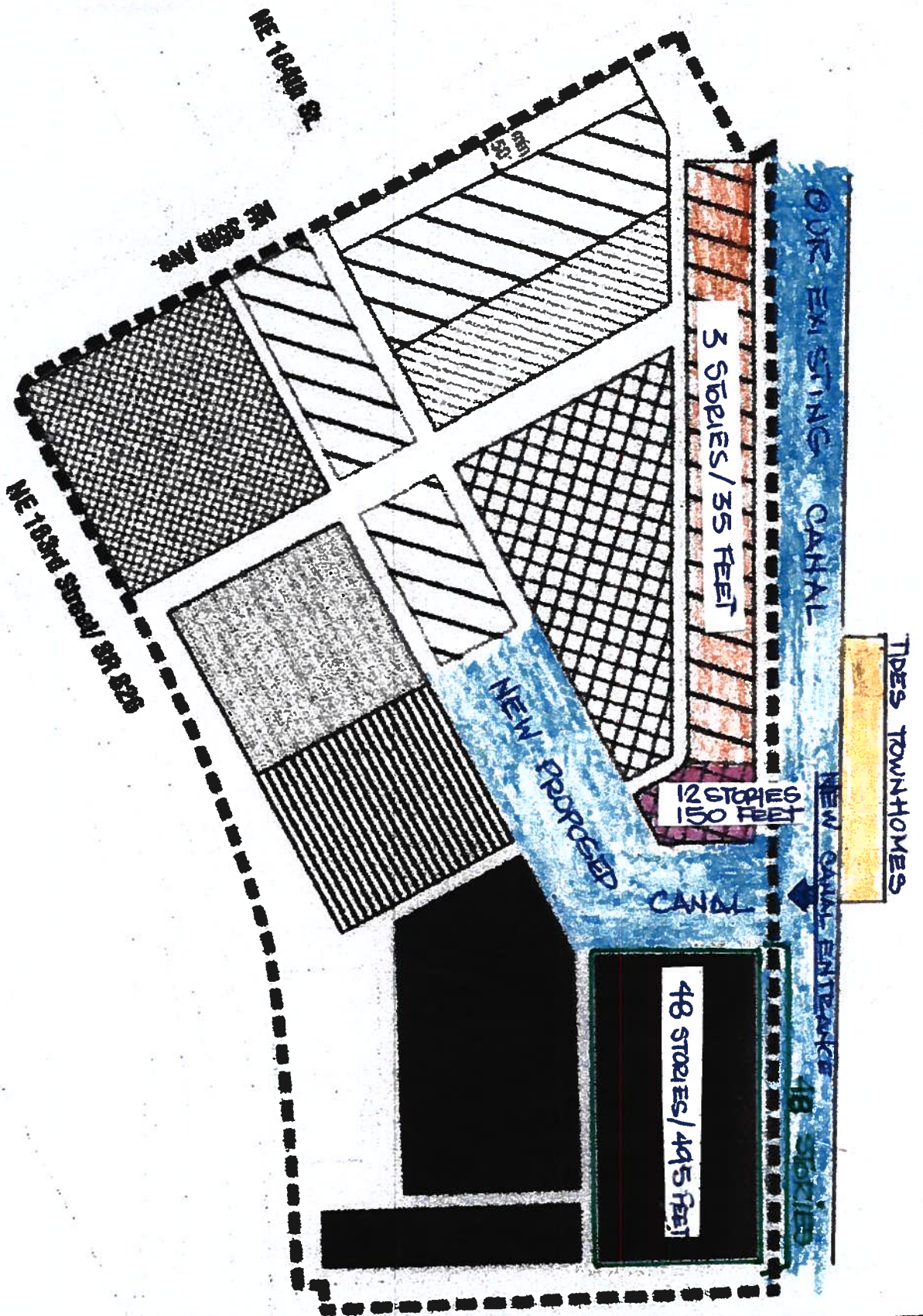


THE PROPOSED REDEVELOPMENT PROJECT USES OUR RESIDENTIAL
166TH CANAL AS AN ENTERING POINT FOR THEIR PROPOSED COMMERCIAL
CANAL THAT WILL INCLUDE WATER TAXES.

Proposed

- Maximum 48 Stories/ 495 Feet
- Maximum 43 Stories/ 450 Feet
- Maximum 38 Stories/ 400 Feet
- Maximum 20 Stories/ 286 Feet

- Maximum 12 Stories/ 150 Feet
- Maximum 6 Stories/ 85 Feet
- Maximum 3 Stories/ 35 Feet
- District Boundary



Cino, Sharon

From: Liliana <info@korninteriordesign.com>
Sent: Tuesday, June 16, 2020 9:38 PM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony
Subject: Intracoastal Mall redevelopment and 166th Street Canal
Attachments: Tides Townhomes height relationship with building proposed for 166th Canal for Intracoastal Mall Redevelopment, 6-16-2020.pdf; Backyard on canal 166 st, 2, 6-16-2020.jpg; Backyard on canal 166 st, 6-16-2020.jpg; Backyard on canal 166 st, 1, 6-16-2020.jpg

Mayor Anthony DeFillipo

Mr. Justin Proffitt, AICP

Manager, Planning & Zoning Department

Commissioners of North Miami Beach

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

June 16, 2020

Dear Mayor DeFillipo, Justin and Commissioners,

I am an old time resident of Tides Townhomes, 3808 NE 166th Street.
I oppose to the scale of the redevelopment of Dezer's project.

I just want to present a sketch to show how the Redevelopment of the Intracoastal Mall will destroy the lifestyle and privacy of neighbors who live in front of 166th canal. I added 3 photos of how our tranquil and private canal looks today.

Best regards,
Liliana

KORNInteriorDesign Inc
Architectural Interior Design & Contracting
Liliana Korn Custy,
Home Design to the Power³

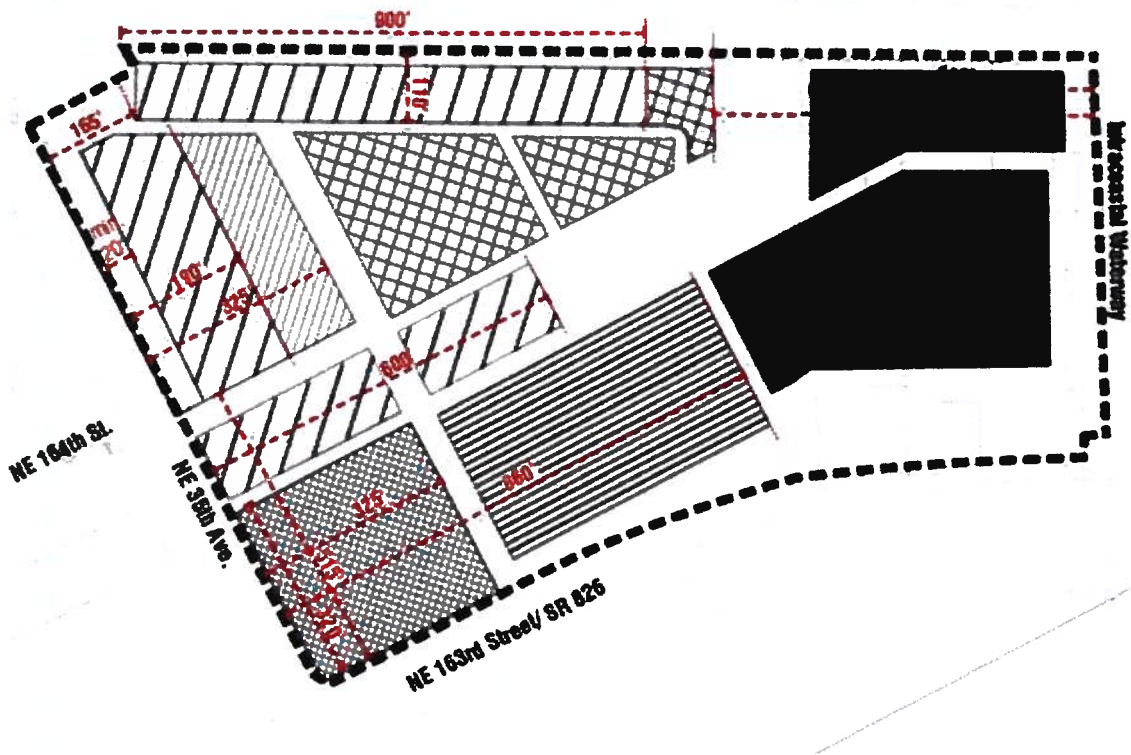
- Adjunct Professor at Florida International University School of Architecture & The Arts, Department of Interior Architecture
- Argentinean Architect
- Florida License Interior Designer ID5852
- Florida Licensed General Contractor CGC1513044

korninterior@bellsouth.net
www.korninteriordesign.com

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Sent: Tuesday, June 16, 2020 10:24 PM
To: Liliana <info@korninteriordesign.com>
Subject: RE: Intracoastal Mall redevelopment and 166th Street Canal

Hello Liliana,

Thank you for sending your comments. I will place them in the file for the record. However, I want to make sure you have the correct information because the graphic you sent is not accurate. Please see the proposed Mixed Use / Eastern Waterfront Building Height plan from the applicant. Thank you.



- | | |
|--|--|
|  Maximum 40 Stories/ 495 Feet |  Maximum 12 Stories/ 160 Feet |
|  Maximum 32 Stories/ 425 Feet |  Maximum 6 Stories/ 85 Feet |
|  Maximum 20 Stories/ 286 Feet |  Maximum 3 Stories/ 35 Feet |
| |  District Boundary |



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Cino, Sharon

From: Sam Schwartz <sam@utifl.com>
Sent: Tuesday, June 16, 2020 8:47 AM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony
Subject: Intracoastal Mall Redevelopment Meeting

Mayor Anthony DeFillipo

Mr. Justin Proffitt, AICP

Manager, Planning & Zoning Department

Commissioners of North Miami Beach

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

June 15, 2020

Dear Mayor DeFillipo, Justin and Commissioners,

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Local and national news organizations state that the virus is still virulent and highly contagious. Sunday's *The New York Times* article, "Infections Rise in Many States that Reopened," confirmed that the numbers of new cases in states that reopened is increasing. (June 14, 2020)

North Miami Beach city leaders should set safety guidelines in place for all face-to-face public meetings. These wisely would include holding any assemblies in auditoriums, so as to adhere to social-distancing dictates. Everyone's temperatures should be taken and all present must wear masks.

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It would be prudent for public meetings to resume only when:

- Florida Department of Health reports that the community spread per number of reported cases is low or zero
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Just having a meeting without setting public-safety protocols is careless governance. The Dezer Intracoastal Mall Redevelopment Project is not an emergency. It requires multiple stages before reaching the approval step.

In 2015, when the mall was rezoned, the proposal was:

- Ushered through preliminary and subsequent strategy meetings
- Evaluated by a team of planning professionals
- Examined in detail by the staff
- Studied by the Planning and Zoning Board
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- Guided through Florida's state review process
- Returned back to the commissioners for a second study
- Presented for a final vote

Besides these steps, the development plan was deliberated in public discussions and town hall meetings.

Just presenting this massive redevelopment proposal in a few meetings, let alone in a limited-to-100-participants June 8th Zoom meeting with a two-minute, not the standard three-minute speaking allowance, as is listed on the city's website, was far from acceptable. At best, this wasn't a truly public meeting.

The ingress/egress and rezoning issues were deferred until July 13th most likely because several residents wrote letters stating their concerns. If they hadn't voiced their opposition, the motions would have passed that day and been approved the following week.

Instead of following basic Sunshine Laws, this rushed process borders on hiding-the-project in the shadows, then hastily pushing it through. It clearly lacked any attempt at transparency, fair democratic process or even good faith.

Ultimately, Dezer's project impacts not just Eastern Shores' residents, but also all of Sunny Isles Beach citizens and Oleta State Park visitors, not to mention all beachgoers in the North Miami Beach area. Therefore, it demands to be open to all avenues of proper, public discussion with timely notification to every home and condo owner in Eastern Shores.

Seriously concerned,

Sam Schwartz

3800 NE 166st

North Miami Beach,

Fl. 33160

Thank You
Sam Schwartz

Ultra Trading Int'l Ltd
305-466-4443 , sam@utifl.com

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Cino, Sharon

From: Liliana Custy <outlook_295EBE7019FF8337@outlook.com> on behalf of Liliana Custy <lcusty@airlinesupportgroup.net>
Sent: Saturday, June 13, 2020 11:39 AM
To: NMBCOMDEV
Subject: Intracoastal Mall redevelopment.

My name is Liliana Custy.
We live in 3808 NE 166th Street.

We are longtime residents of Eastern Shores. We oppose to having an urban metropolis built in the Intracoastal Mall lot. We are opposed to Dezer using our canal to connect with his new proposed canal. We oppose to the traffic mess this out of scale development is going to cause. We oppose to having our quality of life destroyed by this high density mix use project. The traffic is already congested in 163 when the bridge is down, and during rush hour. Eastern Shores neighbors' lives matter!

Best regards,
Liliana

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Cino, Sharon

From: Ruth Abeckjerr <ruthabeckjerr@gmail.com>
Sent: Thursday, June 18, 2020 11:34 AM
To: Proffitt, Justin; Defillipo, Anthony
Subject: Intracoastal Mall

Dear Mr. Proffitt, Mr. Defillipo, and all else concerned

As a long time resident of Eastern Shores and particularly NE 166th Street and directly across the canal from this proposed project, I STRONGLY oppose.

Personally and I do realize I am not the most important vote in the city. I purchased my property because I like my view and like not having another townhome across the canal. This project would completely change my view and I will have to have years of construction and dust coming from this new project. Our docks would be affected and therefore the value of my home would go down dramatically. This project would dwarf Eastern Shores and the neighborhood would look horrible.

I am not sure how this zoning change happened to begin with and it seems there was some preferential treatment given to this developer.

This project will impact in a negative manner everyone in Eastern Shores, every resident must be notified of all related zoning and commission meetings in writing in a timely manner. Not enough people are aware of the 'upzoning' of this project. The city's "500-feet-from-construction" notification ordinance is insufficient. Also, the signage needs to be visible from anyone's car. Currently, it is not easy to see. Second: The developer is asking to change the 2015 approved redevelopment plan. It did not originally include a 12-story, 250-room hotel, skyscrapers reaching more than 48 stories or towering buildings along the south side of the Milton Littman Memorial Bridge on N.E. 163rd Street. Third: The city should not be in a binding and limiting contract with developers. That would impede future commissioners from making any necessary changes and block residents from their right to influence decisions. It would eliminate the ability to even "downzone" the project to a more manageable size. Fourth: The traffic study is not current and does not reflect today's traffic gridlock during peak hours. That is something commuters never had experienced before the city rezoned in 2015. Now, Eastern Shores' residents cannot travel east or west during morning and afternoon rush-hour times without being stuck in traffic with no alternate routes east, west, north or south for relief. It has become unbearable as it is. Fifth: Traffic lights and more entrances will not alleviate the problem that the influx of an additional 2,000 residential units would cause. If voted in, 2,000 could go to an even higher number. Sixth: With the pandemic, and new, daily large upticks in Covid-19 cases, public meetings need to be postponed until it's safe to congregate. Then, to observe social distancing, the meetings have to be held in an auditorium, not a small meeting room. Seventh: For a project of this scope, Zoom meetings, which lack interactive dialogue, are inappropriate. Residents deserve to be heard and seen as they are in face-to-face meetings. Eighth: Placing the movie theater immediately to the right (the southeast section) as people enter Eastern Shores will definitely cause traffic jam. There is not enough space for moviegoers to exit in an orderly fashion. Their vehicles will block others from entering or exiting to N.E. 163rd Street.

Finally, the city needs to slow down and allow deliberate, democratic process. Rushing an approval through obstructs transparency and removes everyone's voice except the developer's and the city leaders. The city should represent the people, not the build



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Ruth Abeckjerr | Broker / Owner
305.542.4823 | ruthabeckjerr@gmail.com
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Cino, Sharon

From: Joel K <joelnyc@yahoo.com>
Sent: Thursday, June 18, 2020 5:14 PM
To: Proffitt, Justin; Defillipo, Anthony; commssionall@citynmb.com
Subject: No Eastern Shores Development Project

My family and I have been residents of Eastern Shores since 1971. We chose this area because of its beauty and low key/low rise residences. The proposed development of the shopping center on 35th Avenue at 163rd street will not only change the character of the neighborhood, but will cause untold congestion of people and traffic.

The traffic situation on 163rd street has been bad for years, especially after 3 pm and during the winter season. The 163rd street bridge already causes backups both ways and will be much worse if this project is approved.

In addition, my brother lives here too and is a paraplegic. He needs access to emergency services and the trolley, which the extra congestion would impact. Yes, there is an EMS unit right there, but if they are out on a call and another unit has to respond, they would be held up.

Needless to say I am absolutely against this development. Developers are rich enough and this is just greed... and it is up to you, our elected officials, to protect us from this outrageous greed. Do your job! I will take note of your action when I vote.

Sincerely,

Joel Kurtzberg

3725 NE 169th St, B201

Here are some of the many reasons this project must be rejected:

First: With a project that will impact everyone in Eastern Shores, every resident must be notified of all related zoning and commission meetings in writing in a timely manner. Not enough people are aware of the 'upzoning' of this project. The city's "500-feet-from-construction" notification ordinance is insufficient. Also, the signage needs to be visible from anyone's car. Currently, it is not easy to see.

Second: The developer is asking to change the 2015 approved redevelopment plan. It did not originally include a 12-story, 250-room hotel, skyscrapers reaching more than 48 stories or towering buildings along the south side of the Milton Littman Memorial Bridge on N.E. 163rd Street. Third: The city should not be in a binding and limiting contract with developers. That would impede future commissioners from making any necessary changes and block residents from their right to influence decisions. It would eliminate the ability to even "downzone" the project to a more manageable size. Fourth: The traffic study is not current and does not reflect today's traffic gridlock during peak hours. That is something commuters never had experienced before the city rezoned in 2015. Now, Eastern Shores' residents cannot travel east or west during morning and afternoon rush-hour times without being stuck in traffic with no alternate routes east, west, north or south for relief. Fifth: Traffic lights and more entrances will not alleviate the problem that the influx of an additional 2,000 residential units would cause. If voted in, 2,000 could go to an even higher number. Sixth: With the pandemic, and new, daily large upticks in Covid-19 cases, public meetings need to be postponed until it's safe to congregate. Then, to observe social distancing, the meetings have to be held in an auditorium, not a small meeting room. Seventh:

For a project of this scope, Zoom meetings, which lack interactive dialogue, are inappropriate. Residents deserve to be heard and seen as they are in face-to-face meetings. Eighth: Placing the movie theater immediately to the right (the southeast section) as people enter Eastern Shores will definitely cause traffic jam. There is not enough space for moviegoers to exit in an orderly fashion. Their vehicles will block others from entering or exiting to N.E. 163rd Street. Finally, the city needs to slow down and allow deliberate, democratic process. Rushing an approval through obstructs transparency and removes everyone's voice except the developer's and the city leaders. The city should represent the people, not the builder.

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Cino, Sharon

From: Tkay J <terrij29@gmail.com>
Sent: Thursday, June 18, 2020 1:01 PM
To: Proffitt, Justin
Subject: PLEASE STOP!

Firstly, I have to say I have lived in the North since the 80's and as nice as it is for some development, these massive concrete buildings are just ruining the feel and sights of what was once a pretty town. Foxes, Raccoons, Pelicans, Ducks, were beautiful nuggets. Now not only have they all but disappeared, there is hardly a view of the ocean left. I ask from emotion and from a family of architects, why cant we have be a beautiful low lying shopping center, such as in Naples, Fl. Why do we keep having to build high buildings? I know! Greed is basically the only reason. Builders have to build! I live on Intracoastal and since all the buildings on Collins have been built, a bit of ocean peeks between them. So sad. Hardly any parks or Green Space is left! This makes me want to move. I know a lot of people moving for the simple reason of traffic, congestion. No concern for peoples well being. Dangerous to ride bicycles. To walk! You could all take lessons from states like Colorado where they care about peoples lifestyles! Anyway, here are some tangible issues. First: With a project that will impact everyone in Eastern Shores, every resident must be notified of all related zoning and commission meetings in writing in a timely manner. Not enough people are aware of the 'upzoning' of this project. The city's "500-feet-from-construction" notification ordinance is insufficient. Also, the signage needs to be visible from anyone's car. Currently, it is not easy to see.

Second: The developer is asking to change the 2015 approved redevelopment plan. It did not originally include a 12-story, 250-room hotel, skyscrapers reaching more than 48 stories or towering buildings along the south side of the Milton Littman Memorial Bridge on N.E. 163rd Street.

Third: The city should not be in a binding and limiting contract with developers. That would impede future commissioners from making any necessary changes and block residents from their right to influence decisions. It would eliminate the ability to even "downzone" the project to a more manageable size.

Fourth: The traffic study is not current and does not reflect today's traffic gridlock during peak hours. That is something commuters never had experienced before the city rezoned in 2015. Now, Eastern Shores' residents cannot travel east or west during morning and afternoon rush-hour times without being stuck in traffic with no alternate routes east, west, north or south for relief.

Fifth: Traffic lights and more entrances will not alleviate the problem that the influx of an additional 2,000 residential units would cause. If voted in, 2,000 could go to an even higher number.

Sixth: With the pandemic, and new, daily large upticks in Covid-19 cases, public meetings need to be postponed until it's safe to congregate. Then, to observe social distancing, the meetings have to be held in an auditorium, not a small meeting room.

Seventh: For a project of this scope, Zoom meetings, which lack interactive dialogue, are inappropriate. Residents deserve to be heard and seen as they are in face-to-face meetings.

Eighth: Placing the movie theater immediately to the right (the southeast section) as people enter Eastern Shores will definitely cause traffic jam. There is not enough space for moviegoers to exit in an orderly fashion. Their vehicles will block others from entering or exiting to N.E. 163rd Street.

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Cino, Sharon

From: Linda Carver <klinda02@bellsouth.net>

Sent: Friday, June 5, 2020 9:30 AM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>

Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Smith, Phyllis <phyllis.smith@citynmb.com>

Subject: Dezer Development in Eastern Shores

Mr. Justin Proffitt, AICP Manager, Planning & Zoning Department City of North Miami Beach 17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

Dear Sir,

My wife and I are in our late sixties and early seventies and have lived in Eastern Shores for nearly 30 years. We have seen a lot of changes to Eastern Shores and as a result an enormous increase in traffic on 163rd Street and the entrance to Eastern Shores to such an extent that we now try to avoid leaving our house during the afternoon and earlier evening. The proposed traffic changes will only increase the traffic and in addition to the extra pollution and dirt in the air. This neighborhood pays a great deal of taxes why should we be subjected to this? How could we feel comfortable and safe with this project? Would you want your neighborhood to be threatened?

Allen and Linda Carver

3483 NE 166th Street

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Cino, Sharon

From: Francesco Martini <frankymart.fm@gmail.com>
Sent: Friday, June 5, 2020 8:26 AM
To: Proffitt, Justin; Smukler, Fortuna; Smith, Phyllis
Subject: re zoning at the intracostal mall

Dear Justin Proffitt,

the re zoning of the Intracostal mall in the Eastern Shores is not in the interest of the community and will create hardship to the residents like myself.

I oppose to the Dezer plan of building high towers in the Intracostal mall area

Kind Regards

Francesco Martini
Eastern Shores Resident

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Cino, Sharon

From: Liliana <info@korninteriordesign.com>
Sent: Wednesday, June 17, 2020 10:40 AM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony
Subject: RE: Intracoastal Mall redevelopment and 166th Street Canal

Hello Mr. Proffitt,
Thanks for your response.

The graphics I sent are a sketch to explain how these new buildings, 35 feet high, 150 feet high and 495 feet high, full of windows, are going to destroy the lifestyle of a private residential community build on 166th Street, who chose to buy there exactly because we had privacy, it was really quiet, and we had no neighbors' **houses** in front of us.

If this redevelopment project, completely out scale, is build on the other side of our canal, we are not only going to loose our privacy, our quiet and private residential canal, but the wildlife that inhabits the canal and the trees that border the canal, and the sun that bathes our backyards.

We chose to invest in this community and this canal many years ago and we have enjoyed every minute of it, in spite of the horrible traffic of 163rd street in rush hours between 3:00 PM and 6:00 PM, and when the bridge is up, and when all the beach goers from Sunny Isles Beach go back home.

I am afraid that leaders of our community cannot see beyond the name of an important developer, of the taxes the project can bring in, and their commitment to bring beautiful buildings and architecture to the city, as some commissioners insisted in yesterday's meeting.

What about caring about the lifestyle, the investments and the concerns of the neighbors you already represent? If this redevelopment project gets approved without community involvement and approval, the leaders of North Miami Beach will not only destroy the lives and dreams of a big part of its constituents, but will greatly affect the environment, and will deeply compromise traffic in the area.

I hope you can see my point, and understand my position.
Thanks once again for your response.

Best regards,
Liliana

KORNInteriorDesign Inc
Architectural Interior Design & Contracting
Liliana Korn Custy,
Home Design to the Power³

- Adjunct Professor at Florida International University School of Architecture & The Arts, Department of Interior Architecture
- Argentinean Architect
- Florida License Interior Designer ID5852
- Florida Licensed General Contractor CGC1513044

korninterior@bellsouth.net
www.korninteriordesign.com
954-520-3182
IB 26001347



Justin Proffitt, AICP

Community Development Director
City of North Miami Beach
Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:   

From: Liliana <info@korninteriordesign.com>

Sent: Tuesday, June 16, 2020 9:38 PM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Commission All External <CommissionAll@citynmb.com>; DeFillipo, Anthony <Anthony.DeFillipo@citynmb.com>

Subject: Intracoastal Mall redevelopment and 166th Street Canal

Mayor Anthony DeFillipo

Mr. Justin Proffitt, AICP

Manager, Planning & Zoning Department

Commissioners of North Miami Beach

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

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Liliana

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- Adjunct Professor at Florida International University School of Architecture & The Arts,
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- Wide-spread testing and contact tracing of those who've contracted the virus is easily available

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- Evaluated by a team of planning professionals
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- Studied by the Planning and Zoning Board
- Reviewed by the commissioners
- Guided through Florida's state review process
- Returned back to the commissioners for a second study
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Besides these steps, the development plan was deliberated in public discussions and town hall meetings.

The ingress/egress and rezoning issues were deferred until July 13th most likely because several residents wrote letters stating their concerns. If they hadn't voiced their opposition, the motions would have passed that day and been approved the following week.

Instead of following basic Sunshine Laws, this rushed process borders on hiding-the-project in the shadows, then hastily pushing it through. It clearly lacked any attempt at transparency, fair democratic process or even good faith.

The amount of studies that have to be presented by Dezer's project to us as Eastern Shores residents, Sunny Isles and N Miami Beach Residents, of the impact in the area; before any approval;

Environmental

Noise Pollution

Traffic

Sewer studies

While life

Naval Engineering Intracoastal impact and Canals

Mangrove Protection etc

Ultimately, Dezer's project impacts not just Eastern Shores' residents, but also all of Sunny Isles Beach citizens and Oleta State Park visitors, not to mention all beachgoers in the North Miami Beach area. Therefore, it demands to be open to all avenues of proper, public discussion with timely notification to every home and condo owner in Eastern Shores.

Seriously concerned,

Clara Piana

Resident since 1988.

Cino, Sharon

From: Clara Piana <lov2sail@hotmail.com>
Sent: Monday, June 15, 2020 1:08 PM
To: Proffitt, Justin; Commission All External; Defillipo, Anthony; Clara Piana; Eduardo Piana
Subject: URGENT URGENT
Attachments: JUN 15 EASTERN SHORES.docx

Gentlemen:

We are opposed to Jul 13 meeting, for lack of information and more important for our health, that should be a priority of his residents by the city of North Miami Beach

Yours truly

Clara E Piana

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Duron, Mario F.

From: Jason Sheppard <jasonrsheppard@gmail.com>
Sent: Monday, June 08, 2020 4:15 AM
To: NMBCOMDEV
Subject: Public Comment

As a resident of Eastern Shores for over 20 years. This proposed development in the area is a concern to me. As I have seen first hand how the over development of neighboring sunny isles beach has affected the quality of life and overall community of the area. The oversized high rises in sunny isles have brought in a high number of renters and in turn air bnb rental units which lead to numerous disturbance calls per week. In densely populated high rises such as the intracoastal yacht club which are just across the waterway, there are a number of air bnb units which bring in out of town visitors to the city who do not care about their neighbors or the neighborhood. I would hate to see this become an issue in our section of NMB which has always had the benefit of being a quiet secluded neighborhood with a great sense of community and safety. On top of that, 163rd Street traffic is congested enough as is particularly from 3pm on , building high occupancy apartment buildings would only serve to compound the issue. In the end I feel any new residential development in this area would be a mistake and only serve to lessen the quality of life in the area.

- Jason Sheppard

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Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:49 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: ZOOM MEETING CANCELED.



Fortuna Smukler | *Commissioner*
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F (305) 787-6036

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From: Ramón Rozas Botrán <rrozasbotr@aol.com>
Sent: Saturday, June 6, 2020 11:15 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: ZOOM MEETING CANCELED.

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Ramon Rozas
3251 NE 164th St
North Miami Beach FL 33160

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Randy Rose 3750 NE 169th Street # 111.

I have owned properties in Eastern Shores since 1987 . I have been selling real estate in the area over 40 years. Always been for Development within REASON . What is requested is 100% "NOT" within REASON.

I remember since after the Intracoastal Mall was built, if any Major redevelopment/expansions were to be done with the Mall, FIRST requirement was , Owner of the Mall needed to build a "Texas U Turn , under the 163rd ST bridge. I respect the DEZER FAMILY. I believe that they were aware of what they could Do and Not do, with the Mall prior to Purchasing . The Texas U turn is a PRIORITY for all concerns whoever travels on 163rd Street in all directions.

I believe that the Mall had approx 20 story height restriction, not sure if any zoning change was approved. Several years ago, the City hired some Planning Company to explore different areas around the City , what may be a possible options for New Development . Possibly with certain political interest. One idea for the Mall was to consider heights up to 40 stories. I am sure if something like this was vision , or any MAJOR CHANGES , then all infrastructures such as WATER-SEWER-TRAFFIC had to be resolved TEXAS U TURN BUILT prior to approval as a CONDITION.

NMB . This ZOOM MEETING is not the proper time to have a MAJOR Discussion or any Decision like this, NEEDS to be held in person Face to Face.

DEZER FAMILY do the Right Thing spend Your Necessary Money Build a Texas U Turn, or Consider Selling the Mall . Let another Shopping Center Owner Do the Right Thing first, Build the Texas U Turn , then build something appropriately.






Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:35 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Rescheduled June 8, 2020 Zoom Planning & Zoning meeting



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Media:   

From: Roberta Gordon <brta22@comcast.net>
Sent: Thursday, June 4, 2020 12:07 PM
To: Commission All External <CommissionAll@citynmb.com>; Justin Proffitt <Justin.Proffitt@cnmb.com>; Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Daniel Espino <DEspino@wsh-law.com>
Subject: Rescheduled June 8, 2020 Zoom Planning & Zoning meeting

Dear All,

As I stated in my email to (some of) you sent May 12, I am still not pleased that this meeting could not be rescheduled to a future date when Miami-Dade County will have allowed us to gather.

I've posted meeting notices in all 7 buildings and the Clubhouse at Eden Isles in the attempt to get the word out for Monday's meeting. Hopefully those who cannot Zoom can submit their questions ahead of time to be placed on the agenda and watch the meeting on Channel 77.

Some of what I cover below has to do with the development itself, and some the effects on Eastern Shores.

One concern of mine is the fact that NE 35th Avenue is a public street.

There is a guard house that accepts any vehicles in the right lane without the need to check their destinations (as private gated communities do).

Currently, the number of vehicles that do not come to a rolling stop at the stop sign past the right gate is a major danger at this point in time. I blast my horn whenever someone cuts in front of me as I have gone through the residents gate, and I will begin to take photos of license plates and submit them to the NMBPD. I can't imagine that, should the new development become a reality, many additional vehicles may drive through out of curiosity to the north of the guard house.

People don't stop at the 4 way stop signs, and I've even called NMBPD to have a marked police vehicle create a presence to be a deterrent to these violators. It does work.

Do you have the manpower, vehicles and money to implement this if necessary? Will you be taking it out of the Dezers' fees? And the tax dollars the City collects from the project?

I am totally appalled at the proposed heights of structures, some from 32 to 40 stories tall, on the Intracoastal Waterway or on the north side of the property abutting 163rd Street, across from Oleta Park. This is totally absurd!!

With the closing of beaches for the last several months, I have found that many people are coming into Eden Isles to its seawalls to fish. Word travels quickly. This is private property. Also, with our own residents wearing masks, it is difficult to tell whether or not they are residents or simply people trying to fish. Can the police department handle the calls that may come in? We have seawalls in need of repair and no CCTV. It's a problem that I see escalating if the development goes through. These are liabilities.

I feel we cannot handle the traffic, the addition of several thousand condo units in the neighborhood, and the fact that we will be under construction for approximately 5 years. The fact that, currently, if you need to leave Eastern Shores and head west to Biscayne Boulevard after 2 or 3PM, it takes nearly 20 minutes to traverse that route, which will continue, I'm told, till at least August (weather permitting).

Lastly, these are man-made islands and, with the ongoing rise of the waters due to global warming, I feel this is a futile and ill thought proposal.

Please put my questions on the agenda.

This is my third communication to the City since the September Planning & Zoning meeting.

Thank you for your consideration and proper action for all concerned.

Sincerely,

Roberta Gordon
Eden Isles Condominiums
Building G Director

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

Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:30 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Objections to Dezer Project Modifications



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Media:   

From: Alice Ryan <agoos1304@icloud.com>
Sent: Thursday, June 4, 2020 9:40 AM
To: Commission All External <CommissionAll@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: Objections to Dezer Project Modifications

Mr. Justin Proffitt, AICP Manager,

Planning & Zoning Department

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

Dear Mr. Proffitt,

As someone who has suffered with the traffic on 163rd St. since moving to Sunny Isles Beach in 2011, I strongly object to the revised Dezer project plans.

There is no way that the 163rd St bridge (going East to Collins Avenue) will be able to accommodate the traffic that will result from the Dezer project.

I have had a running dialogue with the Mayor of Sunny Isles about the closure of a lane (sometimes two lanes) on the bridge. After years of pointing out that the lane closure was unwarranted and I'm pretty sure not properly licensed, it seems

to have stopped. However, what is clear is the havoc that lane closure caused in terms of traffic—and that was with the existing buildings on the Dezer property. I cannot imagine the traffic caused by the proposed project.

Has anyone even done a traffic study of the proposed development?

The lack of planning that has created the mess we have in Sunny Isles and now North Miami Beach must end.

Before blindly giving the go-ahead for the Dezer Development, please exercise some judgment. At the very least, the application to expand the project's outlines should be denied.

Sincerely,

Alice Agoos

241 Poinciana Island Dr

Sunny Isles Beach, FL 33160

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

Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:26 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Eastern Shores Development



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Media:   

From: Angela Boidi <angelaboidi@gmail.com>
Sent: Thursday, June 4, 2020 9:29 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Eastern Shores Development

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 3, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories

-
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,

Angela Boidi

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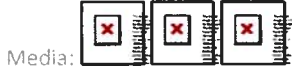
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:22 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Mr. Justin Proffitt, AICP



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From: Alvaro Rodriguez Paz <alvarorpaz@gmail.com>
Sent: Thursday, June 4, 2020 7:29 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: Mr. Justin Proffitt, AICP

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 4, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

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Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,

Alvaro Rodriguez Paz

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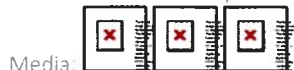
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:12 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Intracoastal mall



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From: Joe Leal Jr <jl@wwdrape.com>
Sent: Wednesday, June 3, 2020 9:01 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Intracoastal mall

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

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tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list:

1. **OVERSIZED DEVELOPMENT PROPOSAL:**

- a. 375,000 SF Commercial/Retail Space
- b. 200,000 SF Office Space
- c. 250 Hotel Keys
- d. 2,000 Multi-Family Residential Units
- e. New Community Center
- f. New Police Substation
- g. Improved Fire Station
- h. ±8.0 acres of Publicly Accessible Open Space
- i. ±.71 Mile Waterfront Promenade

2. **HUGE BUILDING HEIGHTS:**

- a. 40 Stories or 495 Feet in the Core Sub-Area;
- b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
- c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential)

Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Thanks,
Jose

Sent from my iPhone

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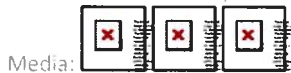
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:31 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Intracoastal Development Project



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From: nansmoon@aol.com <nansmoon@aol.com>
Sent: Tuesday, June 2, 2020 2:34 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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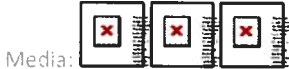
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:19 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Intracostal Mall Project.



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From: Martha <marthatala03@aol.com>
Sent: Monday, June 1, 2020 9:28 PM
To: Commission All External
Subject: Intracostal Mall Project.

Hello, I m resident in Sunny Isles Beach and Im as many other owners , against the Dezer Development Project which will impact the property value at the area.

My name is Martha Talavera. Thanks

Sent from my iPhone

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
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:08 PM
To: Scott, Esmond; Daniel Espino; McHugh, Horace A.; Proffitt, Justin
Subject: Fw: June 8, 2020 Plannign and Zoning meeting



Fortuna Smukler | *Commissioner*
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social

Media:   

From: Bill Dean <bill@forddean.com>
Sent: Tuesday, June 2, 2020 10:36 AM
To: Scott, Esmond <Esmond.Scott@citynmb.com>
Cc: Smith, Phyllis <phyllis.smith@citynmb.com>; Kramer, Barbara <barbara.kramer@citynmb.com>; Joseph, Michael <Michael.Joseph@citynmb.com>; Villard, Paule <Paule.Villard@citynmb.com>; Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Fleurimond, McKenzie <McKenzie.Fleurimond@citynmb.com>
Subject: June 8, 2020 Plannign and Zoning meeting

Dear Mr. City Manager, Mr. Mayor and Commissioners,

I send this email to respectfully request that upcoming Planning and Zoning Meeting scheduled for June 8, 2020, be rescheduled to a time when all interested NMB residents can attend said meeting safely in person

I thank you in advance for your cooperation in this regard.

William A. Dean, B.C.S.
Board Certified Civil Trial Lawyer





**FORD, DEAN &
ROTUNDO, P.A.**

LEGAL ATTORNEYS

3323 N.E. 163 Street, Suite 605
North Miami Beach, FL 33160
Telephone: (305) 670-2000
Tollfree: (888) 372-2873
Facsimile: (305) 670-1353
Email: bill@forddean.com

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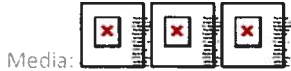
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:02 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Intracoastal mall



Fortuna Smukler | Commissioner
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social



From: Emily Fernandez <fernandez.emily@gmail.com>
Sent: Monday, June 1, 2020 5:14 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Smith, Phyllis <phyllis.smith@citynmb.com>
Subject: Intracoastal mall

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 1, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Emily fernandez
Fernandez.emily@gmail.com
305-401-1291

[Sent from Yahoo Mail on Android](#)

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Duron, Mario F.

From: Silvia y Luis Reyes <silviailuisreyes@gmail.com>
Sent: Monday, June 08, 2020 12:00 AM
To: Proffitt, Justin
Subject: Intracoastal Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
[17050 NE 19th Avenue](#)
[North Miami Beach, FL 33162-3100](#)

justin.proffitt@citynmb.com

June 7, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny “peninsula” has no side streets between Collins Avenue and Biscayne Boulevard along [NE 163rd Street](#). The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

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Sincerely,

Silvia Mejia
Eastern Shores Resident

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Duron, Mario F.

From: Gina Afflitto <gtafflitto@gmail.com>
Sent: Monday, June 08, 2020 10:06 AM
To: NMBCOMDEV
Subject: Public comment

Gina Afflitto
3923 NE 166th Street
North Miami Beach, Fl 33160

I am a resident of Eastern shores and I have some concerns with the development of the Intracoastal mall on 163rd street and 35th avenue.

1. The traffic on 163rd street and 35th avenue is already overcrowded. The addition of 2000 more units will seriously impact the already crowded roads. This is the only access to Eastern Shores. How will this problem be addressed?
2. With regards to the construction, how will the developer protect our seawall while construction is in progress? Also, the addition of more than 2000 residents, there will be more boat traffic which will seriously impact our seawall.
3. Already having limited public transportation in this area, this project will produce many more cars which will tax the roads and cause more air pollution.
4. This area and surrounding areas has already reached its saturation point with population and traffic. To add 2000 more residences would be a disaster and seriously impact our quality of life in this area.

I feel that a development which stands with the current restrictions would be more favorable for development in this area.

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Duron, Mario F.

From: Ann Giordano <agiordano@fscusa.com>
Sent: Monday, June 08, 2020 9:11 AM
To: NMBCOMDEV
Subject: Virtual Public Meeting on Intercon

1. What is the plan for access without long traffic waits. As it is now 35th avenue is the ONLY access to Eastern Shores. From what I see, 35th avenue will still be the only access and you are now proposing to add at least 2000 residences which will further complicate making a left onto 35th avenue from heading East on NE 163rd street. We sometimes wait 2 or 3 lights to make that left. The only other access would be from heading west on 163rd street, coming off the bridge. When the bridge rises the traffic backs up so severely on 163rd street that cars cannot get close to the left hand turn lanes.
2. As the closest residential neighbor, Eastern Shores Palo Alto is only just across the canal. What precautions will the developer take to protect our new seawall while they are constructing a new canal? What will protect our boats in our canal? What precautions will be taken to protect our property from the noise pollution and debris from the construction project??

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**Patricia Asarnow
16449 NE 31st Avenue
North Miami Beach, Florida 33160**

June 8, 2020

Via email

Mr. Justin Proffitt
Community Development Director
City of North Miami Beach
17011 NE 19th Avenue
North Miami Beach, FL 33162

Dear Mr. Proffitt:

My name is Patricia Asarnow, and I am, unfortunately, writing to express my shock, disappointment and opposition in regard to the proposed untenable expansion of The Intracoastal Mall property by Dezer Development. My family has resided in Eastern Shores for more than forty-one years. My husband, Chuck Asarnow, served as president and then city liaison of the Eastern Shores Property Owners' Association for twenty years. Since learning of the project in 2013, we, and our neighbors, have been extremely concerned as to the adverse impact of the proposed 2,000 additional residential units and 2.5 million square feet of non-residential space on both traffic patterns and on ingress and egress from the project and our community. Approximately 3,000 people reside in Eastern Shores, and NE 35th Street is the only access road for our community.

It is inconceivable that the Dezer project could even be contemplated today in the absence of a clearly defined traffic plan that is acceptable to the 3,000 residents of Eastern Shores and ensures that the already inexplicable traffic problems experienced by our community are alleviated, both now and in the future. To date, we most certainly have not been provided with sufficient information to allay our concerns. Indeed, since approximately September 2019, we have experienced unprecedented delays in westbound traffic between NE 35th Street and Biscayne Boulevard that were first claimed to be attributable to a water main rupture whose repair ran months beyond schedule, and was followed by further unexplained construction that continues to cause outrageous and objectionable traffic delays.

Indeed, between September 2019 and March 2020, prior to the SARS-CoV-2 crisis, it was common for westbound and eastbound weekday afternoon travel between NE 35th Street and Biscayne Boulevard - a distance of only 1.2 miles - to take, shockingly, approximately forty-five minutes in either direction. These unwarranted delays were not only needlessly and extraordinarily inconvenient, but also posed dramatic safety risks in the event of an exigent circumstance that required the life-saving assistance of emergency personnel at a residence or emergency ambulance transportation to a hospital. To understand the potentially life-threatening hazards posed by the Dezer development, one only needs to look at the disastrous traffic crises in Fort Lee, New Jersey in 2015, when horrific traffic at the George Washington Bridge caused

Mr. Justin Proffitt
June 8, 2020
Page 2 of 2

emergency responders to be delayed nearly one hour in rendering assistance to a man experiencing chest pains, and, in at least one instance, forcing emergency medical workers to leave their ambulance and respond on foot because traffic congestion was so extreme.

It is incomprehensible that the proposed Dezer project, and the exponential increase in traffic resulting from the project, could be considered by the city until (1) the current disgraceful and unacceptable traffic problems are resolved; and (2) the residents of Eastern Shores are assured that traffic patterns during and subsequent to the construction will not jeopardize lives or otherwise adversely impact our quality of life.

Thank you very much for your consideration.

Sincerely,



Patricia Asarnow

cc: The Honorable Anthony F. DeFillipo
Commissioner Fortuna Smukler

Duron, Mario F.

From: Gregory Kaplan <gbkaplan@icloud.com>
Sent: Sunday, June 07, 2020 5:45 PM
To: NMBCOMDEV
Cc: gbkaplan@icloud.com
Subject: PUBLIC COMMENT

We issue this Public Comment as Presidents of the Coral Isle East and Coral Isle West homeowners associations, where we represent the voices of over 2,000 residents of Eastern Shores. We are expressing our concerns with the proposed plan for redevelopment of the "Intracoastal Mall" by Dezer Intracoastal Mall LLC.

First, we believe that the proposed construction of 2,000 multi-family residential units and 250 hotel keys would result in an excessive amount of new traffic and parking on the streets of Eastern Shores. According to the U.S. Census Bureau, the average number of people per household is 2.63, which would translate into more than 5,000 new residents in our neighborhood. We have seen no evidence in the plan of sufficient parking for these new residents, nor have we seen any indication as to how traffic would access the property.

Second, we are concerned about the lack of sufficient public facilities. Will capacity at the North District Wastewater Treatment Plant be expanded? Will sufficient public space be created? According to the proposed plan, +/-8.0 acres will be designated as "Publicly Accessible Open Space." However, the plan does not describe how this space will be distributed? Will parking lots count as "Publicly Accessible Open Space"? How much of this space will be allotted to playgrounds and other areas where friends and families can spend time together?

In addition to assurances that these issues will be addressed, we would also like to be reassured that we will continue to be within walking distance of our supermarket and other essential commercial establishments.

David Biasetti, President, Coral Isle East HOA, 3703 NE 166th St., Apt. 705, North Miami Beach, FL 33160

Gregory Kaplan, President, Coral Isle West HOA, 3545 NE 166th St., Apt. 704, North Miami Beach, FL 33160

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Duron, Mario F.

From: Silvia <silvialuis@aol.com>
Sent: Sunday, June 07, 2020 11:36 PM
To: Proffitt, Justin
Subject: Intracoastal Zoom meeting June 8, 2020

Sent from my iPad
June 7 , 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Luis Reyes,
Eastern Shores Resident

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Duron, Mario F.

From: Silvia <silvialuis@aol.com>
Sent: Sunday, June 07, 2020 11:29 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Sent from my iPad

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

justin.proffitt@citynmb.com

June 7, 2020

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Sincerely,
Luis Reyes
Eastern Shores' resident

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Duron, Mario F.

From: Silvia y Luis Reyes <silvailuisreyes@gmail.com>
Sent: Sunday, June 07, 2020 11:16 PM
To: Proffitt, Justin
Cc: Commission All External
Subject: Zoom meeting June 8, 2020

Sent from my iPad
June 7 , 2020

Dear Justin and Commissioners,

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Silvia, Mejia
Eastern Shores

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Duron, Mario F.

From: Claudia M. Gallegos <claudia.gallegos.be@gmail.com>
Sent: Saturday, June 06, 2020 10:43 AM
To: Proffitt, Justin; NMBCOMDEV
Cc: Smukler, Fortuna; Smith, Phyllis; Kramer, Barbara; Defillipo, Anthony; Joseph, Michael; Villard, Paule; Fleurimond, McKenzie
Subject: Proposed Re-development of Intracoastal mall

Mr Proffitt,

I am deeply disappointed with the City NMB and your office accepting to consider a project that only benefits the pockets of the developer and, in a minuscule manner, the City of NMB. The City has double-standards between the owners' improvements to their tax-paying properties and the pushy-big-money developers. It is entirely unacceptable.

I am an 18 year resident of Western Eastern Shores - a forgotten neighborhood the City does not consider or consult in this or any proposals for re-development. We are a sandwich between the re-development of the corner of 163rd and Biscayne and Intracoastal Mall.

The proposed re-development is disproportionate to the area's occupancy and our City. The amount of hotel and residential, offices and retail spaces will become another ghost development, as you can see in Sunny Isles. The units are of a high price, not inviting younger families or newer retirees to our area, either. What are the benefits you see?

The calculations and solutions for traffic are weak at best and unrealistic in the real world. It takes now about 15 minutes from 26th avenue to Biscayne during rush hour, 20 to 25 minutes to be the beach. Good luck having a life that does not include a long time in traffic to do anything. What is the proposed solution for the multiplication of the number of vehicles?

Your office and the City must bring this project to a human scale, and collect taxes, instead of giving away credits for development, which is a false trade.

Your office, the Commission, and the Mayor have not proposed a vision for our City nor a comprehensive plan of re-development. That is what the taxpayers and neighbors of North Miami Beach need.

Kind regards, **Claudia Gallegos**
Secretary, Board of Directors
Reef Club Condominium Association
Voice + TXT
| 786 565 2272

iPhone
| 305 491 7981
Skype
| Bonnaire-Claudia

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Duron, Mario F.

From: Martha Perea <marthaoperea@yahoo.com.ar>
Sent: Saturday, June 06, 2020 6:22 PM
To: Proffitt, Justin
Subject: Gil.Dezer, new developent

I know that the Intracoastal Mall was sold in 2013 to Mr. Gil. Dezer in 63.5 millions
I remember participating in a meeting at the Eden Isles Club House. Where they presented the original project.
Now after so many years, I noticed that those plans has been changed completely. I also know that with the help
of who knows who the construccion codes had been changed, consequently, there will be more apartments and
also a hotel.

Seems that eith the power of money could do anything they want with the people of Eastern Shores, Eden Isles
included.

In the old project Epicure was going to be built it at Winn Dixie location.

I wonder what will happen with TJ MAXX, and the rest of the stores

So far the City of North Miami, didn't, let us know the new development project. We found out at internet.

But yes, they want us to talk about the installation on new Trafick Light.

Don't you think that there is alot more to discuss?

For example what about the loss of jobs for people working at Winn Dixie, Tj Maxx, Old Navy. Restaurants,
and smaller shops, that conform the Intracoastal Mall.

I think that every neighborg, that once choose to live in this area, choose peace and quiteness, and now we've to
give up all that, plus our jobs at those stores?

I know that money talks, specially when the front man in this case is Mr Trump. In 2013 when Mr. Dezer set up
his foot at the Intracoastall Mall, this is how it was present it.

Now they say is a place for the Millenials,

and I wonder, what people from the last century suppose to do?

Please let me know, before I die. I was born in 1944. I'm an active person, I still work, besides I want to be able
to walk in a quite neighborhood.

If I like a crowd I'll move to New York, but I'm not planning that for the rest of my life.

Thank you

Martha Perea

3600 NE 170th. St ap 205

Eden Isles Condominium

[Sent from Yahoo Mail on Android](#)

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3600 NE 170th. St ap 205

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Duron, Mario F.

From: Kenny Marquez <kenneth.marquez@yahoo.com>
Sent: Saturday, June 06, 2020 9:13 AM
To: Proffitt, Justin
Subject: Hearing rescheduling

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

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Sincerely,
Ken Marquez

Sent from my iPhone

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Duron, Mario F.

From: Ira Holm <iratholm@icloud.com>
Sent: Saturday, June 06, 2020 5:43 PM
To: Proffitt, Justin
Subject: Zoom meeting re eastern shore mall development

It makes no sense to have such an important meeting take place under these circumstances. It should be delayed till a normal well attended hearing can be arranged and well publicized for full participation of those affected. Please consider how important this is to us. Thank you.

Sent from my iPhone

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Sent: Saturday, June 06, 2020 5:43 PM
To: Proffitt, Justin
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Duron, Mario F.

From: Ramón Rozas Botrán <rrozasbotr@aol.com>
Sent: Saturday, June 06, 2020 11:16 AM
To: Proffitt, Justin; Commission All External
Subject: ZOOM MEETING CANCELED.

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

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As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Ramon Rozas
3251 NE 164th St
North Miami Beach FL 33160

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Duron, Mario F.

From: Diane Serna <bikinicityusa@yahoo.com>
Sent: Saturday, June 06, 2020 7:27 PM
To: Proffitt, Justin; Commission All External
Subject: Re: Conceptual Master Plan-Redevelopment of the Intracoastal Mall (Eastern Shores)

Hi,

As a neighbor of the Eastern Shores community for the last several decades, I have seen many changes here. One of the very worst ones was the delivery entrance and exit for all of the Intracoastal's retail stores and restaurants, as well as Winn Dixie, just to name a few. The trucks delivery entrance is located directly in front of my house, and several other of my neighbors houses that sit adjacent to it. There was an accident many years ago, in which a driver exiting that same entrance/exit-way crashed directly into my front yard, hitting my tree, and missing my daughter to-be at that times newly prepared bedroom. Seeing too many other accidents here as well after that made it clear that it was never a good place for any entrance or exit.

The entranceway is additionally to the sharp right of the guard gate once entering 35th Ave. Many of the vehicles continually make U-turns (No sign is there) in front of our property as to not go through the guard gate. It creates havoc and traffic backup now, so how will residential homes being built on the canal back there with the same entrance/exit-way help the traffic flow?

If the architect/Dezer plans on widening the parking lot for MORE parking in front of the current ambulance station, and keep that same entrance/exit-way, it is going to be a disaster. Many of my neighbors agree that this plan must be changed.

The guard gate placement is another issue that needs to be addressed also moving forward.

Thank You,

Diane Serna (ESPOA member)
16440 NE 35th Avenue.
NMB, FI 33160

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Randy Rose 3750 NE 169th Street # 111.

I have owned properties in Eastern Shores since 1987 . I have been selling real estate in the area over 40 years. Always been for Development within REASON . What is requested is 100% "NOT" within REASON.

I remember since after the Intracoastal Mall was built, if any Major redevelopment/expansions were to be done with the Mall, FIRST requirement was , Owner of the Mall needed to build a "Texas U Turn , under the 163rd ST bridge.

I respect the DEZER FAMILY. I believe that they were aware of what they could Do and Not do, with the Mall prior to Purchasing . The Texas U turn is a PRIORITY for all concerns whoever travels on 163rd Street in all directions.

I believe that the Mall had approx 20 story height restriction, not sure if any zoning change was approved. Several years ago, the City hired some Planning Company to explore different areas around the City , what may be a possible options for New Development . Possibly with certain political interest. One idea for the Mall was to consider heights up to 40 stories. I am sure if something like this was vision , or any MAJOR CHANGES , then all infrastructures such as WATER-SEWER-TRAFFIC had to be resolved TEXAS U TURN BUILT prior to approval as a CONDITION.

NMB . This ZOOM MEETING is not the proper time to have a MAJOR Discussion or any Decision like this, NEEDS to be held in person Face to Face.

DEZER FAMILY do the Right Thing spend Your Necessary Money Build a Texas U Turn, or Consider Selling the Mall . Let another Shopping Center Owner Do the Right Thing first, Build the Texas U Turn , then build something appropriately.



Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Friday, June 05, 2020 8:06 PM
To: Smukler, Fortuna; Smith, Phyllis; David Templer; Proffitt, Justin; Diane Frazer
Subject: URGENT

Gentlemen:

The quality of life of our neighborhood, our families, the environment impact, the loss of the Mangroves that provide nutrient uptake, wildlife habitat, storm protection, and erosion control. The right of peaceful leaving, that will be destroyed with all the construction, trucks that will be driven to get to the site, on an area where the traffic is so heavy since Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads. No far from us is the intersection of Biscayne Blvd and 163rd Blvd is the epicenter of traffic congestion in the area; from a study done in 2007, can you imagine the way it is now after 14 years and all the constructions since; from Biscayne Blvd to Collins Ave on 163rd. A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

During the construction and the chaos, it will create the property values will decrease and who is going to compensate the property owners of the loss in value?

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal. Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance.

This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from: • Six stories to 20 stories • Eight stories to 32 stories That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. in the above-listed bullets. These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is) Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock. Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list: 1. **OVERSIZED DEVELOPMENT PROPOSAL:** a. 375,000 SF Commercial/Retail Space b. 200,000 SF Office Space c. 250 Hotel Keys d. 2,000 Multi-Family Residential Units e. New Community Center f. New Police Substation g. Improved Fire Station h. ±8.0 acres of Publicly Accessible Open Space i. ±.71 Mile Waterfront Promenade 2. **HUGE BUILDING HEIGHTS:** a. 40 Stories or 495 Feet in the Core Sub-Area; b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential) Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital. Increasing the density only compounds the current traffic problem. What's needed here is

careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

We can promise you Drezel owners will not like it and won't do it in their neighborhood and more important, they won't live in the chaos they will create.!!!

More important this meeting needs to be in person not via Zoom

Yours Truly

Eduardo and Clara Piana

16434 NE 31 Ave

N Miami Beach, FL 33160

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Duron, Mario F.

From: Darlene Forlenza <darl136@hotmail.com>
Sent: Friday, June 05, 2020 8:59 PM
To: NMBCOMDEV
Subject: PUBLIC COMMENT

From: Darlene Forlenza 3923 NE 166th Street North Miami Beach FL 33160

As a resident and closest neighbor to this project my concerns are as follows:

How will the very tall buildings can shade the pool located at my condo at the end of the 166th Street and will it take away how the pool is enjoyed? Will the tower block the sunlight especially in winter when the sun is lowest in the sky?

The Traffic this project will bring to 35th avenue. This intersection is already overcrowded and is unsafe at times. Two thousand plus new units will make this intersection impossible to use. How will this problem be addressed?

Construction of these tall towers will surely bring dirty and noisy conditions to my condo since we are located right next door on 166th Street. This will make life at my home uncomfortable for too long. What can be done to prevent this?

A development in this area which is more in line with Eastern Shoes restrictions would be much more welcome. Buildings of 4 stories or less would bring less residents and have a better outcome for this area.

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Duron, Mario F.

From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, June 04, 2020 11:19 AM
To: letters@biscaynetimes.com
Subject: Intracoastal on the Rise

Editor

Though the article ([Biscayne Times, Intracoastal on the Rise](#)) was well written and seemingly accurate, it fails to mention that the proposed "36th Ave" intersection on SR 826, the lynchpin of this proposed development, fails to comply with the City's requirements for egress and ingress to that parcel as redeveloped. That requirement was promulgated in 2015 when the property was rezoned to allow the density and heights. As I understand it, the current proposal is asking the City to change the zoning yet again to shift the placement of the larger buildings that are proposed for the parcel. Also, the applicant is seeking to bind the City (read as "residents of Eastern Shores and North Miami Beach) into allowing the new proposals, despite the non-conformity, with a contract. Such a contract would prohibit City staff, a subsequently elected commission or the residents from a future tightening of the reins regardless of any changed conditions.

I have been in touch with a couple of dozen of my neighbors on these issues. Even those, like me, that favor the development of that parcel are entirely unaccepting of the new proposals and strongly object to "the City" approving and permitting them. These residents are particularly annoyed that the applicant, and "the City", are pursuing this without an in-person public hearing.

David Templer
3260 NE 164 St.
North Miami Beach, FL

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Duron, Mario F.

From: Proffitt, Justin
Sent: Thursday, June 04, 2020 7:06 PM
To: Lamberto, Bruce
Subject: RE: Undeliverable: Public Comment

Thank you Bruce. I will include this email in the record and provide to each P&Z board member.

Thank you,



Justin Proffitt, AICP
Community Development Director
City of North Miami Beach
Community Development Department
T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:   

From: Bruce Lamberto <blamberto@aol.com>
Sent: Sunday, May 31, 2020 10:51 AM
To: Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Smith, Phyllis <phyllis.smith@citynmb.com>; Villard, Paule <Paule.Villard@citynmb.com>; mckenzie.fleurimonde@citynmb.com; Kramer, Barbara <barbara.kramer@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Joseph, Michael <Michael.Joseph@citynmb.com>
Cc: Proffitt, Justin <Justin.Proffitt@citynmb.com>; dfrazer81@gmail.com; dlt@templerhirsch.com; jose.arrojo@miamidade.gov; martlongo1@gmail.com; samazach@gmail.com; humpty18@yahoo.com
Subject: Fwd: Undeliverable: Public Comment

Subject: Fwd: Undeliverable: Public Comment

Dear Mayor and Commissioners

I received notice of last weeks Zoom Commission Meeting via City email and was informed by the notice that if someone wanted to provide public comment, they were to provide their email comment to the city clerk by 4 pm on Commission Day using the email address cityclerk@citynmb.com . I emailed my public comment to the address supplied in the notice to the city clerk prior to 4 pm. I then proceeded to watch the Commission Meeting online and didn't hear my public comment read into the record at the meeting. Upon checking my email after the meeting, I received the below notice: This is not acceptable. This is also why I am requesting that the June 8th Planning and Zoning meeting be postponed until such tie as an actual live, in-person meeting can be held. The subject of this meeting is the Intracoastal Mall amendments to the site plan and submission of a signalized traffic plan that will directly impact my quality of life and safety along with my family and neighbors. There should be NO virtual meeting held on such a

important zoning issue when there is a strong possibility that technical glitches will impact public comment and residents not being Zoom literate..

By copy of this email, I am requesting that the June 8th P & Z meeting be cancelled until such time that it can be held in-person. A great venue for this meeting to be held would be to utilize the Littman Theater in which there is plenty of room for social distancing for the P&Z Board and the Public. Please consider this request.

Thank-You
Bruce Lamberto
3420 NE 165 ST.
NMB. FL. 33160
786 367 7072 cell

-----Original Message-----

To: blamberto@aol.com
Sent: Tue, May 19, 2020 3:57 pm
Subject: Undeliverable: Public Comment

Your message to cityclerk@citynmb.com couldn't be delivered.

The group [cityclerk](#) only accepts messages from people in its organization or on its allowed senders list, and your email address isn't on the list.

blamberto
Sender

Office 365

cityclerk

Action Required

Sender not allowed

How to Fix It

It appears you aren't in the same organization as the group (or a sub-group) you're sending to or your email address isn't on the group's allowed senders list. Ask the owner of the group to grant you permission to send to it, and then try again. If the group belongs to a different organization than yours, contact the organization's customer service department for assistance. If the group is in your organization and you don't know who the group owner is, you can find it by doing the following in either Outlook on the web or Outlook:

- Open your Sent folder and select the original message.
- If you're using Outlook on the web, select the group name located on the To or CC line. If you're using Outlook, double-click the group name located on the To or CC line.
- In Outlook on the web, from the pop-up dialog box, choose Owner. In Outlook, choose Contact. The owner's name is listed under Owner.

The owner of the group may have intentionally chosen to restrict who can send messages to it, and they may not want to adjust the existing restriction. In this case, you'll have to contact the group members by some other means, such as sending an email message to their individual email addresses or contacting them by phone.

Was this helpful? [Send feedback to Microsoft](#).

More Info for Email Admins

Status code: 550 5.7.133

This error occurs when the distribution group, security group, or Office 365 group is configured to accept messages only from authenticated senders (senders in the same organization or those added to the group's allowed senders list).

To fix the issue, the recipient's email admin or the group owner must add the sender's email address to the group's allowed senders list or change the group's delivery management setting to accept messages from senders inside and outside of the organization.

Usually this issue can only be fixed by the recipient's email admin or the group owner.

For more information and steps to fix this error, see [Fix email delivery issues for error code 5.7.133 in Office 365](#).

Original Message Details

Created Date: 5/19/2020 7:57:29 PM
Sender Address: blamberto@aol.com
Recipient Address: cityclerk@citynmb.com
Subject: Public Comment

Error Details

Reported error: 550 5.7.133 RESOLVER.RST.SenderNotAuthenticatedForGroup; authentication required; Delivery restriction check failed because the sender was not authenticated when sending to this group
DSN generated by: BY5PR09MB5315.namprd09.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	5/19/2020 7:57:30 PM	sonic.gate.mail.ne1.yahoo.com	sonic301.consmr.mail.ne1.yahoo.com	HTTP
2	5/19/2020 7:57:32 PM	sonic301-32.consmr.mail.ne1.yahoo.com	BL0GCC02FT014.mail.protection.outlook.com	Microsoft SMTP cipher=TLS_ECDH
3	5/19/2020 7:57:34 PM	BL0GCC02FT014.eop-gcc02.prod.protection.outlook.com	BN3PR09CA0053.outlook.office365.com	Microsoft SMTP cipher=TLS_ECDH

YEOZEH4XtRIN_gRkQWzDHDRAWXNz3Lo5jY6F44ILKPOt:jAFSp.VK23gsj&tVlaFj7&WUXB&XN4Wg
V2N9wIANDzFipz2KzXJzKpI79Onia5Y6OPMtN5GyINMQTBoTKypemUfmKjWV9tToDWGLa7LVWng
KIKLnA5JH5QILCwIiv--

Received: from sonic.gate.mail.nel.yahoo.com by sonic301.couman.mail.nel.yahoo.com with
SMTP; Tue, 19 May 2020 18:57:30 -0000

Date: Tue, 19 May 2020 18:57:29 -0000 (UTC)

From: Bruce Lamberto <blamberto@aol.com>

To: cityclerk@cityymb.com

Message-ID: <239382930.1711023.1589918249805@mail.yahoo.com>

Subject: Public Comment

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary="-----_Part_1711023_1663609145_1589918249805"

References: <239382930.1711023.1589918249805.ref@mail.yahoo.com>

X-Mailer: WebService 1.1.15860; Microsoft Word 12.0 (Linux); Android 4; IM-2010
Build/PN21.140114.011; wv AppleWebKit 537.36 (KHTML, like Gecko) Version 4.0
Chrome 30.0.1597.111; Mobile Safari 537.36; Safari 5.12.0.1145

Content-Location: 1P44

Reply-To: blamberto@aol.com

X-OriginalMessage:

X-TenantAccountMessage: 1711023-1589918249805-1711023-1589918249805

X-Publisher-Enterprise-Region: 001/001

X-IA-PublicProfileType: Email

X-MS-Office365-Thread-Id: 1663609145-1589918249805-1711023-1589918249805

X-MS-Exchange-Organization: 1663609145-1589918249805

Bruce Lamberto
3420 NE 165 ST
NMB

Mayor & Commission

The City is now in possession of approximately \$100 million in borrowed money. The funding is for the City's 5 year CIP plan. The clock is ticking on paying it back. The City should be immediately contracting an Engineering firm to draft the engineering plans necessary for permitting and contracting the construction work. Engineering will take 4 to 6 months, review and comment, bidding, and contract award will take months more. We cannot afford to take the amount of time it has taken to renegotiate the Jacobs contract as costs increase every year on our proposed projects and we will run out of money before we complete the projects. Please don't be as complacent on this time-table as you have been in allowing excessive time to go by on the water utility negotiations. This one item has delayed the critical path of steps that needs to happen in scheduling and contracting the required contractors necessary to complete the CIP projects. City staff was hired more than 7 months ago to begin the CIP work. Next month marks the halfway period through the current year and four months away from the end of the fiscal year. Please help expedite the pending projects. Thank you

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Duron, Mario F.

From: Alvaro Rodriguez Paz <alvarorpaz@gmail.com>
Sent: Thursday, June 04, 2020 7:30 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Mr. Justin Proffitt, AICP

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue6
North Miami Beach, FL 33162-3100

June 4, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,

Alvaro Rodriguez Paz

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Duron, Mario F.

From: Henry, Andrea M.
Sent: Thursday, June 04, 2020 3:24 PM
To: Scott, Esmond; Proffitt, Justin; McHugh, Horace A.; Bernard, Andrise; Proffitt, Justin; Cino, Sharon
Subject: Intracoastal Mall Project

All:

I returned Magda Ammirati's call, and she is requesting that the item re: the Intracoastal Mall Project be postponed until there can be an in-person meeting.

Andrea



Andrea M. Henry | Assistant to City Manager
City of North Miami Beach
Office of the City Manager
T (305) 948-2900
F (305) 957-3602
andrea.henry@citynmb.com

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media: [f](#) [t](#) [i](#)

No act of kindness, no matter how small, is ever wasted. -Aesop

From: Ramos, Shakira
Sent: Thursday, June 4, 2020 2:13 PM
To: Henry, Andrea M. <Andrea.Henry@citynmb.com>
Cc: Bernard, Andrise <Andrise.Bernard@citynmb.com>
Subject: Agenda item

Hi Andrea,

Nadia took a message down while I was on break from Mrs. Madga Amminati. She stated that Mrs. Amminati wanted to speak to you. Here is the transcript of the full message that Nadia took down:

Madga Amminati
305-336-3443

Request that item on Agenda to be postponed and take place in person.

Also would like for Andrea to give a call because she needs transcripts of last Zoom meeting.

Shakira

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Andrea



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Duron, Mario F.

From: Angela Boidi <angelaboidi@gmail.com>
Sent: Thursday, June 04, 2020 9:30 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Eastern Shores Development

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 3, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

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These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

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Sincerely,

Angela Boidi

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Duron, Mario F.

From: Michelle Reyes <michellermiami@gmail.com>
Sent: Wednesday, June 03, 2020 7:16 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Dezer's Intracoastal Mall plans

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
- Eight stories to 32 stories

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These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

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Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list:

1. OVERSIZED DEVELOPMENT PROPOSAL:

- a. 375,000 SF Commercial/Retail Space
 - b. 200,000 SF Office Space
 - c. 250 Hotel Keys
 - d. 2,000 Multi-Family Residential Units
 - e. New Community Center
-

-
- f. New Police Substation
 - g. Improved Fire Station
 - h. ±8.0 acres of Publicly Accessible Open Space
 - i. ±.71 Mile Waterfront Promenade
2. **HUGE BUILDING HEIGHTS:**
- a. 40 Stories or 495 Feet in the Core Sub-Area;
 - b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
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Sincerely,

MICHELLE REYES
SALES ASSOCIATE
THE JASON MITCHELL GROUP
C. 305.900.7014

MICHELLERMAMI@GMAIL.COM

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Duron, Mario F.

From: Mychael ACE <mychael.ace@gmail.com>
Sent: Wednesday, June 03, 2020 8:04 PM
To: Proffitt, Justin; Smukler, Fortuna; Commission All External
Subject: Dezer's Intracoastal Mall plans

Mr. Justin Proffitt, AICP Manager, Planning & Zoning Department City of North Miami Beach 17050 NE 19th Avenue North Miami Beach, FL 33162-3100 justin.proffitt@citynmb.com cc fortuna.smukler@citynmb.com cc commissionall@citynmb.com June 3, 2020 Dear Justin, As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads. A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale. Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal. Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street. The rezoning proposal is to raise the building heights on the east from:

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Sincerely,

Mychael Oliver
Administrative Director
Ace-Classes.com, INC.
www.Ace-Classes.com



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Duron, Mario F.

From: Robert Hayhurst <rob1995@me.com>
Sent: Tuesday, June 02, 2020 6:12 PM
To: Proffitt, Justin; Diane Frazer
Subject: Please Submit for June 8 Meeting

Dear Justin Proffit,

I've been asked to forward the following numbered points (below) to you on behalf of Diane Frazer, ESPOA, and the entire Eastern Shores community.

Please submit the following for Zoning and Planning Board's consideration at the meeting on June 8th.

Thank you very much,

Robert Hayhurst
ESPOA Admin Support

Key Points:

1. The proposed intersection and 35th ave curb cuts do NOT meet the requirements set forth by the City in 2015 and/or that the Traffic Study is flawed.
2. The proposed new layout of the buildings on the parcel, at 35th Ave. and along 163, should be objected to and disallowed. The sightlines of the newly considered layout negatively impact the neighborhood significantly more than before. As well, the character of the proposed buildings (hotel, for example) are not desirable.
3. The City should NOT exercise its discretion to enter into a Development Agreement with the applicant. In this particular case there is no substantial benefit to the City in doing so (if the applicant could build the Texas U-Turn and was willing to do it, a new analysis on benefit to the City may be appropriate).

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Duron, Mario F.

From: Marilyn Rubin <savvygirl1947@gmail.com>
Sent: Tuesday, June 02, 2020 9:44 PM
To: Proffitt, Justin
Subject: Eastern shores intracoastal mall

Please stop Dezer from developing the mall. We live in a very special neighborhood and this development will be a disaster. Besides Dezer couldn't care one bit about the residents of our community. He only cares about his bottom line and nothing else. Please please stop him

Sent from my iPhone

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Duron, Mario F.

From: fabdimisa@bellsouth.net
Sent: Tuesday, June 02, 2020 9:26 AM
To: Proffitt, Justin
Subject: FW: Planning and Zoning Virtual Meeting June 8, 2020

I only hope that this meeting will NOT!!!! Take place via zoom. It's not fair.

Fabio Nick
3403 NE 166St

From: David Templer <dlt@templerhirsch.com>
Sent: Saturday, May 30, 2020 7:09 PM
To: Marteen Longo <martlongo1@gmail.com>; Diane & Robert Hayhurst <dfrazer81@gmail.com>
Cc: Leslie Sardinia <samazach@gmail.com>; Bruce Lamberto <blamberto@aol.com>; dan@rotecapital.com; fabdimisa@bellsouth.net; Marc & Susan Einbinder <MSEPA@aol.com>; sobesan@aol.com; roskinsd@aol.com; e.riccardi@me.com; gabbidoniona@yahoo.com; drjackrx@netzero.com; Neal & Larysa Keys <neal@palmtravel.com>; Fortuna & Saul Smukler <MiamiMicrotronix@bellsouth.net>
Subject: Re: Planning and Zoning Virtual Meeting June 8, 2020

I don't know how to mobilize the condo side but I will do a street on the houses side if and when it is necessary to put flyers out.

David Templer

Templer & Hirsch

20801 Biscayne Blvd., Suite 400

Aventura, FL 33180

305.937.2700

dlt@templerhirsch.com

From: Marteen Longo <martlongo1@gmail.com>
Sent: Saturday, May 30, 2020 6:11 PM
To: Diane & Robert Hayhurst <dfrazer81@gmail.com>
Cc: David Templer <dlt@templerhirsch.com>; Leslie Sardinia <samazach@gmail.com>; Bruce Lamberto <blamberto@aol.com>; dan@rotecapital.com <dan@rotecapital.com>; fabdimisa@bellsouth.net <fabdimisa@bellsouth.net>; Marc & Susan Einbinder <msepa@aol.com>; sobesan@aol.com <sobesan@aol.com>;

roskinsd@aol.com <roskinsd@aol.com>; e.riccardi@me.com <e.riccardi@me.com>; gabbidoniona@yahoo.com <gabbidoniona@yahoo.com>; drjackrx@netzero.com <drjackrx@netzero.com>; Neal & Larisa Keys <neal@palmtravel.com>; Fortuna & Saul Smukler <miamimicrotronix@bellsouth.net>
Subject: Re: Planning and Zoning Virtual Meeting June 8, 2020

I, personally, do not think more will "attend" a ZOOM meeting.
I feel I am fairly computer literate. Have used Zoom twice and do not find it easy!!
Can't imagine how it will work if there are many who sign on???
This is definitely NOT how it should be conducted.
Everyone should send emails to Justin.Profitt@citynmb.com and also to nmbcomdev@citynmb.com.

This, in my opinion, is crazy!!!!

Marteen

I have offered my "delivery service" to Diane for the flyers.
We need to talk to our neighbors.

On May 30, 2020, at 5:52 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

Thanks David, but at this point any efforts are appreciated.

On Sat, May 30, 2020, 4:28 PM David Templer <dlt@templerhirsch.com> wrote:

This meeting is NOT before the Commission but rather before the Planning and Zoning Board. Respectfully, comments should focus on the particular issue at hand rather than how the meeting will be held or Eastern Shores generally. Personally, I suspect more people will "attend" by Zoom than in person.

David Templer
dlt@templerhirsch.com

On May 30, 2020, at 3:56 PM, Leslie Sardinia <samazach@gmail.com> wrote:

I sent my own email to the mayor and commissioners.

Mr Mayor and Commissioners,

There CAN NOT be a meeting via zoom, when most have no clue or know how to use Zoom. I use zoom and since everyone is home using internet, I lose wifi service while taking a class or having a meeting. There's no way this is fair to the homeowners of ES, who pay the majority of the taxes to NMB, and will be effected the most by a metropolis in a small neighborhood shopping center. The city of NMB, should first and foremost, represent the current owners and tax payers, not a billionaire who wants to make millions at the cost of US, the current residents. Not a billionaire to come in and swoop down and take advantage during a pandemic situation, with the blessings of our elected officials.

I think you know what should be done in this situation, and if it goes as planned, I think you know, as current elected officials, you will lose the support of Eastern Shores residents. We have been overlooked long enough, with power lines and poles falling over, streets that are chopped up, no

sidewalks. We are coming together and we have a voice, and we want it to be heard in person, NOT on Zoom.

I apologize for the stern words, but this is our home, our community, where we have raised and are raising our children. This is not what the families of Eastern Shores want in our neighborhood community.

Sincerely,

Bruce & Leslie Sardinia

Only if we understand, can we care.

Only if we care, we will help.

Only if we help, we shall be saved.

-Jane Goodall

On May 30, 2020, at 1:19 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

FYI - I felt the need to send this...doubt it will have an impact.

----- Forwarded message -----

From: **Diane Frazer** <dfrazer81@gmail.com>

Date: Sat, May 30, 2020 at 1:16 PM

Subject: Planning and Zoning Virtual Meeting June 8, 2020

To: anthony.defillipo <anthony.defillipo@cityymb.com>, Smukler, Fortuna <Fortuna.Smukler@cityymb.com>, Smith, Phyllis <Phyllis.smith@cityymb.com>, barbara.kramer <barbara.kramer@cityymb.com>, Fleurimond, McKenzie <McKenzie.Fleurimond@cityymb.com>, Joseph, Michael <Michael.Joseph@cityymb.com>, Villard, Paule <Paule.Villard@cityymb.com>, Scott, Esmond <Esmond.Scott@cityymb.com>

Good Afternoon All,

This email is in response to the Planning and Zoning Meeting scheduled for June 8 via zoom. I find it appalling that the city thinks that it is okay to hold a meeting of this importance via zoom. We all know that this is not the ideal format to ask questions, hear responses, etc. Let alone, the large number of residents who are unable to participate due to lack of equipment, inability to understand, etc.

I understand that other business has been done via this format, Taco Bell, for one. I highly doubt that there are as many interested in variances for Taco Bell as the building of a development, including numerous high rises, a hotel, and new traffic patterns that are absurd!

The city is beginning to reopen and I believe that waiting for a few weeks to allow residents to attend the meeting should not be out of the question. All I hear is that the developer wants to work with us, etc. So if this is the case, why not wait until concerned residents can appear before the committee to express their support or concerns.

I doubt that if the city wanted to build a hotel in your backyard (Commissioner Smukler and Smith, this is your backyard) that any of you would want these meetings held via zoom.

Please consider rescheduling this meeting so that the many residents are effected can attend and voice their concerns.

Diane Frazer-Hayhurst
ESPOA President

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Duron, Mario F.

From: Margo Berman <margobermanauthor@gmail.com>
Sent: Wednesday, June 03, 2020 6:34 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis; Commission All External
Subject: Traffic problems with Dezer's Intracoastal Mall Development Plan

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100
June 3, 2020

Dear Justin,

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Sincerely,
Margo Berman

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Margo Berman, Professor, Author, Inventor

www.amazon.com/author/MargoBerman

Books:

- *Street-Smart Advertising* (2006, 2010)
- *The Brains Behind Great Ad Campaigns* (2009)
- *The Copywriter's Toolkit* (2012)
- *tactikPAK™: A Digital Library of Learning* (2014, 2015)
- *The Blueprint for Strategic Advertising* (2016)

Apps: On iTunes

- - Advertising *tactikPAK* <http://apple.co/1GRitOv>
- - Copywriting *tactikPAK* <http://apple.co/1dA7TXx>

On Google Play: Copywriting *tactikPAK* <http://tinyurl.com/q7ml8ys>
www.MentalPeanutButter.com

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Duron, Mario F.

From: Joe Leal Jr <jl@wwdrape.com>
Sent: Wednesday, June 03, 2020 9:02 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Intracoastal mall

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list:

1. **OVERSIZED DEVELOPMENT PROPOSAL:**
 - a. 375,000 SF Commercial/Retail Space
 - b. 200,000 SF Office Space
 - c. 250 Hotel Keys
 - d. 2,000 Multi-Family Residential Units
 - e. New Community Center
 - f. New Police Substation
 - g. Improved Fire Station
 - h. ±8.0 acres of Publicly Accessible Open Space

-
- i. ±.71 Mile Waterfront Promenade
 2. **HUGE BUILDING HEIGHTS:**
 - a. 40 Stories or 495 Feet in the Core Sub-Area;
 - b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
 - c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential)

Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Thanks,
Jose

Sent from my iPhone

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Duron, Mario F.

From: Daniel Perez <dp@dperez.biz>
Sent: Wednesday, June 03, 2020 4:36 PM
To: Proffitt, Justin
Cc: Commission All External
Subject: Intracoastal Mall

To whom it may concern,

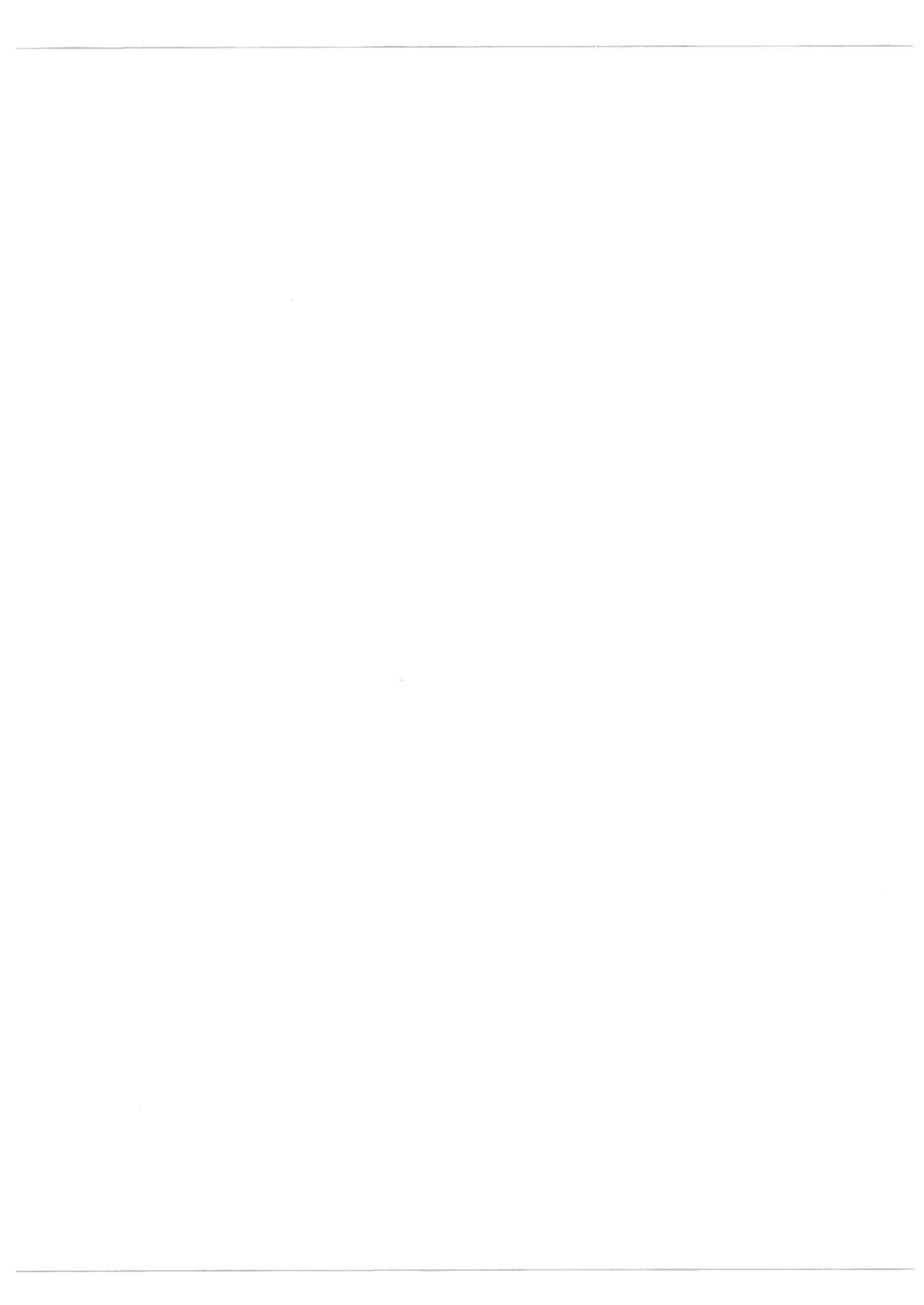
I am a home owner of multiple properties in Eastern Shores, I ask that you do not allow the redevelopment of the Intracoastal Mall. Our traffic is already overwhelming with all the new buildings in Sunny Isles, any new residents that are proposed to be built in the Intracoastal Mall property would only make things worse. The redevelopment would decrease our home values and cause gridlock trying to drive into Eastern Shores.

Eastern Shores is a unique community in North Miami Beach, do not allow this project to ruin this community.

Regards,

Daniel Perez
dp@dperez.biz
305.607.5600

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Duron, Mario F.

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Sent: Wednesday, June 03, 2020 4:36 PM
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Subject: Intracoastal Mall

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Eastern Shores is a unique community in North Miami Beach, do not allow this project to ruin this community.

Regards,

Daniel Perez
dp@dperez.biz
305.607.5600

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Duron, Mario F.

From: msepa@aol.com
Sent: Tuesday, June 02, 2020 1:21 PM
To: Proffitt, Justin
Subject: Intracoastal mall

Good afternoon Mr. Proffitt:

Please be advised of the following. My family, as other residents of Eastern Shores do not believe that the P&Z hearing set for June 8th, 2020 regarding the Intracoastal Mall should be held via Zoom. These plans have been spoken about for a very long time and we can see no reason why the hearing cannot be delayed until residents can make in person appearances before the board.

As to the issue itself of an additional traffic light to enter the mall which would be on the approach to the bridge, this is an unsafe idea. I have lived in Eastern Shores for 33 years and have seen enough traffic and traffic accidents in the area of NE 163rd Street and 35th Avenue. The area just cannot handle the additional traffic of thousands of additional residents.

Please be sure that this email is read in to the record and heard by the P&Z Board members whenever the hearing is held.

Thank you,
Marc Einbinder

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Duron, Mario F.

From: nansmoon@aol.com
Sent: Tuesday, June 02, 2020 2:34 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Tuesday, June 02, 2020 2:16 PM
To: Proffitt, Justin; Clara Piana
Subject: Re: URGENT 35 and 163

Gentleman:

We opposed the project that was previously approved and know the developer wants to AMEND the plans to include a hotel, THIS IS OUTRAGEOUS !!!will make the traffic getting into our Neiborhood IMPOSIBLE!!!

The traffic the way it is today is TERRIBLE and more so during high season, we can't imagen adding all those units and traffic.

WE OPPOSED TO ALL !!!

The traffic light they want to install on 163rd on the south side going to the beach, the only thing that will do is make more chaos , so we are OPPOSE to that as well.

We will not APPROVE a ZOOM Metting to discuss this delicate situation!!!! we will need to be able to do it in PERSON everyone PRESENT!!!!

Yours Truly
Eduardo Piana
16434 NE 31 Ave
N Miami Beach, FL 33160

From: Clara Piana <lov2sail@hotmail.com>
Sent: Wednesday, May 27, 2020 1:24 PM
To: justin.proffitt@citynmb.com <justin.proffitt@citynmb.com>
Subject: URGENT

We are the owners of 16434 NE 31 Ave N Miami Beach FL 33160

WE OPOSED the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance) in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge".

The traffic entering or leaving our neighborhood it is a mess and backup already; we don't need more cars coming in or out.

Eduardo and Clara Piana

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Tuesday, June 02, 2020 2:17 PM
To: Proffitt, Justin
Subject: Re: URGENT

Gentleman:

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Clara Piana
16434 NE 31 Ave
N Miami Beach, FL 33160

From: Clara Piana <lov2sail@hotmail.com>
Sent: Wednesday, May 27, 2020 1:24 PM
To: justin.proffitt@citynmb.com <justin.proffitt@citynmb.com>
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The traffic entering or leaving our neighborhood it is a mess and backup already; we don't need more cars coming in or out.

Eduardo and Clara Piana

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Duron, Mario F.

From: nansmoon@aol.com
Sent: Tuesday, June 02, 2020 2:34 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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Duron, Mario F.

From: Emily Fernandez <fernandez.emily@ymail.com>
Sent: Monday, June 01, 2020 5:14 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis
Subject: Intracoastal mall

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 1, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Emily fernandez
Fernandez.emily@ymail.com
305-401-1291

[Sent from Yahoo Mail on Android](#)

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Duron, Mario F.

From: Miranda Marrero <miramarrero@gmail.com>
Sent: Monday, June 01, 2020 1:38 AM
To: Smukler, Fortuna; Proffitt, Justin; Smith, Phyllis
Subject: Intracoastal Dev. Project

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Miranda Marrero, a concerned Eastern Shores resident

--
Miranda Marrero
North Miami Beach, FL
miramarrero@gmail.com
305-319-1405

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Duron, Mario F.

From: Shawna Cruz <shawna.cruz@yahoo.com>
Sent: Sunday, May 31, 2020 4:32 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis
Subject: Resident - City of North Miami Beach

Planning & Zoning Department

The 163rd E/W corridor is congested as is. With additional and regular repairs of road and new construction adding traffic lights will exacerbate, not solve the present, traffic-bottleneck problems. With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area of the city does NOT have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact. Sincerely,
Shawna and David (2 registered voters)

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Duron, Mario F.

From: fabdimisa@bellsouth.net
Sent: Sunday, May 31, 2020 12:03 PM
To: Proffitt, Justin
Subject: FW: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

From: fabdimisa@bellsouth.net <fabdimisa@bellsouth.net>
Sent: Sunday, May 31, 2020 11:54 AM
To: 'espoa@yahoo.com' <espoa@yahoo.com>
Subject: RE: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

If this meeting via zoom will be anything like the one held in May Ref: Zooning it will be a waste At that time it was difficult to hear many times and if anyone wanted to say anything it was worse. All I hope this will not take place and that the technology will be improved to voice our discontent with The plans on ICM. Again, in person will be the best way. Why not wait??? Who is putting pressure On the city??? If my grandsons Bar mitzvah was postponed till Oct from May and many affairs Cancelled rather than use this Zooming idea, Mr Dezer and the city should change the date so all Can be present in person.

From: Amalia Nick < Begin forwarded message:

From: "E.S.P.O.A." <espoa@yahoo.com>
Date: May 30, 2020 at 6:27:48 PM EDT
To: Stacy Roskin <roskinsd@aol.com>
Subject: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

****URGENT****

IMPORTANT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

The City will be holding a zoom meeting to discuss plans to allow a traffic light to be put on 163rd Street to create a new entrance/exit (east and west access) for the Intracoastal Mall. This additional traffic light will cause major congestion and traffic nightmares.

In addition, if this traffic light is approved, the developer is expected to request "amended zoning" to change what was previously agreed upon by the City. This could drastically change the number and location of high rises and include a hotel.

It is imperative that we voice our concerns regarding the planned development of this property. This development will impact our quality of life!

Please attend the zoom and express your concerns. If you cannot attend the meeting, please provide an email with your comments to Justin.Proffitt@citynmb.com

ZOOM MEETING INFORMATION

Monday, June 8, 2020 at 6:00 pm

To just Watch or Listen

-
- Comcast Channel 77
 - Live stream on www.citynmb.com

To Watch & Speak, Join us on Zoom

- Zoom Meeting: WWW.ZOOM.US
- Zoom Meeting ID: 858 2719 8307
- Meeting Password: 088 805
- Your email and address will be requested to register for the meeting.

To Watch & Speak on Zoom Via Telephone

- By Phone: (646) 876-9923, (US Toll) (301) 715-8592, (US Toll)

To Send Written Comments by 4:00 PM on the Day of the Meeting

- Email: NMBCOMDEV@citynmb.com

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Duron, Mario F.

From: Hector Marrero <hmarrero@aol.com>
Sent: Sunday, May 31, 2020 3:56 PM
To: Proffitt, Justin
Subject: Fwd: Intracoastal Mall Development

Put this on the record as well.

Sent from my iPhone

Begin forwarded message:

From: Hector Marrero <hmarrero@aol.com>
Date: May 31, 2020 at 3:55:29 PM EDT
To: Diane Frazer <dfrazer81@gmail.com>
Subject: Re: Intracoastal Mall Development

Thank you!!! We need to raise our voices on this one!!!!

Hector Marrero

Sent from my iPhone

On May 31, 2020, at 3:44 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

Hector,

The current plans for the developer to add a light right on top of the light at 35th Avenue is unacceptable as far as ESPOA is concerned. This developer needs to provide an additional ingress/egress into his development prior to any development beginning.

In addition, his proposal for 2 forty story towers, one 32 story tower, additional town homes (all adding up to 2,000 residential units) plus offices, stores and restaurants, and a 250 key hotel is ridiculous.

The addition of all of this will cause a traffic nightmare for us as well as increase crime, etc.

ESPOA understands that the developer has the right to develop, but he must develop so that Eastern Shores is impacted as little as possible.

Thanks,

Diane Frazer-Hayhurst

ESPOA President

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Duron, Mario F.

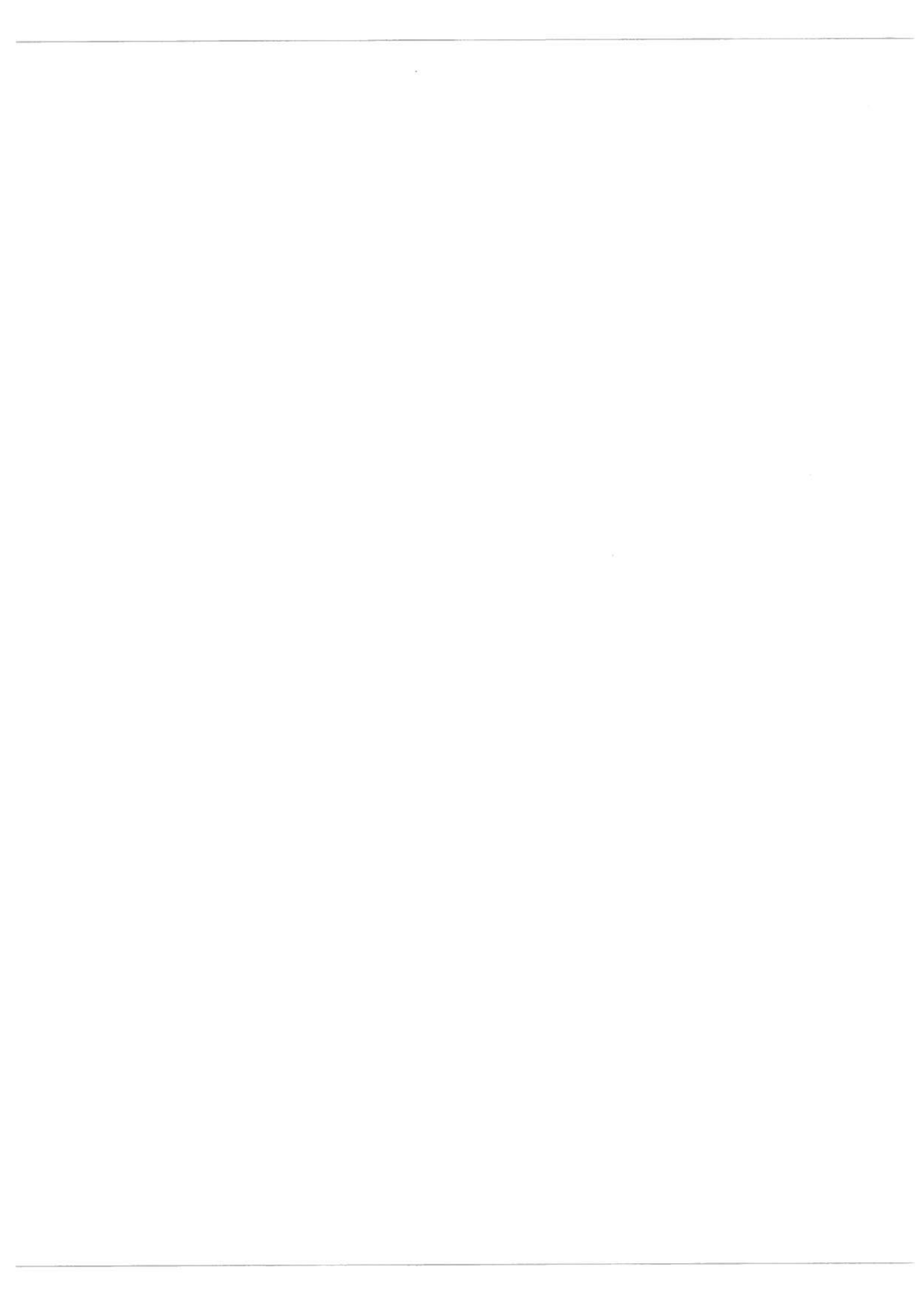
From: Dr. B. Barry Schugar <schugdady@aol.com>
Sent: Saturday, May 30, 2020 12:08 PM
To: Proffitt, Justin
Subject: intercostal mall

20 Years ago my wife and i bought Two lots in Eastern Shores. WE were moving away from Sunny Isles and their high rises . Now you can see the traffic and CONJESTION they have . We are retired and moving slow. The street {35 Ave } Will not Handle more cars. To, allow them to build with out adding more access is CRAZY.

DO not allow MORE BUILDIN
G without getting more Access ROADS

Sincerely, B. Barry Schugar DDS. FAGD.

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Duron, Mario F.

From: Francesco Martini <frankymart.fm@gmail.com>
Sent: Saturday, May 30, 2020 8:03 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis

May 30, 2020

Dear Justin Proffitt:

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores.

This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE163rd Street.

The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve, the present traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow.

This area does not have the infrastructure to support a multi-use project of this magnitude.

Nor can it afford its environmental impact.

Sincerely

Francesco Martini

Eastern Shore Resident

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Duron, Mario F.

From: Leslie Sardinia <samazach@gmail.com>
Sent: Saturday, May 30, 2020 2:52 PM
To: NMBCOMDEV
Subject: Planning and Zoning

Mr Mayor and Commissioners,

There CAN NOT be a meeting via zoom, when most have no clue or know how to use Zoom. I use zoom and since everyone is home using internet, I lose wifi service while taking a class or having a meeting. There's no way this is fair to the homeowners of ES, who pay the majority of the taxes to NMB, and will be effected the most by a metropolis in a small neighborhood shopping center.

The city of NMB, should first and foremost, represent the current owners and tax payers, not a billionaire who wants to make millions at the cost of US, the current residents. Not a billionaire to come in and swoop down and take advantage during a pandemic situation, with the blessings of our elected officials.

I think you know what should be done in this situation, and if it goes as planned, I think you know, as current elected officials, you will lose the support of Eastern Shores residents. We have been overlooked long enough, with power lines and poles falling over, streets that are chopped up, no sidewalks. We are coming together and we have a voice, and we want it to be heard in person, NOT on Zoom.

Sincerely,

Bruce & Leslie Sardinia

Only if we understand, can we care.

Only if we care, we will help.

Only if we help, we shall be saved.

-Jane Goodall

Leslie Sardinia

"You may never know what results come from your action. But if you do nothing, there will be no result."

- Mahatma Gandhi

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Duron, Mario F.

From: Judy Blaustein <judyblaustein@gmail.com>
Sent: Saturday, May 30, 2020 7:15 PM
To: Proffitt, Justin
Subject: Intracoastal Mall

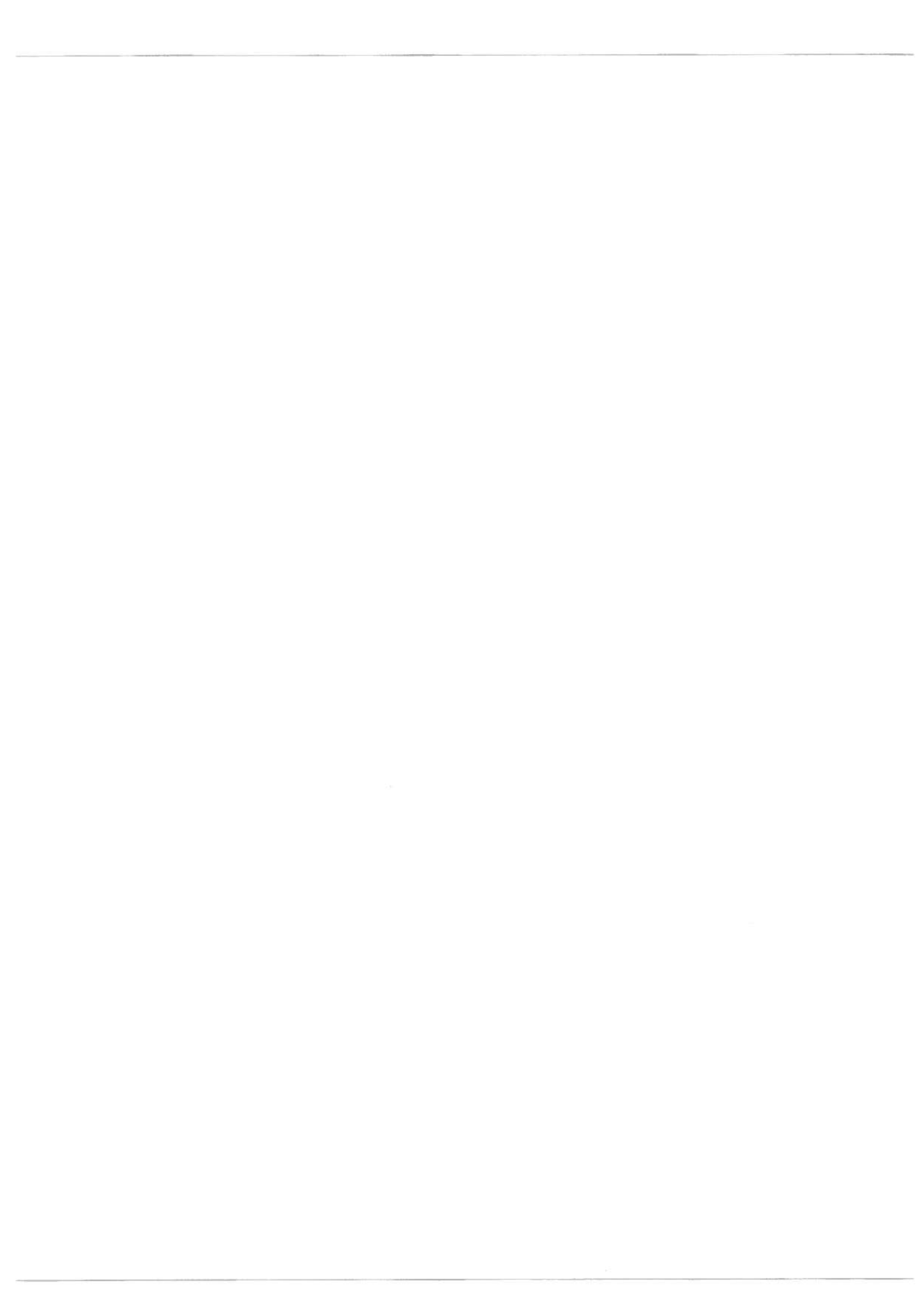
Dezer Development will cause traffic, congestion, and the most horrific, crime. The Intracoastal Mall will become trafficked by outsiders for a probable waterpark and condos. Traffic will become chaotic with congestion and the probability of crime. We residents of Eastern Shores pay huge taxes for our homes. Our privacy is jeopardized by this possible event. We pay to live in our gated communities. We maintain our homes through renovation, gardening, and upkeep. This possible development should not be allowed. The intracoastal mall should become better developed. A beauty school and an Old Navy do not belong here. Upscale restaurants would be welcome. A development of condos, a waterpark and garages would not aid a community. It will only bring profits down. This cannot occur.

Judith D. Sohn-Blaustein Eastern Shores Homeowner

--

Judy Sohn-Blaustein
JudyBlaustein@Gmail.co

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Duron, Mario F.

From: fabdimsa@bellsouth.net
Sent: Friday, May 29, 2020 5:17 PM
To: Proffitt, Justin
Cc: 'Diane Frazer'; 'Marc Einbinder'; 'Marteen Longo'; Lamberto, Bruce; 'Daniel Bakalarz'; 'David Templer'; 'FABIO NICK'; 'Leslie Sardinia'; 'Sandra Piligian'; 'Stacy Roskin'; e.riccardi@me.com; 'Iona Gabbidon'; 'Jack Berman'; 'Neal Keys'; 'Saul Smukler'
Subject: Intracoastal Mall Redevelopment

Dear Mr. Proffitt,

We have been advised of an additional traffic light that will be needed on 163rd St. in order to accommodate the redevelopment of the Intracoastal Mall. We do not agree with the monstrosity that is being proposed in our neighborhood without the residents' consent and certainly not with the additional traffic light !!! This is going to create a bigger nightmare in our roads than already exists, not to mention many more accidents. We hope you reconsider based on the consequences that will ensue. We are outraged that this is even being considered !

Truly yours,

Eastern Shores Residents:
Fabio and Amalia Nick
Rosa and Charles Papir
Silvia and Bruce Kusens
Berta and Lenny Backer

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Duron, Mario F.

From: David Templer <dlt@templerhirsch.com>
Sent: Friday, May 29, 2020 10:39 AM
To: Proffitt, Justin
Cc: Diane Frazer (dfrazer81@gmail.com); Scott, Esmond; McHugh, Horace A.; Cino, Sharon; Duron, Mario F.
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thank you Justin. I will look at it.

However, I am in the business of disagreement and am painfully cognizant of the reality that "experts" are paid for conforming opinions. Those affected by those differing opinions are left to deal with and clean up the mess. Often times it is not the expert opinion that matters as much as common sense. I have spoken to more than a dozen people in the last couple of days and that is without any effort to assess the general sentiment. But, not a single one believes this proposed plan is an acceptable solution or good idea. These folks are not uneducated and unsuccessful people. They are the ones that purchased homes in the most expensive neighborhood of North Miami Beach.

While I am sure that City staff would love to see a truly beautiful project move towards fruition, particularly because of the substantial revenue it will offer, we must keep in mind that the money is not free. It comes with a cost. The City is first and foremost a collection of residents, who are living people. They have invested their heart, souls and money (or blood, sweat and tears) into their homes. Their homes are their sanctuaries. If their ownership, use and enjoyment of their properties, in their own City, is subjugated to development or revenue generation, then the City is no longer theirs.

Justin, in Miami-Dade the population has exploded since the 1980's. The resurgence of South Beach/Miami Beach, the weather, the sports teams, the international access have all made our part of the world a magnet. The nature of private land ownership and zoning laws results in development that has challenged our infrastructure and pushed it close to the edge. Setting aside what is underground (like broken sewers that leak excrement into our precious waterways on a regular basis), what is on the side of the road (tons of garbage strewn piece by piece for hundreds of square miles), stand-still highways forever under construction, the loss of the precious sky-blue views (interrupted by successive high rises), the loss of habitat for indigenous wildlife, and other malignancies, the living people who have invested in their homes are legitimately, justifiably and rightfully worried that their use and enjoyment will be crushed under the weight of poorly permitted road projects.

I must again reiterate that I am NOT opposed to the plan to redevelop the Intracoastal Mall. I am of the opinion that a properly planned redevelopment will add real value to the City and the residents alike. Nonetheless, my neighbors and I are in no hurry and will not take our chances with a less-than-optimal traffic access solution. We are NOT prepared to suffer the resultant cost and expense of an engineering failure. It is much, much too high of a price to pay.

Please make this email part of the record for P & Z as well.

Stay safe my friend.

David

PS: On a daily basis (except during this traffic-calming pandemic) is see EMS and Fire trucks sitting in lined up traffic with light flashing and sirens blaring. One would have to be blind and deaf to miss it. The people they are rushing to help are at the mercy of the traffic. The intersection congestion is not merely an inconvenience for the living residents, it is a life-safety hazard.

David L. Templer
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20801 Biscayne Blvd., Ste. 400
Aventura, FL 33180

T: (305) 937-2700

E: dlt@templerhirsch.com

F: (305) 935-9873

www.templerhirsch.com



31 Years of Service Excellence

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>

Sent: Friday, May 29, 2020 9:13 AM

To: David Templer <dlt@templerhirsch.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>; Scott, Esmond <Esmond.Scott@citynmb.com>;
McHugh, Horace A. <Horace.McHugh@citynmb.com>; Cino, Sharon <Sharon.Cino@citynmb.com>; Duron, Mario F.
<Mario.Duron@citynmb.com>

Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Hello David,

I encourage you to review the latest Traffic Impact Study showing the analysis and new designs for the intersections. As you point out, transportation management and design is a crucial aspect of this project so I will ask the applicant to provide a very detailed presentation.

Thank you for raising these important questions.



Justin Proffitt, AICP

Community Development Director
City of North Miami Beach
Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:

From: David Templer <dlt@templerhirsch.com>

Sent: Thursday, May 28, 2020 1:57 PM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thanks. I was talking with Phyllis today and we discussed whether changing the eastbound through lanes on 163 to a regular Red-Yellow-Green light would eliminate the problem. If it were Red when the folks leaving Eastern Shores are turning left to go east, there would be less of a crash risk from merging cars. HOWEVER, this does not eliminate the stacking problem that would be created by that proposed left turn lane. Those cars that are stacked up would impeded cars leaving Eastern Shores to go east.

It is a mess, unfortunately.

David L. Templer
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31 Years of Service Excellence

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Sent: Thursday, May 28, 2020 1:51 PM
To: David Templer <dlt@templerhirsch.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

I will include these comments as well. Thank you.



Justin Proffitt, AICP
Community Development Director
City of North Miami Beach
Community Development Department
T (305) 354-4456, ext. 4456

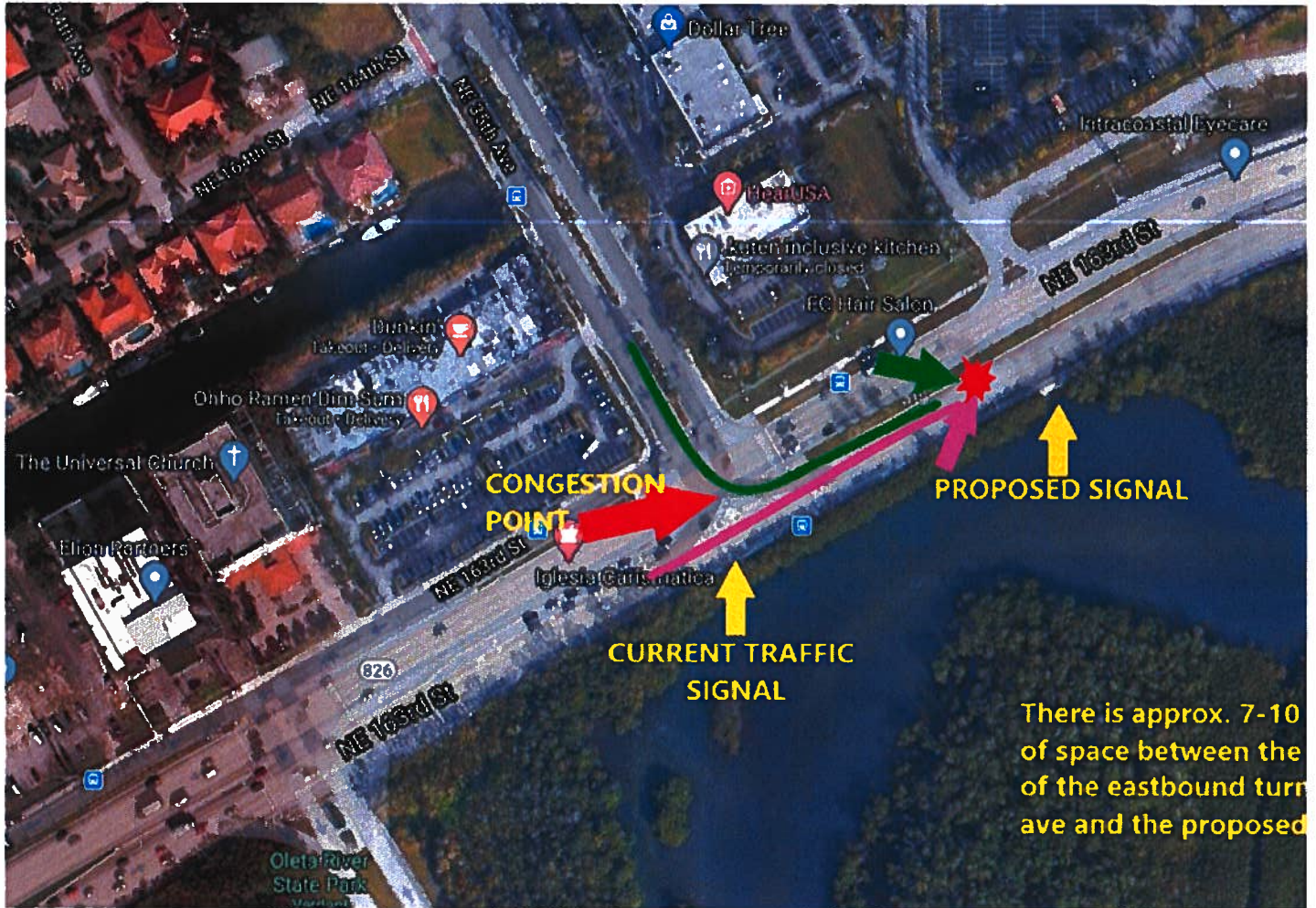
17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:

From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, May 28, 2020 10:33 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Justin

To add to the below, the newly proposed left turn lane (which will be a collision point, as described below) cannot possibly hold enough cars during a light cycle. With the number of units and residents to the proposed project, that proposed left turn lane (off of eastbound 163) will back up. That will not only disrupt through traffic on 163 eastbound but it will disrupt the eastbound left turn off of 35th Ave because those cars will be unable to proceed east past the newly proposed signal!!

Here is a satellite mock up



David L. Templer
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Duron, Mario F.

From: Margo Berman <margobermanauthor@gmail.com>
Sent: Friday, May 29, 2020 1:57 PM
To: Proffitt, Justin
Cc: Smith, Phyllis; Smukler, Fortuna

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

May 28, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Margo Berman, Eastern Shores' resident

--

Margo Berman, Professor, Author, Inventor

www.amazon.com/author/MargoBerman

Books:

- *Street-Smart Advertising (2006, 2010)*
- *The Brains Behind Great Ad Campaigns (2009)*
- *The Copywriter's Toolkit (2012)*
- *tactikPAK™: A Digital Library of Learning (2014, 2015)*
- *The Blueprint for Strategic Advertising (2016)*

Apps: On iTunes

- - *Advertising tactikPAK* <http://apple.co/1GRItOv>
 - - *Copywriting tactikPAK* <http://apple.co/1dA7TXx>
-

On Google Play: Copywriting tactikPAK <http://tinyurl.com/q7ml8ys>
www.MentalPeanutButter.com

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Duron, Mario F.

From: fabdimsa@bellsouth.net
Sent: Friday, May 29, 2020 5:17 PM
To: Proffitt, Justin
Cc: 'Diane Frazer'; 'Marc Einbinder'; 'Marteen Longo'; Lamberto, Bruce; 'Daniel Bakalarz'; 'David Templer'; 'FABIO NICK'; 'Leslie Sardinia'; 'Sandra Piligian'; 'Stacy Roskin'; e.riccardi@me.com; 'Iona Gabbidon'; 'Jack Berman'; 'Neal Keys'; 'Saul Smukler'
Subject: Intracoastal Mall Redevelopment

Dear Mr. Proffitt,

We have been advised of an additional traffic light that will be needed on 163rd St. in order to accommodate the redevelopment of the Intracoastal Mall. We do not agree with the monstrosity that is being proposed in our neighborhood without the residents' consent and certainly not with the additional traffic light !!! This is going to create a bigger nightmare in our roads than already exists, not to mention many more accidents. We hope you reconsider based on the consequences that will ensue. We are outraged that this is even being considered !

Truly yours,

Eastern Shores Residents:
Fabio and Amalia Nick
Rosa and Charles Papir
Silvia and Bruce Kusens
Berta and Lenny Backer

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Duron, Mario F.

From: Diane Frazer <dfrazer81@gmail.com>
Sent: Friday, May 29, 2020 10:51 AM
To: David Templer
Cc: Cino, Sharon; Duron, Mario F.; McHugh, Horace A.; Proffitt, Justin; Scott, Esmond
Subject: Re: P & Z, June 8: High Rises at Intracoastal Mall

Justin,

Thanks for the information. I am in full agreement with David. Traffic studies tend to support the entity who is paying them. I am hoping you received my email and that it will be placed in the record.

On Fri, May 29, 2020 at 10:39 AM David Templer <dlt@templerhirsch.com> wrote:

Thank you Justin. I will look at it.

However, I am in the business of disagreement and am painfully cognizant of the reality that "experts" are paid for conforming opinions. Those affected by those differing opinions are left to deal with and clean up the mess. Often times it is not the expert opinion that matters as much as common sense. I have spoken to more than a dozen people in the last couple of days and that is without any effort to assess the general sentiment. But, not a single one believes this proposed plan is an acceptable solution or good idea. These folks are not uneducated and unsuccessful people. They are the ones that purchased homes in the most expensive neighborhood of North Miami Beach.

While I am sure that City staff would love to see a truly beautiful project move towards fruition, particularly because of the substantial revenue it will offer, we must keep in mind that the money is not free. It comes with a cost. The City is first and foremost a collection of residents, who are living people. They have invested their heart, souls and money (or blood, sweat and tears) into their homes. Their homes are their sanctuaries. If their ownership, use and enjoyment of their properties, in their own City, is subjugated to development or revenue generation, then the City is no longer theirs.

Justin, in Miami-Dade the population has exploded since the 1980's. The resurgence of South Beach/Miami Beach, the weather, the sports teams, the international access have all made our part of the world a magnet. The nature of private land ownership and zoning laws results in development that has challenged our infrastructure and pushed it close to the edge. Setting aside what is underground (like broken sewers that leak excrement into our precious waterways on a regular basis), what is on the side of the road (tons of garbage strewn piece by piece for hundreds of square miles), stand-still highways forever under construction, the loss of the precious sky-blue views (interrupted by successive high rises), the loss of habitat for indigenous wildlife, and other malignancies, the living people who have invested in their homes are legitimately, justifiably and

rightfully worried that their use and enjoyment will be crushed under the weight of poorly permitted road projects.

I must again reiterate that I am NOT opposed to the plan to redevelop the Intracoastal Mall. I am of the opinion that a properly planned redevelopment will add real value to the City and the residents alike. Nonetheless, my neighbors and I are in no hurry and will not take our chances with a less-than-optimal traffic access solution. We are NOT prepared to suffer the resultant cost and expense of an engineering failure. It is much, much too high of a price to pay.

Please make this email part of the record for P & Z as well.

Stay safe my friend.

David

PS: On a daily basis (except during this traffic-calming pandemic) is see EMS and Fire trucks sitting in lined up traffic with light flashing and sirens blaring. One would have to be blind and deaf to miss it. The people they are rushing to help are at the mercy of the traffic. The intersection congestion is not merely an inconvenience for the living residents, it is a life-safety hazard.

David L. Templer



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31 Years of Service Excellence

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Sent: Friday, May 29, 2020 9:13 AM
To: David Templer <dlt@templerhirsch.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>; Scott, Esmond <Esmond.Scott@citynmb.com>; McHugh, Horace A. <Horace.McHugh@citynmb.com>; Cino, Sharon <Sharon.Cino@citynmb.com>; Duron, Mario F. <Mario.Duron@citynmb.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Hello David,

I encourage you to review the latest Traffic Impact Study showing the analysis and new designs for the intersections. As you point out, transportation management and design is a crucial aspect of this project so I will ask the applicant to provide a very detailed presentation.

Thank you for raising these important questions.

Justin Proffitt, AICP



Community Development Director

City of North Miami Beach

Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:



From: David Templer <dlt@templerhirsch.com>

Sent: Thursday, May 28, 2020 1:57 PM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>

Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thanks. I was talking with Phyllis today and we discussed whether changing the eastbound through lanes on 163 to a regular Red-Yellow-Green light would eliminate the problem. If it were Red when the folks leaving Eastern Shores are turning left to go east, there would be less of a crash risk from merging cars. HOWEVER, this does not eliminate the stacking problem that would be created by that proposed left turn lane. Those cars that are stacked up would impeded cars leaving Eastern Shores to go east.

It is a mess, unfortunately.

David L. Templer



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Sent: Thursday, May 28, 2020 1:51 PM
To: David Templer <dlt@templerhirsch.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

I will include these comments as well. Thank you.

Justin Proffitt, AICP



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From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, May 28, 2020 10:33 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Justin

To add to the below, the newly proposed left turn lane (which will be a collision point, as described below) cannot possibly hold enough cars during a light cycle. With the number of units and residents to the proposed project, that proposed left turn lane (off of eastbound 163) will back up. That will not only disrupt through traffic on 163 eastbound but it will disrupt the eastbound left turn off of 35th Ave because those cars will be unable to proceed east past the newly proposed signal!!

Here is a satellite mock up



David L. Templer

Templer & Hirsch, P.A.

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Aventura, FL 33180

T: (305) 937-2700

Duron, Mario F.

From: Bruce Lamberto <blamberto@aol.com>
Sent: Friday, May 29, 2020 10:01 PM
To: Proffitt, Justin
Cc: dlt@templerhirsch.com; dfrazier81@gmail.com
Subject: Intracoastal Mall Traffic Plan

| Justin

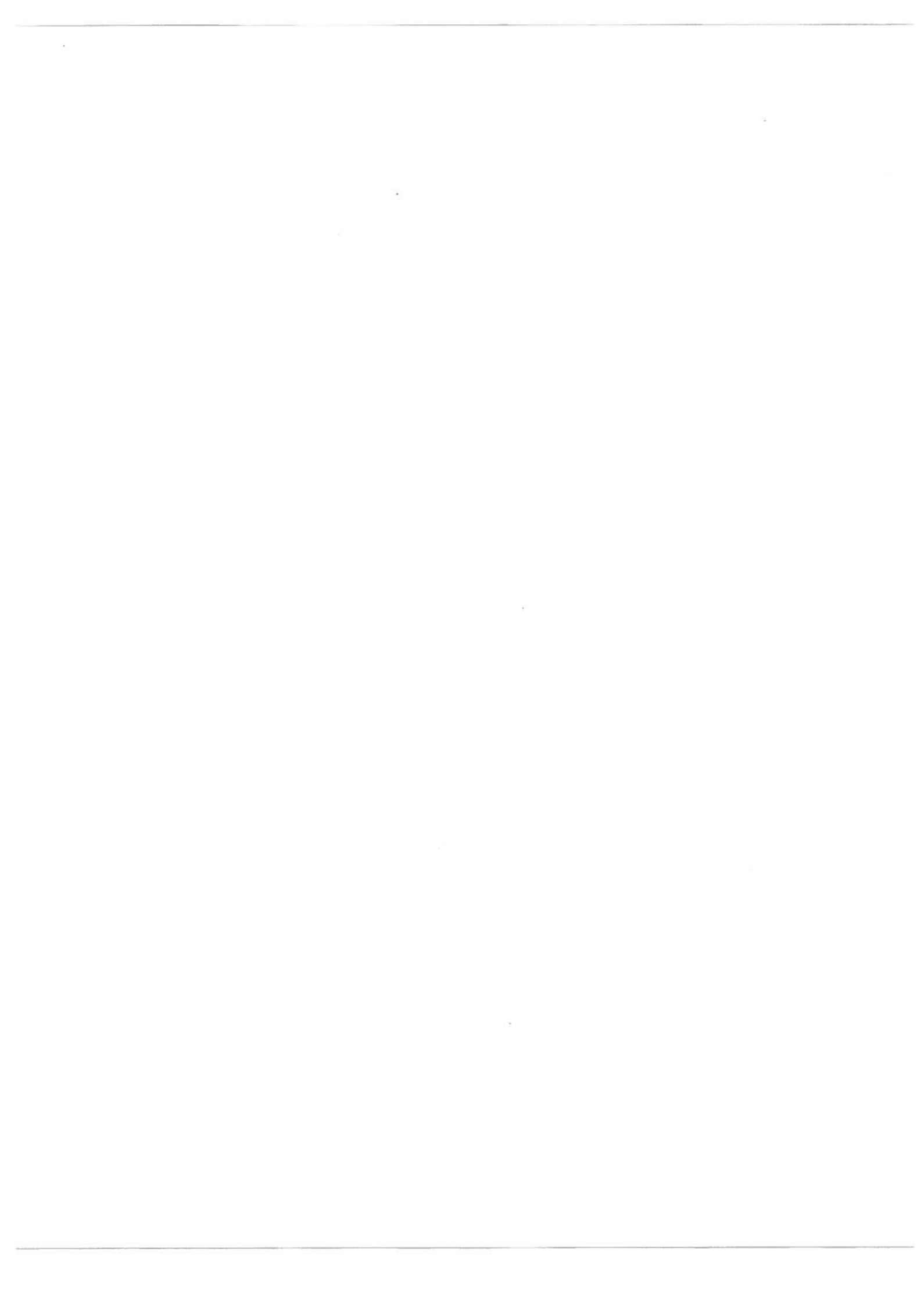
Please let this email serve as my opposition to the proposed traffic signal installation on the Sunny Isles Bridge approach EAST OF ne 35TH aVENUE. Should the proposed redevelopment of ICM take place, the only viable eastbound entrance to the ICM should be from under the bridge.

The main issue facing the Texas U turn concept is cost. Unlike the Sunny Isles side of the bridge, there is no upland land on the south side due to the Oleta River. Essentially the ramp needed to exit SR826 to go under the bridge would be 1000 foot long street level bridge with its support columns in the river. This would be extremely expensive and probably not cost effective no matter how many units would be constructed at ICM. There is also the costly environmental studies and mangrove issues that would also need to be addressed. However I agree that the U turn under the bridge would also be beneficial to us in ES and the other businesses along the service road. Currently there is no westbound dedicated right turn lane to 35th Avenue coming from the east. The redesign of the highway to incorporate the U turn could also include the dedicated west-bound right turn lane onto 35th Avenue. It appears in this case that unless State funding is sought and utilized to make the U turn ramp happen, in all probability we will be stuck with the additional signalized intersection. Please keep in mind the developer bought ICM prior to its up-zoning which turned into a huge profit windfall for him. Had not that City- sponsored upzoning occurred, none of us residents would now be dealing with this issue.

The City Administration's default is to approve a request unless there is vocal opposition. Particularly in a case like this, the default is backwards!! The default should be that the proposal is denied unless the applicant brings forth sufficient community support. It is the applicant that is seeking the change and suggesting it is a benefit to the community. The burden of proof should be on the applicant. For that reason, the proposed new traffic signal on Sunny Isles Boulevard east of NE 35th Avenue should be denied.

Bruce Lamberto
3420 NE 165 ST.
NMB, FL. 33160

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Duron, Mario F.

From: Elizabeth Castro <castroelizabeth31@hotmail.com>
Sent: Friday, May 29, 2020 7:45 PM
To: Proffitt, Justin; Smukler, Fortuna; Smith, Phyllis
Subject: Dezer Proposal

May 28, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores.

This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

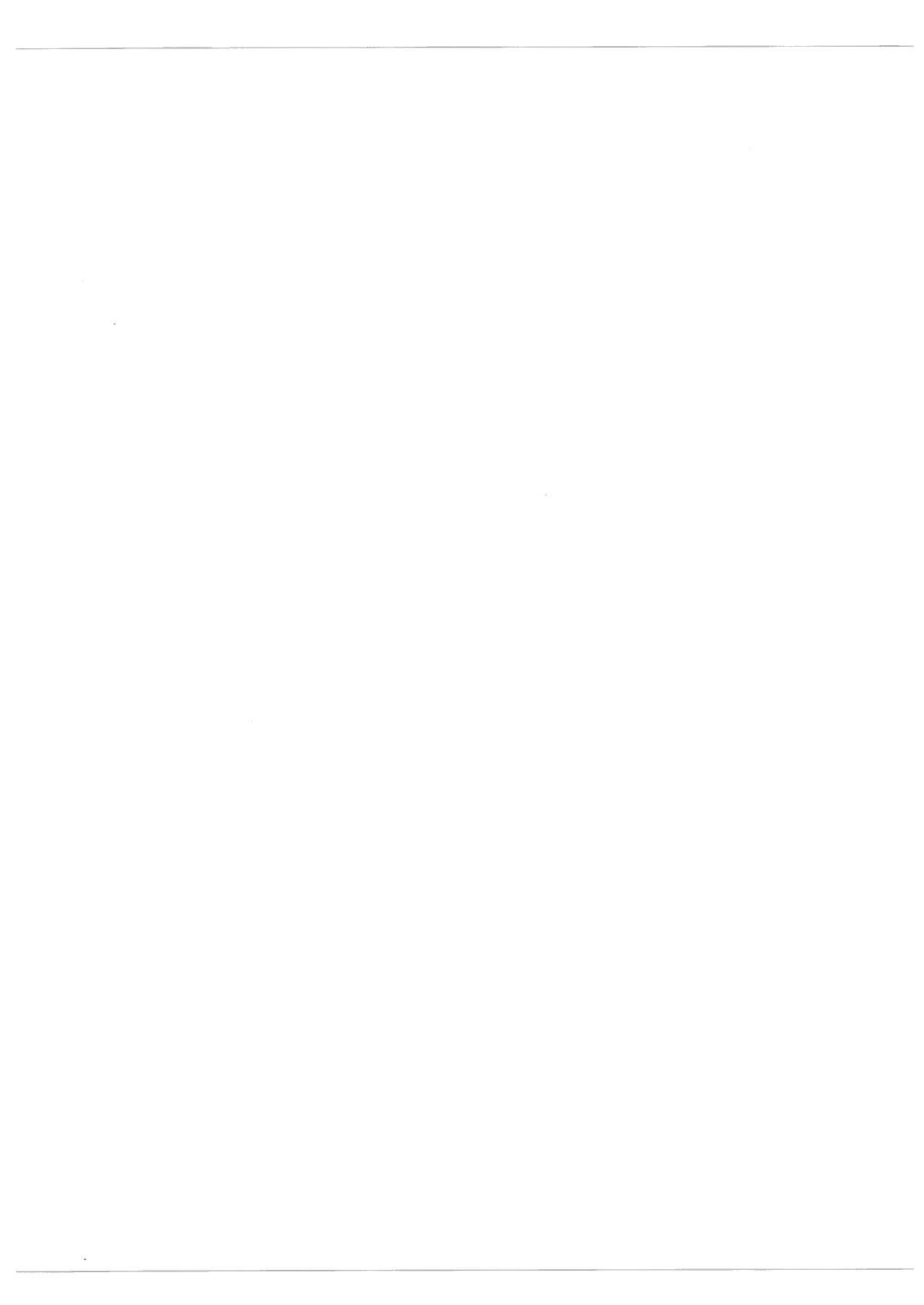
With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor can it afford its environmental impact.

Sincerely,

Elizabeth Castro

Easter Shores Resident

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Duron, Mario F.

From: Diane Frazer <dfrazer81@gmail.com>
Sent: Thursday, May 28, 2020 2:46 PM
To: Proffitt, Justin
Subject: June 8th Planning and Zoning Meeting

Good Afternoon Justin,

This email is in response to the proposal for an additional light on 163rd Street, allowing access into the Intracoastal Mall.

The current plan to create an additional light on 163rd Street will result in backed up traffic at the light on 35th Avenue. The space to allow for traffic heading eastbound to merge to the left to enter the Intercoastal Mall will be at odds with the cars leaving 35th Avenue and heading east. This traffic is heavy and will result in back ups as they will be immediately stopped once they get onto 163rd Street.

In addition, the heavy traffic that occurs on 163rd Street will result in both of these intersections being gridlocked as people have a tendency to block intersections. This happens now at 35th Avenue and will happen again at the new light.

I have read the information provided by David Templer and agree totally with his description and his drawing. This light is not a solution and will cause traffic nightmares and I believe many traffic accidents.

It is my opinion that this proposal should be defeated and that the developer should explore other avenues of ingress/egress to this site.

Diane Frazer-Hayhurst

ESPOA President

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Duron, Mario F.

From: Dr. B. Barry Schugar <schugdady@aol.com>
Sent: Thursday, May 28, 2020 12:01 PM
To: Proffitt, Justin
Subject: mall

As a 20 resident of NMB MY wife and I are totally opposed to the changes to our INTERCOSTAL MALL.

MR d. s only thinking of how to make money. WE will work to STOP him.

WE do not need more TRAFFIC Or CONJESTION.

sincerely, DR.

Barry Schugar

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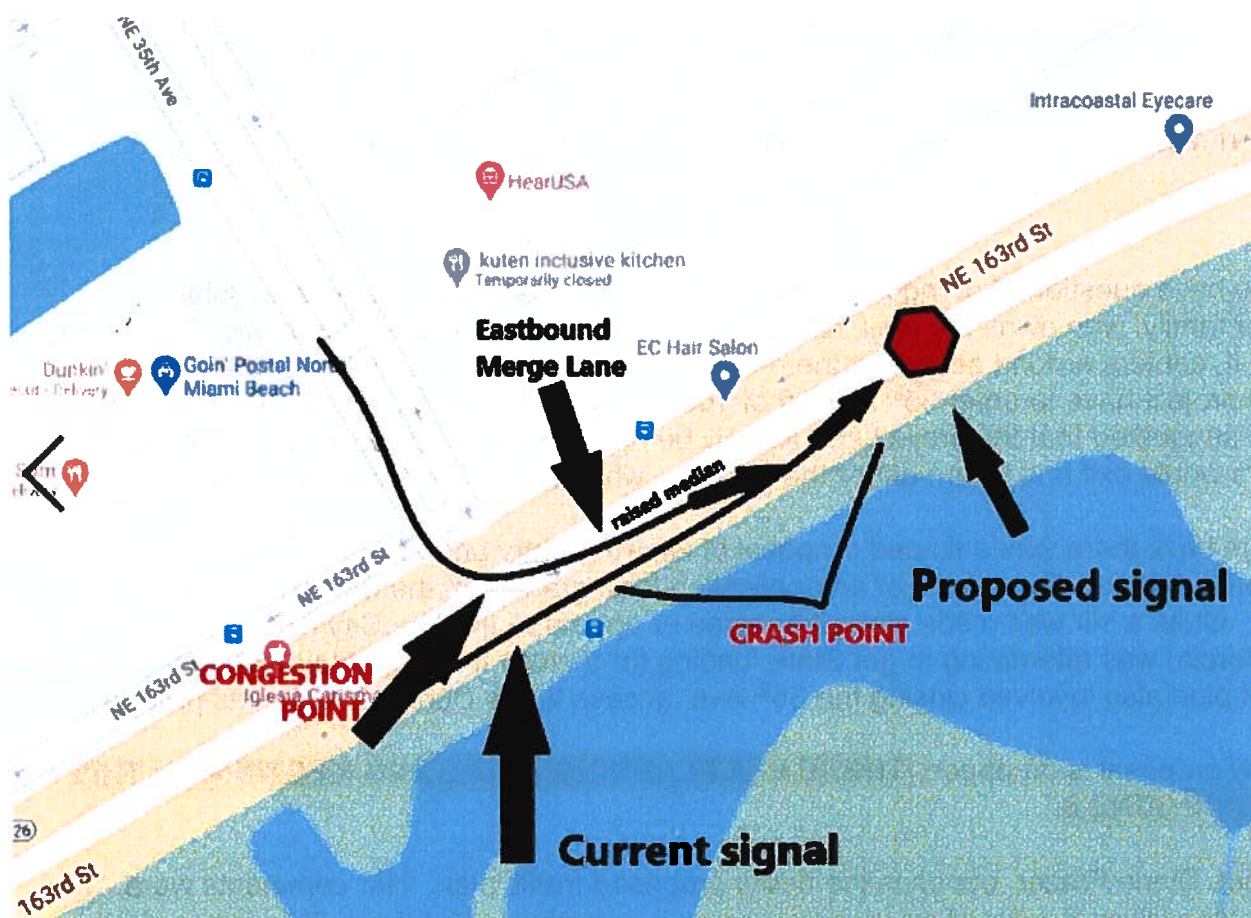
31 Years of Service Excellence

From: David Templer
Sent: Wednesday, May 27, 2020 3:25 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: P & Z, June 8: High Rises at Intracoastal Mall

Justin

Though I am *not necessarily* opposed to development at the site of the current Intracoastal Mall, I continue in my vehement opposition to any project that will stress the roadway for current Eastern Shores residents. The proposal coming up on June 8 is simply dangerous.

Placement of a light at the base of the downslope on the westbound bridge is a bad idea. Eastbound traffic attempting to access a lane to turn left into that property will cause problems with cars leaving 35th Ave to proceed east. Cars will be merging into and out of the same lane, some slowing down to turn left and others speeding up to get up the bridge. This is a catastrophe in design. Further, cars leaving 35th Ave to proceed east will very suddenly come upon a (new) traffic signal. A turn-east-and-stop will either back up onto the 35th Ave intersection or cause rear-end collisions.



David Templer

3260 NE 164 St.
North Miami Beach, FL 33160

David L. Templer
Templer & Hirsch, P.A.
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Aventura, FL 33180
T: (305) 937-2700
E: dlt@templerhirsch.com
F: (305) 935-9873
www.templerhirsch.com  



31 Years of Service Excellence

From: David Templer <dlt@templerhirsch.com>
Sent: Wednesday, May 27, 2020 2:44 PM
To: David Templer <dlt@templerhirsch.com>
Subject: IMPORTANT NEWS: High Rises at Intracoastal Mall

Neighbors

A number of you have questioned or inquired about the proposed project at the Intracoastal Mall. The Dezer family, who owns the mall, has proposed several high rise towers there. The issue, as I understand it, centers around access to the property. The thought was that if all of the residents of the proposed project have to enter 35th Ave off of 163rd St we will have a gridlock nightmare. At one time, it was suggested that the project should only be approved if the access was off of 163rd (eastbound, cars would exit and u-turn under the bridge....what is called a Texas U-Turn).

A couple of years back there was a floated proposal of allowing entry and exit off of 35th Avenue. That proposal was the subject of an application for a grant from the State of Florida to study the intersection. Quite a stir was made since it seemed or appeared that the City (under then City Manager Ana Garcia) was attempting to get State funding for a study that benefited a private developer. That plan also involved closing the 35th Ave. access to the Dunkin Doughnuts property.

A new traffic flow proposal is on paper. **THERE IS A PLANNING AND ZONING MEETING ON THIS ISSUE COMING UP JUNE 8.**

ESPOA President, Diane Frazer, opposes the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance)

in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge”

My concern is that the proposed “east of 35th avenue” light and access to the property will be quite dangerous. Eastbound traffic wishing to enter that left (north) turn lane will be competing against the traffic leaving Eastern Shores (heading east) that is required to merge into the eastbound through lanes. It will also be a “blind light” for those leaving Eastern Shores and heading east. No sooner will you enter the eastbound merge lane than will you encounter a traffic light, creating a go-and-stop effect that will result in additional crashes and possible back up of cars into the 35th avenue intersection.

If you, as a property owner, leave Diane as the sole voice the City hears, you can expect that the proposed plan will be approved. If you have concerns or objections, you **MUST** either (1) put them in writing to Justin Proffitt at the City or (2) attend this meeting and speak up (the meeting will likely be virtual).

Mr. Proffitt can be reached at justin.proffitt@citynmb.com and I would suggest that you also cc fortuna.smukler@citynmb.com. Fortuna is one of the Commissioners and is an Eastern Shores resident.

David Templer
3260 NE 164 St.
North Miami Beach, FL

David L. Templer
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Duron, Mario F.

From: Eric Isicoff <Isicoff@irlaw.com>
Sent: Wednesday, May 27, 2020 3:20 PM
To: Proffitt, Justin
Cc: fortuna.smukler@citynmb.org
Subject: Intracoastal Mall

Dear Mr. Proffitt:

I am a 20 year resident of Eastern Shores (3206 NE 168 Street) and serve on the Special Taxing District Committee for the 35th Ave. Guard Gate. I just became aware of the redevelopment plan for the Intracoastal Mall. The massive project being proposed will necessarily generate an enormous amount of traffic coming and going into this site which sits on the edge of 163rd Street and NE 35th Ave. The proposed intersection for ingress and egress will create a very dangerous condition. Traffic moves very quickly on the bridge and the large intersection, with additional traffic light, being proposed is a bad and dangerous solution to a very serious problem. We already have a significant number of accidents with cars leaving Eastern Shores to head East through the light and merging with fast moving traffic. This is a unique situation where you have residential properties on one side, water on another side and an already stressed roadway leading in and out of Eastern Shores which could not handle the massive traffic that would come along with the proposed project. The only remaining option is 163rd Street and, given the configuration of the property, the existence of two traffic lights already in place right outside of Eastern Shores and the dangerous and fast moving traffic coming off the bridge and on 163rd Street generally, this proposal is a recipe for disaster. As everyone already knows, even with the current situation, we are getting back-ups coming into Eastern Shores (from the West) and going out of Eastern Shores to the East. It would be both dangerous and unfair to impose this additional burden on this already sensitive and overwhelmed situation. I would urge the City to reject the plan. Thank you. Eric Isicoff

Eric D. Isicoff, Esq.
Isicoff Ragatz
Courvoisier Centre
601 Brickell Key Drive
Suite 750
Miami, FL 33131
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Fax 305-373-3233
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Email isicoff@irlaw.com



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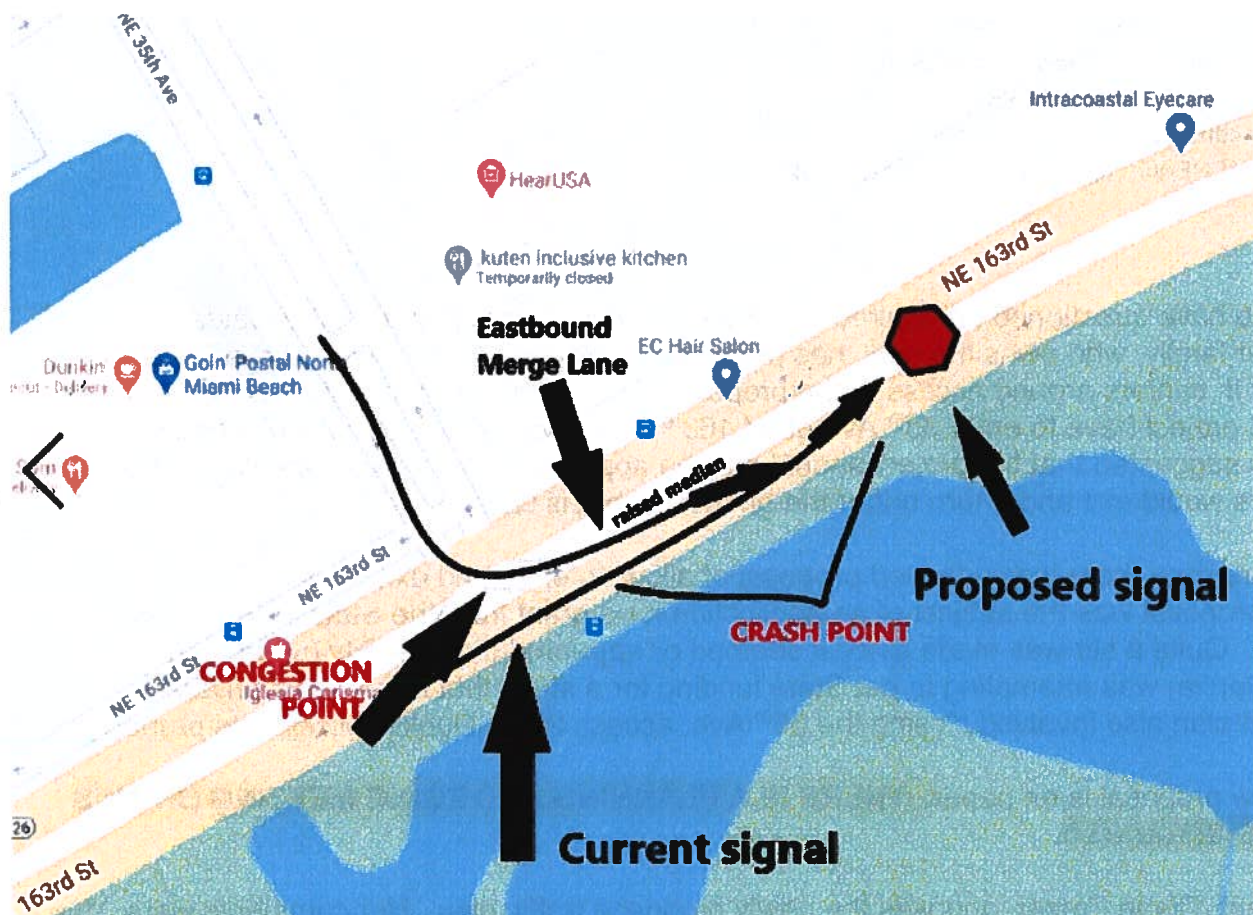
Duron, Mario F.

From: David Templer <dlt@templerhirsch.com>
Sent: Wednesday, May 27, 2020 3:25 PM
To: Proffitt, Justin; Smukler, Fortuna
Cc: Diane Frazer (dfrazer81@gmail.com)
Subject: P & Z, June 8: High Rises at Intracoastal Mall

Justin

Though I am *not necessarily* opposed to development at the site of the current Intracoastal Mall, I continue in my vehement opposition to any project that will stress the roadway for current Eastern Shores residents. The proposal coming up on June 8 is simply dangerous.

Placement of a light at the base of the downslope on the westbound bridge is a bad idea. Eastbound traffic attempting to access a lane to turn left into that property will cause problems with cars leaving 35th Ave to proceed east. Cars will be merging into and out of the same lane, some slowing down to turn left and others speeding up to get up the bridge. This is a catastrophe in design. Further, cars leaving 35th Ave to proceed east will very suddenly come upon a (new) traffic signal. A turn-east-and-stop will either back up onto the 35th Ave intersection or cause rear-end collisions.



David Templer
3260 NE 164 St.

North Miami Beach, FL 33160

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F: (305) 935-9873
www.templerhirsch.com



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From: David Templer <dlt@templerhirsch.com>
Sent: Wednesday, May 27, 2020 2:44 PM
To: David Templer <dlt@templerhirsch.com>
Subject: IMPORTANT NEWS: High Rises at Intracoastal Mall

Neighbors

A number of you have questioned or inquired about the proposed project at the Intracoastal Mall. The Dezer family, who owns the mall, has proposed several high rise towers there. The issue, as I understand it, centers around access to the property. The thought was that if all of the residents of the proposed project have to enter 35th Ave off of 163rd St we will have a gridlock nightmare. At one time, it was suggested that the project should only be approved if the access was off of 163rd (eastbound, cars would exit and u-turn under the bridge....what is called a Texas U-Turn).

A couple of years back there was a floated proposal of allowing entry and exit off of 35th Avenue. That proposal was the subject of an application for a grant from the State of Florida to study the intersection. Quite a stir was made since it seemed or appeared that the City (under then City Manager Ana Garcia) was attempting to get State funding for a study that benefited a private developer. That plan also involved closing the 35th Ave. access to the Dunkin Doughnuts property.

A new traffic flow proposal is on paper. **THERE IS A PLANNING AND ZIONG MEETING ON THIS ISSUE COMING UP JUNE 8.**

ESPOA President, Diane Frazer, opposes the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance) in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current

intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge”

My concern is that the proposed “east of 35th avenue” light and access to the property will be quite dangerous. Eastbound traffic wishing to enter that left (north) turn lane will be competing against the traffic leaving Eastern Shores (heading east) that is required to merge into the eastbound through lanes. It will also be a “blind light” for those leaving Eastern Shores and heading east. No sooner will you enter the eastbound merge lane than will you encounter a traffic light, creating a go-and-stop effect that will result in additional crashes and possible back up of cars into the 35th avenue intersection.

If you, as a property owner, leave Diane as the sole voice the City hears, you can expect that the proposed plan will be approved. If you have concerns or objections, you **MUST** either (1) put them in writing to Justin Proffitt at the City or (2) attend this meeting and speak up (the meeting will likely be virtual).

Mr. Proffitt can be reached at justin.proffitt@citynmb.com and I would suggest that you also cc fortuna.smukler@citynmb.com. Fortuna is one of the Commissioners and is an Eastern Shores resident.

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Wednesday, May 27, 2020 4:17 PM
To: Proffitt, Justin
Subject: URGENT Intracostal Project

We are the owners of 16434 NE 31 Ave N Miami Beach FL 33160

WE OPOSED the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance) in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge".

The traffic entering or leaving our neighborhood it is a mess and backup already; we don't need more cars coming in or out.

Eduardo and Clara Piana

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Duron, Mario F.

From: Jason Sheppard <jasonrsheppard@gmail.com>
Sent: Monday, June 08, 2020 4:15 AM
To: NMBCOMDEV
Subject: Public Comment

As a resident of Eastern Shores for over 20 years. This proposed development in the area is a concern to me. As I have seen first hand how the over development of neighboring sunny isles beach has affected the quality of life and overall community of the area. The oversized high rises in sunny isles have brought in a high number of renters and in turn air bnb rental units which lead to numerous disturbance calls per week. In densely populated high rises such as the intracoastal yacht club which are just across the waterway, there are a number of air bnb units which bring in out of town visitors to the city who do not care about their neighbors or the neighborhood. I would hate to see this become an issue in our section of NMB which has always had the benefit of being a quiet secluded neighborhood with a great sense of community and safety. On top of that, 163rd Street traffic is congested enough as is particularly from 3pm on , building high occupancy apartment buildings would only serve to compound the issue. In the end I feel any new residential development in this area would be a mistake and only serve to lessen the quality of life in the area.

- Jason Sheppard

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Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:49 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: ZOOM MEETING CANCELED.



Fortuna Smukler | *Commissioner*
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F (305) 787-6036

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From: Ramón Rozas Botrán <rrozasbotr@aol.com>
Sent: Saturday, June 6, 2020 11:15 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: ZOOM MEETING CANCELED.

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Ramon Rozas
3251 NE 164th St
North Miami Beach FL 33160

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Randy Rose 3750 NE 169th Street # 111.

I have owned properties in Eastern Shores since 1987 . I have been selling real estate in the area over 40 years. Always been for Development within REASON . What is requested is 100% "NOT" within REASON.

I remember since after the Intracoastal Mall was built, if any Major redevelopment/expansions were to be done with the Mall, FIRST requirement was , Owner of the Mall needed to build a "Texas U Turn , under the 163rd ST bridge. I respect the DEZER FAMILY. I believe that they were aware of what they could Do and Not do, with the Mall prior to Purchasing . The Texas U turn is a PRIORITY for all concerns whoever travels on 163rd Street in all directions.

I believe that the Mall had approx 20 story height restriction, not sure if any zoning change was approved. Several years ago, the City hired some Planning Company to explore different areas around the City , what may be a possible options for New Development . Possibly with certain political interest. One idea for the Mall was to consider heights up to 40 stories. I am sure if something like this was vision , or any MAJOR CHANGES , then all infrastructures such as WATER-SEWER-TRAFFIC had to be resolved TEXAS U TURN BUILT prior to approval as a CONDITION.

NMB . This ZOOM MEETING is not the proper time to have a MAJOR Discussion or any Decision like this, NEEDS to be held in person Face to Face.

DEZER FAMILY do the Right Thing spend Your Necessary Money Build a Texas U Turn, or Consider Selling the Mall . Let another Shopping Center Owner Do the Right Thing first, Build the Texas U Turn , then build something appropriately.






Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:35 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Rescheduled June 8, 2020 Zoom Planning & Zoning meeting



Fortuna Smukler | *Commissioner*
City of North Miami Beach
Office of the Mayor & Commission
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F (305) 787-6036

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Media:   

From: Roberta Gordon <brta22@comcast.net>
Sent: Thursday, June 4, 2020 12:07 PM
To: Commission All External <CommissionAll@citynmb.com>; Justin Proffitt <Justin.Proffitt@cnmb.com>; Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Daniel Espino <DEspino@wsh-law.com>
Subject: Rescheduled June 8, 2020 Zoom Planning & Zoning meeting

Dear All,

As I stated in my email to (some of) you sent May 12, I am still not pleased that this meeting could not be rescheduled to a future date when Miami-Dade County will have allowed us to gather.

I've posted meeting notices in all 7 buildings and the Clubhouse at Eden Isles in the attempt to get the word out for Monday's meeting. Hopefully those who cannot Zoom can submit their questions ahead of time to be placed on the agenda and watch the meeting on Channel 77.

Some of what I cover below has to do with the development itself, and some the effects on Eastern Shores.

One concern of mine is the fact that NE 35th Avenue is a public street.

There is a guard house that accepts any vehicles in the right lane without the need to check their destinations (as private gated communities do).

Currently, the number of vehicles that do not come to a rolling stop at the stop sign past the right gate is a major danger at this point in time. I blast my horn whenever someone cuts in front of me as I have gone through the residents gate, and I will begin to take photos of license plates and submit them to the NMBPD. I can't imagine that, should the new development become a reality, many additional vehicles may drive through out of curiosity to the north of the guard house.

People don't stop at the 4 way stop signs, and I've even called NMBPD to have a marked police vehicle create a presence to be a deterrent to these violators. It does work.

Do you have the manpower, vehicles and money to implement this if necessary? Will you be taking it out of the Dezers' fees? And the tax dollars the City collects from the project?

I am totally appalled at the proposed heights of structures, some from 32 to 40 stories tall, on the Intracoastal Waterway or on the north side of the property abutting 163rd Street, across from Oleta Park. This is totally absurd!!

With the closing of beaches for the last several months, I have found that many people are coming into Eden Isles to its seawalls to fish. Word travels quickly. This is private property. Also, with our own residents wearing masks, it is difficult to tell whether or not they are residents or simply people trying to fish. Can the police department handle the calls that may come in? We have seawalls in need of repair and no CCTV. It's a problem that I see escalating if the development goes through. These are liabilities.

I feel we cannot handle the traffic, the addition of several thousand condo units in the neighborhood, and the fact that we will be under construction for approximately 5 years. The fact that, currently, if you need to leave Eastern Shores and head west to Biscayne Boulevard after 2 or 3PM, it takes nearly 20 minutes to traverse that route, which will continue, I'm told, till at least August (weather permitting).

Lastly, these are man-made islands and, with the ongoing rise of the waters due to global warming, I feel this is a futile and ill thought proposal.

Please put my questions on the agenda.

This is my third communication to the City since the September Planning & Zoning meeting.

Thank you for your consideration and proper action for all concerned.

Sincerely,

Roberta Gordon
Eden Isles Condominiums
Building G Director

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

Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:30 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Objections to Dezer Project Modifications



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Media:   

From: Alice Ryan <agoos1304@icloud.com>
Sent: Thursday, June 4, 2020 9:40 AM
To: Commission All External <CommissionAll@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: Objections to Dezer Project Modifications

Mr. Justin Proffitt, AICP Manager,

Planning & Zoning Department

City of North Miami Beach

17050 NE 19th Avenue

North Miami Beach, FL 33162-3100

Dear Mr. Proffitt,

As someone who has suffered with the traffic on 163rd St. since moving to Sunny Isles Beach in 2011, I strongly object to the revised Dezer project plans.

There is no way that the 163rd St bridge (going East to Collins Avenue) will be able to accommodate the traffic that will result from the Dezer project.

I have had a running dialogue with the Mayor of Sunny Isles about the closure of a lane (sometimes two lanes) on the bridge. After years of pointing out that the lane closure was unwarranted and I'm pretty sure not properly licensed, it seems

to have stopped. However, what is clear is the havoc that lane closure caused in terms of traffic—and that was with the existing buildings on the Dezer property. I cannot imagine the traffic caused by the proposed project.

Has anyone even done a traffic study of the proposed development?

The lack of planning that has created the mess we have in Sunny Isles and now North Miami Beach must end.

Before blindly giving the go-ahead for the Dezer Development, please exercise some judgment. At the very least, the application to expand the project's outlines should be denied.

Sincerely,

Alice Agoos

241 Poinciana Island Dr

Sunny Isles Beach, FL 33160

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Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:26 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Eastern Shores Development



Fortuna Smukler | *Commissioner*
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F (305) 787-6036

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Media:

From: Angela Boidi <angelaboidi@gmail.com>
Sent: Thursday, June 4, 2020 9:29 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Eastern Shores Development

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 3, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories

-
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,

Angela Boidi

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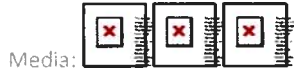
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:22 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Mr. Justin Proffitt, AICP



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From: Alvaro Rodriguez Paz <alvarorpaz@gmail.com>
Sent: Thursday, June 4, 2020 7:29 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Commission All External <CommissionAll@citynmb.com>
Subject: Mr. Justin Proffitt, AICP

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue6
North Miami Beach, FL 33162-3100

June 4, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,

Alvaro Rodriguez Paz

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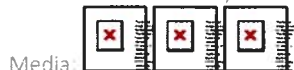
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 3:12 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Intracoastal mall



Fortuna Smukler | *Commissioner*
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social



From: Joe Leal Jr <jl@wwdrape.com>
Sent: Wednesday, June 3, 2020 9:01 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Intracoastal mall

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

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tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list:

1. **OVERSIZED DEVELOPMENT PROPOSAL:**

- a. 375,000 SF Commercial/Retail Space
- b. 200,000 SF Office Space
- c. 250 Hotel Keys
- d. 2,000 Multi-Family Residential Units
- e. New Community Center
- f. New Police Substation
- g. Improved Fire Station
- h. ±8.0 acres of Publicly Accessible Open Space
- i. ±.71 Mile Waterfront Promenade

2. **HUGE BUILDING HEIGHTS:**

- a. 40 Stories or 495 Feet in the Core Sub-Area;
- b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
- c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential)

Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Thanks,
Jose

Sent from my iPhone

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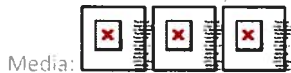
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:31 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Intracoastal Development Project



Fortuna Smukler | *Commissioner*
City of North Miami Beach
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F (305) 787-6036

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From: nansmoon@aol.com <nansmoon@aol.com>
Sent: Tuesday, June 2, 2020 2:34 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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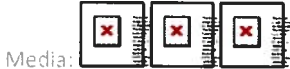
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:19 PM
To: Scott, Esmond; McHugh, Horace A.; Proffitt, Justin; Daniel Espino
Subject: Fw: Intracostal Mall Project.



Fortuna Smukler | *Commissioner*
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

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From: Martha <marthatala03@aol.com>
Sent: Monday, June 1, 2020 9:28 PM
To: Commission All External
Subject: Intracostal Mall Project.

Hello, I m resident in Sunny Isles Beach and Im as many other owners , against the Dezer Development Project which will impact the property value at the area.

My name is Martha Talavera. Thanks

Sent from my iPhone

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
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:08 PM
To: Scott, Esmond; Daniel Espino; McHugh, Horace A.; Proffitt, Justin
Subject: Fw: June 8, 2020 Plannign and Zoning meeting



Fortuna Smukler | *Commissioner*
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

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Media:   

From: Bill Dean <bill@forddean.com>
Sent: Tuesday, June 2, 2020 10:36 AM
To: Scott, Esmond <Esmond.Scott@citynmb.com>
Cc: Smith, Phyllis <phyllis.smith@citynmb.com>; Kramer, Barbara <barbara.kramer@citynmb.com>; Joseph, Michael <Michael.Joseph@citynmb.com>; Villard, Paule <Paule.Villard@citynmb.com>; Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Fleurimond, McKenzie <McKenzie.Fleurimond@citynmb.com>
Subject: June 8, 2020 Plannign and Zoning meeting

Dear Mr. City Manager, Mr. Mayor and Commissioners,

I send this email to respectfully request that upcoming Planning and Zoning Meeting scheduled for June 8, 2020, be rescheduled to a time when all interested NMB residents can attend said meeting safely in person

I thank you in advance for your cooperation in this regard.

William A. Dean, B.C.S.
Board Certified Civil Trial Lawyer





**FORD, DEAN &
ROTUNDO, P.A.**

LEGAL ATTORNEYS

3323 N.E. 163 Street, Suite 605
North Miami Beach, FL 33160
Telephone: (305) 670-2000
Tollfree: (888) 372-2873
Facsimile: (305) 670-1353
Email: bill@forddean.com

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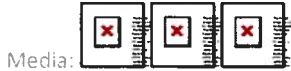
Duron, Mario F.

From: Smukler, Fortuna
Sent: Monday, June 08, 2020 2:02 PM
To: Scott, Esmond; McHugh, Horace A.; Daniel Espino; Proffitt, Justin
Subject: Fw: Intracoastal mall



Fortuna Smukler | Commissioner
City of North Miami Beach
Office of the Mayor & Commission
T (305) 948-2986, ext. 2425
F (305) 787-6036

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social



From: Emily Fernandez <fernandez.emily@gmail.com>
Sent: Monday, June 1, 2020 5:14 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Cc: Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Smith, Phyllis <phyllis.smith@citynmb.com>
Subject: Intracoastal mall

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 1, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Emily fernandez
Fernandez.emily@gmail.com
305-401-1291

[Sent from Yahoo Mail on Android](#)

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Duron, Mario F.

From: Silvia y Luis Reyes <silviailuisreyes@gmail.com>
Sent: Monday, June 08, 2020 12:00 AM
To: Proffitt, Justin
Subject: Intracoastal Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
[17050 NE 19th Avenue](#)
[North Miami Beach, FL 33162-3100](#)

justin.proffitt@citynmb.com

June 7, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny “peninsula” has no side streets between Collins Avenue and Biscayne Boulevard along [NE 163rd Street](#). The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

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With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,

Silvia Mejia
Eastern Shores Resident

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Duron, Mario F.

From: Gina Afflitto <gtafflitto@gmail.com>
Sent: Monday, June 08, 2020 10:06 AM
To: NMBCOMDEV
Subject: Public comment

Gina Afflitto
3923 NE 166th Street
North Miami Beach, Fl 33160

I am a resident of Eastern shores and I have some concerns with the development of the Intracoastal mall on 163rd street and 35th avenue.

1. The traffic on 163rd street and 35th avenue is already overcrowded. The addition of 2000 more units will seriously impact the already crowded roads. This is the only access to Eastern Shores. How will this problem be addressed?
2. With regards to the construction, how will the developer protect our seawall while construction is in progress? Also, the addition of more than 2000 residents, there will be more boat traffic which will seriously impact our seawall.
3. Already having limited public transportation in this area, this project will produce many more cars which will tax the roads and cause more air pollution.
4. This area and surrounding areas has already reached its saturation point with population and traffic. To add 2000 more residences would be a disaster and seriously impact our quality of life in this area.

I feel that a development which stands with the current restrictions would be more favorable for development in this area.

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Duron, Mario F.

From: Ann Giordano <agiordano@fscusa.com>
Sent: Monday, June 08, 2020 9:11 AM
To: NMBCOMDEV
Subject: Virtual Public Meeting on Intercon

1. What is the plan for access without long traffic waits. As it is now 35th avenue is the ONLY access to Eastern Shores. From what I see, 35th avenue will still be the only access and you are now proposing to add at least 2000 residences which will further complicate making a left onto 35th avenue from heading East on NE 163rd street. We sometimes wait 2 or 3 lights to make that left. The only other access would be from heading west on 163rd street, coming off the bridge. When the bridge rises the traffic backs up so severely on 163rd street that cars cannot get close to the left hand turn lanes.
2. As the closest residential neighbor, Eastern Shores Palo Alto is only just across the canal. What precautions will the developer take to protect our new seawall while they are constructing a new canal? What will protect our boats in our canal? What precautions will be taken to protect our property from the noise pollution and debris from the construction project??

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**Patricia Asarnow
16449 NE 31st Avenue
North Miami Beach, Florida 33160**

June 8, 2020

Via email

Mr. Justin Proffitt
Community Development Director
City of North Miami Beach
17011 NE 19th Avenue
North Miami Beach, FL 33162

Dear Mr. Proffitt:

My name is Patricia Asarnow, and I am, unfortunately, writing to express my shock, disappointment and opposition in regard to the proposed untenable expansion of The Intracoastal Mall property by Dezer Development. My family has resided in Eastern Shores for more than forty-one years. My husband, Chuck Asarnow, served as president and then city liaison of the Eastern Shores Property Owners' Association for twenty years. Since learning of the project in 2013, we, and our neighbors, have been extremely concerned as to the adverse impact of the proposed 2,000 additional residential units and 2.5 million square feet of non-residential space on both traffic patterns and on ingress and egress from the project and our community. Approximately 3,000 people reside in Eastern Shores, and NE 35th Street is the only access road for our community.

It is inconceivable that the Dezer project could even be contemplated today in the absence of a clearly defined traffic plan that is acceptable to the 3,000 residents of Eastern Shores and ensures that the already inexplicable traffic problems experienced by our community are alleviated, both now and in the future. To date, we most certainly have not been provided with sufficient information to allay our concerns. Indeed, since approximately September 2019, we have experienced unprecedented delays in westbound traffic between NE 35th Street and Biscayne Boulevard that were first claimed to be attributable to a water main rupture whose repair ran months beyond schedule, and was followed by further unexplained construction that continues to cause outrageous and objectionable traffic delays.

Indeed, between September 2019 and March 2020, prior to the SARS-CoV-2 crisis, it was common for westbound and eastbound weekday afternoon travel between NE 35th Street and Biscayne Boulevard - a distance of only 1.2 miles - to take, shockingly, approximately forty-five minutes in either direction. These unwarranted delays were not only needlessly and extraordinarily inconvenient, but also posed dramatic safety risks in the event of an exigent circumstance that required the life-saving assistance of emergency personnel at a residence or emergency ambulance transportation to a hospital. To understand the potentially life-threatening hazards posed by the Dezer development, one only needs to look at the disastrous traffic crises in Fort Lee, New Jersey in 2015, when horrific traffic at the George Washington Bridge caused

Mr. Justin Proffitt
June 8, 2020
Page 2 of 2

emergency responders to be delayed nearly one hour in rendering assistance to a man experiencing chest pains, and, in at least one instance, forcing emergency medical workers to leave their ambulance and respond on foot because traffic congestion was so extreme.

It is incomprehensible that the proposed Dezer project, and the exponential increase in traffic resulting from the project, could be considered by the city until (1) the current disgraceful and unacceptable traffic problems are resolved; and (2) the residents of Eastern Shores are assured that traffic patterns during and subsequent to the construction will not jeopardize lives or otherwise adversely impact our quality of life.

Thank you very much for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Asarnow".

Patricia Asarnow

cc: The Honorable Anthony F. DeFillipo
Commissioner Fortuna Smukler

Duron, Mario F.

From: Gregory Kaplan <gbkaplan@icloud.com>
Sent: Sunday, June 07, 2020 5:45 PM
To: NMBCOMDEV
Cc: gbkaplan@icloud.com
Subject: PUBLIC COMMENT

We issue this Public Comment as Presidents of the Coral Isle East and Coral Isle West homeowners associations, where we represent the voices of over 2,000 residents of Eastern Shores. We are expressing our concerns with the proposed plan for redevelopment of the "Intracoastal Mall" by Dezer Intracoastal Mall LLC.

First, we believe that the proposed construction of 2,000 multi-family residential units and 250 hotel keys would result in an excessive amount of new traffic and parking on the streets of Eastern Shores. According to the U.S. Census Bureau, the average number of people per household is 2.63, which would translate into more than 5,000 new residents in our neighborhood. We have seen no evidence in the plan of sufficient parking for these new residents, nor have we seen any indication as to how traffic would access the property.

Second, we are concerned about the lack of sufficient public facilities. Will capacity at the North District Wastewater Treatment Plant be expanded? Will sufficient public space be created? According to the proposed plan, +/-8.0 acres will be designated as "Publicly Accessible Open Space." However, the plan does not describe how this space will be distributed? Will parking lots count as "Publicly Accessible Open Space"? How much of this space will be allotted to playgrounds and other areas where friends and families can spend time together?

In addition to assurances that these issues will be addressed, we would also like to be reassured that we will continue to be within walking distance of our supermarket and other essential commercial establishments.

David Biasetti, President, Coral Isle East HOA, 3703 NE 166th St., Apt. 705, North Miami Beach, FL 33160

Gregory Kaplan, President, Coral Isle West HOA, 3545 NE 166th St., Apt. 704, North Miami Beach, FL 33160

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Duron, Mario F.

From: Silvia <silvialuis@aol.com>
Sent: Sunday, June 07, 2020 11:36 PM
To: Proffitt, Justin
Subject: Intracoastal Zoom meeting June 8, 2020

Sent from my iPad
June 7 , 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Luis Reyes,
Eastern Shores Resident

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Duron, Mario F.

From: Silvia <silvialuis@aol.com>
Sent: Sunday, June 07, 2020 11:29 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Sent from my iPad

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

justin.proffitt@citynmb.com

June 7, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Luis Reyes
Eastern Shores' resident

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Duron, Mario F.

From: Silvia y Luis Reyes <silvailuisreyes@gmail.com>
Sent: Sunday, June 07, 2020 11:16 PM
To: Proffitt, Justin
Cc: Commission All External
Subject: Zoom meeting June 8, 2020

Sent from my iPad
June 7 , 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

As residents, we demand transparency. Dezer's plans are changing again. They need to be presented with full disclosure.

All commissioners were voted in to represent their residents and can be voted out!

Listen now to the Eastern Shores' area residents. We will not lose our lifestyle. The mass and scope of this project is incompatible with the surrounding area. We will not be bullied into a corner. Nor, will we be silenced with political manipulation.

We ask that you postpone this virtual meeting. We deserve to be physically present and be heard.

We will not tolerate sneaky, rezoning approvals. This zoom meeting is one example. It's an inappropriate venue to discuss a mammoth development with irreparable repercussions.

No more rezoning without public consent! No more fake traffic solutions that create, not relieve, the problem.

We hope you will reschedule this virtual meeting. As it is set now, it's unacceptable. This topic can wait.

Deeply disappointedly yours,

Silvia, Mejia
Eastern Shores

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Duron, Mario F.

From: Claudia M. Gallegos <claudia.gallegos.be@gmail.com>
Sent: Saturday, June 06, 2020 10:43 AM
To: Proffitt, Justin; NMBCOMDEV
Cc: Smukler, Fortuna; Smith, Phyllis; Kramer, Barbara; Defillipo, Anthony; Joseph, Michael; Villard, Paule; Fleurimond, McKenzie
Subject: Proposed Re-development of Intracoastal mall

Mr Proffitt,

I am deeply disappointed with the City NMB and your office accepting to consider a project that only benefits the pockets of the developer and, in a minuscule manner, the City of NMB. The City has double-standards between the owners' improvements to their tax-paying properties and the pushy-big-money developers. It is entirely unacceptable.

I am an 18 year resident of Western Eastern Shores - a forgotten neighborhood the City does not consider or consult in this or any proposals for re-development. We are a sandwich between the re-development of the corner of 163rd and Biscayne and Intracoastal Mall.

The proposed re-development is disproportionate to the area's occupancy and our City. The amount of hotel and residential, offices and retail spaces will become another ghost development, as you can see in Sunny Isles. The units are of a high price, not inviting younger families or newer retirees to our area, either. What are the benefits you see?

The calculations and solutions for traffic are weak at best and unrealistic in the real world. It takes now about 15 minutes from 26th avenue to Biscayne during rush hour, 20 to 25 minutes to be the beach. Good luck having a life that does not include a long time in traffic to do anything. What is the proposed solution for the multiplication of the number of vehicles?

Your office and the City must bring this project to a human scale, and collect taxes, instead of giving away credits for development, which is a false trade.

Your office, the Commission, and the Mayor have not proposed a vision for our City nor a comprehensive plan of re-development. That is what the taxpayers and neighbors of North Miami Beach need.

Kind regards, **Claudia Gallegos**
Secretary, Board of Directors
Reef Club Condominium Association
Voice + TXT
| 786 565 2272

iPhone
| 305 491 7981
Skype
| Bonnaire-Claudia

Please consider the environment before printing this email.

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Duron, Mario F.

From: Martha Perea <marthaoperea@yahoo.com.ar>
Sent: Saturday, June 06, 2020 6:22 PM
To: Proffitt, Justin
Subject: Gil.Dezer, new developent

I know that the Intracoastal Mall was sold in 2013 to Mr. Gil. Dezer in 63.5 millions
I remember participating in a meeting at the Eden Isles Club House. Where they presented the original project.
Now after so many years, I noticed that those plans has been changed completely. I also know that with the help
of who knows who the construccion codes had been changed, consequently, there will be more apartments and
also a hotel.

Seems that eith the power of money could do anything they want with the people of Eastern Shores, Eden Isles
included.

In the old project Epicure was going to be built it at Winn Dixie location.

I wonder what will happen with TJ MAXX, and the rest of the stores

So far the City of North Miami, didn't, let us know the new development project. We found out at internet.

But yes, they want us to talk about the installation on new Trafick Light.

Don't you think that there is alot more to discuss?

For example what about the loss of jobs for people working at Winn Dixie, Tj Maxx, Old Navy. Restaurants,
and smaller shops, that conform the Intracoastal Mall.

I think that every neighborg, that once choose to live in this area, choose peace and quiteness, and now we've to
give up all that, plus our jobs at those stores?

I know that money talks, specially when the front man in this case is Mr Trump. In 2013 when Mr. Dezer set up
his foot at the Intracoastall Mall, this is how it was present it.

Now they say is a place for the Millenials,

and I wonder, what people from the last century suppose to do?

Please let me know, before I die. I was born in 1944. I'm an active person, I still work, besides I want to be able
to walk in a quite neighborhood.

If I like a crowd I'll move to New York, but I'm not planning that for the rest of my life.

Thank you

Martha Perea

3600 NE 170th. St ap 205

Eden Isles Condominium

[Sent from Yahoo Mail on Android](#)

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Duron, Mario F.

From: Kenny Marquez <kenneth.marquez@yahoo.com>
Sent: Saturday, June 06, 2020 9:13 AM
To: Proffitt, Justin
Subject: Hearing rescheduling

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

Dear Justin and Commissioners,

A huge project that will impact all of North Miami Beach and Sunny Isles Beach requires a public hearing. Until the quarantine is fully lifted, city representatives of North Miami Beach should cancel the Zoom meeting on June 8th.

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Sincerely,
Ken Marquez

Sent from my iPhone

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Duron, Mario F.

From: Ira Holm <iratholm@icloud.com>
Sent: Saturday, June 06, 2020 5:43 PM
To: Proffitt, Justin
Subject: Zoom meeting re eastern shore mall development

It makes no sense to have such an important meeting take place under these circumstances. It should be delayed till a normal well attended hearing can be arranged and well publicized for full participation of those affected. Please consider how important this is to us. Thank you.

Sent from my iPhone

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Duron, Mario F.

From: Ramón Rozas Botrán <rrozasbotr@aol.com>
Sent: Saturday, June 06, 2020 11:16 AM
To: Proffitt, Justin; Commission All External
Subject: ZOOM MEETING CANCELED.

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 6, 2020

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Deeply disappointedly yours,

Ramon Rozas
3251 NE 164th St
North Miami Beach FL 33160

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Duron, Mario F.

From: Diane Serna <bikinicityusa@yahoo.com>
Sent: Saturday, June 06, 2020 7:27 PM
To: Proffitt, Justin; Commission All External
Subject: Re: Conceptual Master Plan-Redevelopment of the Intracoastal Mall (Eastern Shores)

Hi,

As a neighbor of the Eastern Shores community for the last several decades, I have seen many changes here. One of the very worst ones was the delivery entrance and exit for all of the Intracoastal's retail stores and restaurants, as well as Winn Dixie, just to name a few. The trucks delivery entrance is located directly in front of my house, and several other of my neighbors houses that sit adjacent to it. There was an accident many years ago, in which a driver exiting that same entrance/exit-way crashed directly into my front yard, hitting my tree, and missing my daughter to-be at that times newly prepared bedroom. Seeing too many other accidents here as well after that made it clear that it was never a good place for any entrance or exit.

The entranceway is additionally to the sharp right of the guard gate once entering 35th Ave. Many of the vehicles continually make U-turns (No sign is there) in front of our property as to not go through the guard gate. It creates havoc and traffic backup now, so how will residential homes being built on the canal back there with the same entrance/exit-way help the traffic flow?

If the architect/Dezer plans on widening the parking lot for MORE parking in front of the current ambulance station, and keep that same entrance/exit-way, it is going to be a disaster. Many of my neighbors agree that this plan must be changed.

The guard gate placement is another issue that needs to be addressed also moving forward.

Thank You,

Diane Serna (ESPOA member)
16440 NE 35th Avenue.
NMB, FI 33160

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Randy Rose 3750 NE 169th Street # 111.

I have owned properties in Eastern Shores since 1987 . I have been selling real estate in the area over 40 years. Always been for Development within REASON . What is requested is 100% "NOT" within REASON.

I remember since after the Intracoastal Mall was built, if any Major redevelopment/expansions were to be done with the Mall, FIRST requirement was , Owner of the Mall needed to build a "Texas U Turn , under the 163rd ST bridge.

I respect the DEZER FAMILY. I believe that they were aware of what they could Do and Not do, with the Mall prior to Purchasing . The Texas U turn is a PRIORITY for all concerns whoever travels on 163rd Street in all directions.

I believe that the Mall had approx 20 story height restriction, not sure if any zoning change was approved. Several years ago, the City hired some Planning Company to explore different areas around the City , what may be a possible options for New Development . Possibly with certain political interest. One idea for the Mall was to consider heights up to 40 stories. I am sure if something like this was vision , or any MAJOR CHANGES , then all infrastructures such as WATER-SEWER-TRAFFIC had to be resolved TEXAS U TURN BUILT prior to approval as a CONDITION.

NMB . This ZOOM MEETING is not the proper time to have a MAJOR Discussion or any Decision like this, NEEDS to be held in person Face to Face.

DEZER FAMILY do the Right Thing spend Your Necessary Money Build a Texas U Turn, or Consider Selling the Mall . Let another Shopping Center Owner Do the Right Thing first, Build the Texas U Turn , then build something appropriately.



Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Friday, June 05, 2020 8:06 PM
To: Smukler, Fortuna; Smith, Phyllis; David Templer; Proffitt, Justin; Diane Frazer
Subject: URGENT

Gentlemen:

The quality of life of our neighborhood, our families, the environment impact, the loss of the Mangroves that provide nutrient uptake, wildlife habitat, storm protection, and erosion control. The right of peaceful leaving, that will be destroyed with all the construction, trucks that will be driven to get to the site, on an area where the traffic is so heavy since Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads. No far from us is the intersection of Biscayne Blvd and 163rd Blvd is the epicenter of traffic congestion in the area; from a study done in 2007, can you imagine the way it is now after 14 years and all the constructions since; from Biscayne Blvd to Collins Ave on 163rd. A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

During the construction and the chaos, it will create the property values will decrease and who is going to compensate the property owners of the loss in value?

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal. Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance.

This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from: • Six stories to 20 stories • Eight stories to 32 stories That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. in the above-listed bullets. These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is) Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock. Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list: 1. **OVERSIZED DEVELOPMENT PROPOSAL:** a. 375,000 SF Commercial/Retail Space b. 200,000 SF Office Space c. 250 Hotel Keys d. 2,000 Multi-Family Residential Units e. New Community Center f. New Police Substation g. Improved Fire Station h. ±8.0 acres of Publicly Accessible Open Space i. ±.71 Mile Waterfront Promenade 2. **HUGE BUILDING HEIGHTS:** a. 40 Stories or 495 Feet in the Core Sub-Area; b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential) Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital. Increasing the density only compounds the current traffic problem. What's needed here is

careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

We can promise you Drezel owners will not like it and won't do it in their neighborhood and more important, they won't live in the chaos they will create.!!!

More important this meeting needs to be in person not via Zoom

Yours Truly

Eduardo and Clara Piana

16434 NE 31 Ave

N Miami Beach, FL 33160

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Duron, Mario F.

From: Darlene Forlenza <darl136@hotmail.com>
Sent: Friday, June 05, 2020 8:59 PM
To: NMBCOMDEV
Subject: PUBLIC COMMENT

From: Darlene Forlenza 3923 NE 166th Street North Miami Beach FL 33160

As a resident and closest neighbor to this project my concerns are as follows:

How will the very tall buildings can shade the pool located at my condo at the end of the 166th Street and will it take away how the pool is enjoyed? Will the tower block the sunlight especially in winter when the sun is lowest in the sky?

The Traffic this project will bring to 35th avenue. This intersection is already overcrowded and is unsafe at times. Two thousand plus new units will make this intersection impossible to use. How will this problem be addressed?

Construction of these tall towers will surely bring dirty and noisy conditions to my condo since we are located right next door on 166th Street. This will make life at my home uncomfortable for too long. What can be done to prevent this?

A development in this area which is more in line with Eastern Shoes restrictions would be much more welcome. Buildings of 4 stories or less would bring less residents and have a better outcome for this area.

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Duron, Mario F.

From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, June 04, 2020 11:19 AM
To: letters@biscaynetimes.com
Subject: Intracoastal on the Rise

Editor

Though the article ([Biscayne Times, Intracoastal on the Rise](#)) was well written and seemingly accurate, it fails to mention that the proposed "36th Ave" intersection on SR 826, the lynchpin of this proposed development, fails to comply with the City's requirements for egress and ingress to that parcel as redeveloped. That requirement was promulgated in 2015 when the property was rezoned to allow the density and heights. As I understand it, the current proposal is asking the City to change the zoning yet again to shift the placement of the larger buildings that are proposed for the parcel. Also, the applicant is seeking to bind the City (read as "residents of Eastern Shores and North Miami Beach) into allowing the new proposals, despite the non-conformity, with a contract. Such a contract would prohibit City staff, a subsequently elected commission or the residents from a future tightening of the reins regardless of any changed conditions.

I have been in touch with a couple of dozen of my neighbors on these issues. Even those, like me, that favor the development of that parcel are entirely unaccepting of the new proposals and strongly object to "the City" approving and permitting them. These residents are particularly annoyed that the applicant, and "the City", are pursuing this without an in-person public hearing.

David Templer
3260 NE 164 St.
North Miami Beach, FL

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Duron, Mario F.

From: Proffitt, Justin
Sent: Thursday, June 04, 2020 7:06 PM
To: Lamberto, Bruce
Subject: RE: Undeliverable: Public Comment

Thank you Bruce. I will include this email in the record and provide to each P&Z board member.

Thank you,



Justin Proffitt, AICP
Community Development Director
City of North Miami Beach
Community Development Department
T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:   

From: Bruce Lamberto <blamberto@aol.com>
Sent: Sunday, May 31, 2020 10:51 AM
To: Defillipo, Anthony <Anthony.Defillipo@citynmb.com>; Smith, Phyllis <phyllis.smith@citynmb.com>; Villard, Paule <Paule.Villard@citynmb.com>; mckenzie.fleurimonde@citynmb.com; Kramer, Barbara <barbara.kramer@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>; Joseph, Michael <Michael.Joseph@citynmb.com>
Cc: Proffitt, Justin <Justin.Proffitt@citynmb.com>; dfrazer81@gmail.com; dlt@templerhirsch.com; jose.arrojo@miamidade.gov; martlongo1@gmail.com; samazach@gmail.com; humpty18@yahoo.com
Subject: Fwd: Undeliverable: Public Comment

Subject: Fwd: Undeliverable: Public Comment

Dear Mayor and Commissioners

I received notice of last weeks Zoom Commission Meeting via City email and was informed by the notice that if someone wanted to provide public comment, they were to provide their email comment to the city clerk by 4 pm on Commission Day using the email address cityclerk@citynmb.com . I emailed my public comment to the address supplied in the notice to the city clerk prior to 4 pm. I then proceeded to watch the Commission Meeting online and didn't hear my public comment read into the record at the meeting. Upon checking my email after the meeting, I received the below notice: This is not acceptable. This is also why I am requesting that the June 8th Planning and Zoning meeting be postponed until such time as an actual live, in-person meeting can be held. The subject of this meeting is the Intracoastal Mall amendments to the site plan and submission of a signalized traffic plan that will directly impact my quality of life and safety along with my family and neighbors. There should be NO virtual meeting held on such a

important zoning issue when there is a strong possibility that technical glitches will impact public comment and residents not being Zoom literate..

By copy of this email, I am requesting that the June 8th P & Z meeting be cancelled until such time that it can be held in-person. A great venue for this meeting to be held would be to utilize the Littman Theater in which there is plenty of room for social distancing for the P&Z Board and the Public. Please consider this request.

Thank-You
Bruce Lamberto
3420 NE 165 ST.
NMB. FL. 33160
786 367 7072 cell

-----Original Message-----

To: blamberto@aol.com

Sent: Tue, May 19, 2020 3:57 pm

Subject: Undeliverable: Public Comment

Your message to cityclerk@citynmb.com couldn't be delivered.

The group [cityclerk](#) only accepts messages from people in its organization or on its allowed senders list, and your email address isn't on the list.

blamberto
Sender

Office 365

cityclerk

Action Required

Sender not allowed

How to Fix It

It appears you aren't in the same organization as the group (or a sub-group) you're sending to or your email address isn't on the group's allowed senders list. Ask the owner of the group to grant you permission to send to it, and then try again. If the group belongs to a different organization than yours, contact the organization's customer service department for assistance. If the group is in your organization and you don't know who the group owner is, you can find it by doing the following in either Outlook on the web or Outlook:

- Open your Sent folder and select the original message.
- If you're using Outlook on the web, select the group name located on the To or CC line. If you're using Outlook, double-click the group name located on the To or CC line.
- In Outlook on the web, from the pop-up dialog box, choose Owner. In Outlook, choose Contact. The owner's name is listed under Owner.

The owner of the group may have intentionally chosen to restrict who can send messages to it, and they may not want to adjust the existing restriction. In this case, you'll have to contact the group members by some other means, such as sending an email message to their individual email addresses or contacting them by phone.

Was this helpful? [Send feedback to Microsoft](#).

More Info for Email Admins

Status code: 550 5.7.133

This error occurs when the distribution group, security group, or Office 365 group is configured to accept messages only from authenticated senders (senders in the same organization or those added to the group's allowed senders list).

To fix the issue, the recipient's email admin or the group owner must add the sender's email address to the group's allowed senders list or change the group's delivery management setting to accept messages from senders inside and outside of the organization.

Usually this issue can only be fixed by the recipient's email admin or the group owner.

For more information and steps to fix this error, see [Fix email delivery issues for error code 5.7.133 in Office 365](#).

Original Message Details

Created Date: 5/19/2020 7:57:29 PM
Sender Address: blamberto@aol.com
Recipient Address: cityclerk@citynmb.com
Subject: Public Comment

Error Details

Reported error: 550 5.7.133 RESOLVER.RST.SenderNotAuthenticatedForGroup; authentication required; Delivery restriction check failed because the sender was not authenticated when sending to this group
DSN generated by: BY5PR09MB5315.namprd09.prod.outlook.com

Message Hops

HOP	TIME (UTC)	FROM	TO	WITH
1	5/19/2020 7:57:30 PM	sonic.gate.mail.ne1.yahoo.com	sonic301.consmr.mail.ne1.yahoo.com	HTTP
2	5/19/2020 7:57:32 PM	sonic301-32.consmr.mail.ne1.yahoo.com	BL0GCC02FT014.mail.protection.outlook.com	Microsoft SMTP S cipher=TLS_ECDH
3	5/19/2020 7:57:34 PM	BL0GCC02FT014.eop- gcc02.prod.protection.outlook.com	BN3PR09CA0053.outlook.office365.com	Microsoft SMTP S cipher=TLS_ECDH

YEOZEH4XtRIN_gRkQWzDHDRAWXNz3Lo5jY6F44ILKPOt:jAFSp.VK23gsj&tV1aFj7&WUXB&XN4Wg
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Received: from sonic.gate.mail.nel.yahoo.com by sonic301.couman.mail.nel.yahoo.com with
SMTP; Tue, 19 May 2009 18:57:30 -0000

Date: Tue, 19 May 2009 18:57:29 -0000 (UTC)

From: Bruce Lamberto <blamberto@aol.com>

To: cityclerk@citynmb.com

Message-ID: <239382930.1711023.1589918249805@mail.yahoo.com>

Subject: Public Comment

MIME-Version: 1.0

Content-Type: multipart/alternative;

boundary="-----_Part_1711023_1663609145_1589918249805"

References: <239382930.1711023.1589918249805.ref@mail.yahoo.com>

X-Mailer: WebService 1.1.15860; Microsoft Word 12.0 (Windows); Android 4; IM-ES10
Build/PN21.140114.011; wv AppleWebKit/537.36 (KHTML, like Gecko) Version 4.0
Chrome/30.0.1507.117 Mobile Safari/537.36 AOLApp 3.12.0.2145

Content-Location: 1234

Reply-To: blamberto@aol.com

X-Original-Message:

X-Original-Message-ID: 1711023-1663609145-1589918249805

X-Postman-Envelope-Region: 001707

X-MS-PublicTrafficType: Email

X-MS-Office365-FilteringRules-Source: spt1444g-411a-4444-11e-1663609145

X-MS-Exchange-Organization: B12345678901234567890

Bruce Lamberto
3420 NE 165 ST
NMB

Mayor & Commission

The City is now in possession of approximately \$100 million in borrowed money. The funding is for the City's 5 year CIP plan. The clock is ticking on paying it back. The City should be immediately contracting an Engineering firm to draft the engineering plans necessary for permitting and contracting the construction work. Engineering will take 4 to 6 months, review and comment, bidding, and contract award will take months more. We cannot afford to take the amount of time it has taken to renegotiate the Jacobs contract as costs increase every year on our proposed projects and we will run out of money before we complete the projects. Please don't be as complacent on this time-table as you have been in allowing excessive time to go by on the water utility negotiations. This one item has delayed the critical path of steps that needs to happen in scheduling and contracting the required contractors necessary to complete the CIP projects. City staff was hired more than 7 months ago to begin the CIP work. Next month marks the halfway period through the current year and four months away from the end of the fiscal year. Please help expedite the pending projects. Thank you

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Duron, Mario F.

From: Alvaro Rodriguez Paz <alvarorpaz@gmail.com>
Sent: Thursday, June 04, 2020 7:30 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Mr. Justin Proffitt, AICP

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue6
North Miami Beach, FL 33162-3100

June 4, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

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Sincerely,

Alvaro Rodriguez Paz

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Duron, Mario F.

From: Henry, Andrea M.
Sent: Thursday, June 04, 2020 3:24 PM
To: Scott, Esmond; Proffitt, Justin; McHugh, Horace A.; Bernard, Andrise; Proffitt, Justin; Cino, Sharon
Subject: Intracoastal Mall Project

All:

I returned Magda Ammirati's call, and she is requesting that the item re: the Intracoastal Mall Project be postponed until there can be an in-person meeting.

Andrea



Andrea M. Henry | Assistant to City Manager
City of North Miami Beach
Office of the City Manager
T (305) 948-2900
F (305) 957-3602
andrea.henry@citynmb.com

17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:   

No act of kindness, no matter how small, is ever wasted. -Aesop

From: Ramos, Shakira
Sent: Thursday, June 4, 2020 2:13 PM
To: Henry, Andrea M. <Andrea.Henry@citynmb.com>
Cc: Bernard, Andrise <Andrise.Bernard@citynmb.com>
Subject: Agenda item

Hi Andrea,

Nadia took a message down while I was on break from Mrs. Madga Amminati. She stated that Mrs. Amminati wanted to speak to you. Here is the transcript of the full message that Nadia took down:

Madga Amminati
305-336-3443

Request that item on Agenda to be postponed and take place in person.

Also would like for Andrea to give a call because she needs transcripts of last Zoom meeting.

Shakira

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Madga Amminati

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Duron, Mario F.

From: Angela Boidi <angelaboidi@gmail.com>
Sent: Thursday, June 04, 2020 9:30 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Eastern Shores Development

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 3, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
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That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

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Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions.

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Sincerely,

Angela Boidi

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Duron, Mario F.

From: Michelle Reyes <michellermiami@gmail.com>
Sent: Wednesday, June 03, 2020 7:16 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Dezer's Intracoastal Mall plans

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

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1. OVERSIZED DEVELOPMENT PROPOSAL:

- a. 375,000 SF Commercial/Retail Space
 - b. 200,000 SF Office Space
 - c. 250 Hotel Keys
 - d. 2,000 Multi-Family Residential Units
 - e. New Community Center
-

-
- f. New Police Substation
 - g. Improved Fire Station
 - h. ±8.0 acres of Publicly Accessible Open Space
 - i. ±.71 Mile Waterfront Promenade
2. **HUGE BUILDING HEIGHTS:**
- a. 40 Stories or 495 Feet in the Core Sub-Area;
 - b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
 - c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential)

Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

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Sincerely,

MICHELLE REYES
SALES ASSOCIATE
THE JASON MITCHELL GROUP
C. 305.900.7014

MICHELLERMAMI@GMAIL.COM

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Duron, Mario F.

From: Michelle Reyes <michellermiami@gmail.com>
Sent: Wednesday, June 03, 2020 7:16 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Dezer's Intracoastal Mall plans

Dear Justin,

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SALES ASSOCIATE
THE JASON MITCHELL GROUP
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MICHELLERMAMI@GMAIL.COM

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Duron, Mario F.

From: Mychael ACE <mychael.ace@gmail.com>
Sent: Wednesday, June 03, 2020 8:04 PM
To: Proffitt, Justin; Smukler, Fortuna; Commission All External
Subject: Dezer's Intracoastal Mall plans

Mr. Justin Proffitt, AICP Manager, Planning & Zoning Department City of North Miami Beach 17050 NE 19th Avenue North Miami Beach, FL 33162-3100 justin.proffitt@citynmb.com cc fortuna.smukler@citynmb.com cc commissionall@citynmb.com June 3, 2020 Dear Justin, As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads. A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale. Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal. Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street. The rezoning proposal is to raise the building heights on the east from:

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--

Sincerely,

Mychael Oliver
Administrative Director
Ace-Classes.com, INC.
www.Ace-Classes.com



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Duron, Mario F.

From: Robert Hayhurst <rob1995@me.com>
Sent: Tuesday, June 02, 2020 6:12 PM
To: Proffitt, Justin; Diane Frazer
Subject: Please Submit for June 8 Meeting

Dear Justin Proffit,

I've been asked to forward the following numbered points (below) to you on behalf of Diane Frazer, ESPOA, and the entire Eastern Shores community.

Please submit the following for Zoning and Planning Board's consideration at the meeting on June 8th.

Thank you very much,

Robert Hayhurst
ESPOA Admin Support

Key Points:

1. The proposed intersection and 35th ave curb cuts do NOT meet the requirements set forth by the City in 2015 and/or that the Traffic Study is flawed.
2. The proposed new layout of the buildings on the parcel, at 35th Ave. and along 163, should be objected to and disallowed. The sightlines of the newly considered layout negatively impact the neighborhood significantly more than before. As well, the character of the proposed buildings (hotel, for example) are not desirable.
3. The City should NOT exercise its discretion to enter into a Development Agreement with the applicant. In this particular case there is no substantial benefit to the City in doing so (if the applicant could build the Texas U-Turn and was willing to do it, a new analysis on benefit to the City may be appropriate).

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Duron, Mario F.

From: Marilyn Rubin <savvygirl1947@gmail.com>
Sent: Tuesday, June 02, 2020 9:44 PM
To: Proffitt, Justin
Subject: Eastern shores intracoastal mall

Please stop Dezer from developing the mall. We live in a very special neighborhood and this development will be a disaster. Besides Dezer couldn't care one bit about the residents of our community. He only cares about his bottom line and nothing else. Please please stop him

Sent from my iPhone

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Duron, Mario F.

From: fabdimsa@bellsouth.net
Sent: Tuesday, June 02, 2020 9:26 AM
To: Proffitt, Justin
Subject: FW: Planning and Zoning Virtual Meeting June 8, 2020

I only hope that this meeting will NOT!!!! Take place via zoom. It's not fair.

Fabio Nick
3403 NE 166St

From: David Templer <dlt@templerhirsch.com>
Sent: Saturday, May 30, 2020 7:09 PM
To: Marteen Longo <martlongo1@gmail.com>; Diane & Robert Hayhurst <dfrazer81@gmail.com>
Cc: Leslie Sardinia <samazach@gmail.com>; Bruce Lamberto <blamberto@aol.com>; dan@rotecapital.com; fabdimsa@bellsouth.net; Marc & Susan Einbinder <MSEPA@aol.com>; sobesan@aol.com; rosksind@aol.com; e.riccardi@me.com; gabbidoniona@yahoo.com; drjackrx@netzero.com; Neal & Larysa Keys <neal@palmtravel.com>; Fortuna & Saul Smukler <MiamiMicrotronix@bellsouth.net>
Subject: Re: Planning and Zoning Virtual Meeting June 8, 2020

I don't know how to mobilize the condo side but I will do a street on the houses side if and when it is necessary to put flyers out.

David Templer

Templer & Hirsch

20801 Biscayne Blvd., Suite 400

Aventura, FL 33180

305.937.2700

dlt@templerhirsch.com

From: Marteen Longo <martlongo1@gmail.com>
Sent: Saturday, May 30, 2020 6:11 PM
To: Diane & Robert Hayhurst <dfrazer81@gmail.com>
Cc: David Templer <dlt@templerhirsch.com>; Leslie Sardinia <samazach@gmail.com>; Bruce Lamberto <blamberto@aol.com>; dan@rotecapital.com <dan@rotecapital.com>; fabdimsa@bellsouth.net <fabdimsa@bellsouth.net>; Marc & Susan Einbinder <msepa@aol.com>; sobesan@aol.com <sobesan@aol.com>;

roskinsd@aol.com <roskinsd@aol.com>; e.riccardi@me.com <e.riccardi@me.com>; gabbidoniona@yahoo.com <gabbidoniona@yahoo.com>; drjackrx@netzero.com <drjackrx@netzero.com>; Neal & Larisa Keys <neal@palmtravel.com>; Fortuna & Saul Smukler <miamimicrotronix@bellsouth.net>
Subject: Re: Planning and Zoning Virtual Meeting June 8, 2020

I, personally, do not think more will "attend" a ZOOM meeting.
I feel I am fairly computer literate. Have used Zoom twice and do not find it easy!!
Can't imagine how it will work if there are many who sign on???
This is definitely NOT how it should be conducted.
Everyone should send emails to Justin.Profitt@citynmb.com and also to nmbcomdev@citynmb.com.

This, in my opinion, is crazy!!!!

Marteen

I have offered my "delivery service" to Diane for the flyers.
We need to talk to our neighbors.

On May 30, 2020, at 5:52 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

Thanks David, but at this point any efforts are appreciated.

On Sat, May 30, 2020, 4:28 PM David Templer <dlt@templerhirsch.com> wrote:

This meeting is NOT before the Commission but rather before the Planning and Zoning Board. Respectfully, comments should focus on the particular issue at hand rather than how the meeting will be held or Eastern Shores generally. Personally, I suspect more people will "attend" by Zoom than in person.

David Templer
dlt@templerhirsch.com

On May 30, 2020, at 3:56 PM, Leslie Sardinia <samazach@gmail.com> wrote:

I sent my own email to the mayor and commissioners.

Mr Mayor and Commissioners,

There CAN NOT be a meeting via zoom, when most have no clue or know how to use Zoom. I use zoom and since everyone is home using internet, I lose wifi service while taking a class or having a meeting. There's no way this is fair to the homeowners of ES, who pay the majority of the taxes to NMB, and will be effected the most by a metropolis in a small neighborhood shopping center. The city of NMB, should first and foremost, represent the current owners and tax payers, not a billionaire who wants to make millions at the cost of US, the current residents. Not a billionaire to come in and swoop down and take advantage during a pandemic situation, with the blessings of our elected officials.

I think you know what should be done in this situation, and if it goes as planned, I think you know, as current elected officials, you will lose the support of Eastern Shores residents. We have been overlooked long enough, with power lines and poles falling over, streets that are chopped up, no

sidewalks. We are coming together and we have a voice, and we want it to be heard in person, NOT on Zoom.

I apologize for the stern words, but this is our home, our community, where we have raised and are raising our children. This is not what the families of Eastern Shores want in our neighborhood community.

Sincerely,

Bruce & Leslie Sardinia

Only if we understand, can we care.

Only if we care, we will help.

Only if we help, we shall be saved.

-Jane Goodall

On May 30, 2020, at 1:19 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

FYI - I felt the need to send this...doubt it will have an impact.

----- Forwarded message -----

From: **Diane Frazer** <dfrazer81@gmail.com>

Date: Sat, May 30, 2020 at 1:16 PM

Subject: Planning and Zoning Virtual Meeting June 8, 2020

To: anthony.defillipo <anthony.defillipo@cityymb.com>, Smukler, Fortuna <Fortuna.Smukler@cityymb.com>, Smith, Phyllis <Phyllis.smith@cityymb.com>, barbara.kramer <barbara.kramer@cityymb.com>, Fleurimond, McKenzie <McKenzie.Fleurimond@cityymb.com>, Joseph, Michael <Michael.Joseph@cityymb.com>, Villard, Paule <Paule.Villard@cityymb.com>, Scott, Esmond <Esmond.Scott@cityymb.com>

Good Afternoon All,

This email is in response to the Planning and Zoning Meeting scheduled for June 8 via zoom. I find it appalling that the city thinks that it is okay to hold a meeting of this importance via zoom. We all know that this is not the ideal format to ask questions, hear responses, etc. Let alone, the large number of residents who are unable to participate due to lack of equipment, inability to understand, etc.

I understand that other business has been done via this format, Taco Bell, for one. I highly doubt that there are as many interested in variances for Taco Bell as the building of a development, including numerous high rises, a hotel, and new traffic patterns that are absurd!

The city is beginning to reopen and I believe that waiting for a few weeks to allow residents to attend the meeting should not be out of the question. All I hear is that the developer wants to work with us, etc. So if this is the case, why not wait until concerned residents can appear before the committee to express their support or concerns.

I doubt that if the city wanted to build a hotel in your backyard (Commissioner Smukler and Smith, this is your backyard) that any of you would want these meetings held via zoom.

Please consider rescheduling this meeting so that the many residents are effected can attend and voice their concerns.

Diane Frazer-Hayhurst
ESPOA President

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Duron, Mario F.

From: Margo Berman <margobermanauthor@gmail.com>
Sent: Wednesday, June 03, 2020 6:34 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis; Commission All External
Subject: Traffic problems with Dezer's Intracoastal Mall Development Plan

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100
June 3, 2020

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

Again, he's asking for rezoning to increase the density at the Intracoastal Mall entrance. This area sits at N.E. 35th and runs adjacent to the Milton Littman Memorial Bridge on N.E. 163rd Street.

The rezoning proposal is to raise the building heights on the east from:

- Six stories to 20 stories
- Eight stories to 32 stories

That's where a 20-story parking garage will be: right at the Eastern Shores entrance, followed by three, 32-story towers next to the bridge. This area is now zoned for the lower heights (six or eight feet), in the above-listed bullets.

These 32-story structures would be in addition to the group of 40-story buildings that would sit on the Intracoastal Waterway (where Duffy's currently is). Adding to the density would be a 12-story hotel on the southwest side, where the tot-park is, near the guardhouse on N.E. 35th Avenue.

Without question, the list below will exacerbate the present, rush-hour traffic going east (to Collins Avenue) or west (to Biscayne Boulevard) from Eastern Shores. Anyone who's tried to leave the area between 7 and 9 a.m. or 4 to 7 p.m. has experienced the gridlock.

Eastern Shores cannot handle the traffic repercussions of this mega complex, nor the unavoidable increase in noise pollution and carbon emissions. How could it? Look at this substantial construction list:

1. **OVERSIZED DEVELOPMENT PROPOSAL:**

- a. 375,000 SF Commercial/Retail Space
- b. 200,000 SF Office Space
- c. 250 Hotel Keys
- d. 2,000 Multi-Family Residential Units
- e. New Community Center
- f. New Police Substation
- g. Improved Fire Station
- h. ±8.0 acres of Publicly Accessible Open Space
- i. ±.71 Mile Waterfront Promenade

2. **HUGE BUILDING HEIGHTS:**

- a. 40 Stories or 495 Feet in the Core Sub-Area;
- b. 32 Stories or 425 Feet, or 20 stories or 286 Feet in the Transition Sub-Area; and
- c. 12 Stories or 160 Feet, 6 Stories or 85 Feet, or 3 Stories or 35 Feet, in the Edge Area (closest to existing residential)

Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Sincerely,
Margo Berman

--

Margo Berman, Professor, Author, Inventor

www.amazon.com/author/MargoBerman

Books:

- *Street-Smart Advertising* (2006, 2010)
- *The Brains Behind Great Ad Campaigns* (2009)
- *The Copywriter's Toolkit* (2012)
- *tactikPAK™: A Digital Library of Learning* (2014, 2015)
- *The Blueprint for Strategic Advertising* (2016)

Apps: On iTunes

- - Advertising *tactikPAK* <http://apple.co/1GRitOv>
- - Copywriting *tactikPAK* <http://apple.co/1dA7TXx>

On Google Play: Copywriting *tactikPAK* <http://tinyurl.com/q7ml8ys>
www.MentalPeanutButter.com

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Duron, Mario F.

From: Margo Berman <margobermanauthor@gmail.com>
Sent: Wednesday, June 03, 2020 6:34 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis; Commission All External
Subject: Traffic problems with Dezer's Intracoastal Mall Development Plan

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City of North Miami Beach
17050 NE 19th Avenue
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Duron, Mario F.

From: Joe Leal Jr <jl@wwdrape.com>
Sent: Wednesday, June 03, 2020 9:02 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Commission All External
Subject: Intracoastal mall

Dear Justin,

As you know, Eastern Shores can only be accessed via N.E. 163 Street and N.E. 35th Avenue. Adding more entrances on NE 163rd Street doesn't solve the intrinsic problems: Increased density without other connecting roads.

A massive, proposed project, including a new canal, turns a quiet, residential community into a dense, overbearing metropolis. Without question, it's incompatible with single-family homes in relation to mass and scale.

Residents now realize that Dezer's plans have changed from his original, lovely Mizner-Park-like setting into the current proposal.

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Just picture what the arrival of tens of thousands of new residents, hotel guests, business employees, retailers, shoppers and visitors will do to Eastern Shores' residents' day-to-day commutes. Let's not overlook the inevitable problem of delayed emergency vehicles, stuck in traffic and unable to quickly transport the ill or injured to a hospital.

Increasing the density only compounds the current traffic problem. What's needed here is careful planning, not a quick approval of an unrealistic and oversized development in an access-challenged location.

Thanks,
Jose

Sent from my iPhone

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Duron, Mario F.

From: Daniel Perez <dp@dperez.biz>
Sent: Wednesday, June 03, 2020 4:36 PM
To: Proffitt, Justin
Cc: Commission All External
Subject: Intracoastal Mall

To whom it may concern,

I am a home owner of multiple properties in Eastern Shores, I ask that you do not allow the redevelopment of the Intracoastal Mall. Our traffic is already overwhelming with all the new buildings in Sunny Isles, any new residents that are proposed to be built in the Intracoastal Mall property would only make things worse. The redevelopment would decrease our home values and cause gridlock trying to drive into Eastern Shores.

Eastern Shores is a unique community in North Miami Beach, do not allow this project to ruin this community.

Regards,

Daniel Perez
dp@dperez.biz
305.607.5600

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dp@dperez.biz
305.607.5600

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Duron, Mario F.

From: msepa@aol.com
Sent: Tuesday, June 02, 2020 1:21 PM
To: Proffitt, Justin
Subject: Intracoastal mall

Good afternoon Mr. Proffitt:

Please be advised of the following. My family, as other residents of Eastern Shores do not believe that the P&Z hearing set for June 8th, 2020 regarding the Intracoastal Mall should be held via Zoom. These plans have been spoken about for a very long time and we can see no reason why the hearing cannot be delayed until residents can make in person appearances before the board.

As to the issue itself of an additional traffic light to enter the mall which would be on the approach to the bridge, this is an unsafe idea. I have lived in Eastern Shores for 33 years and have seen enough traffic and traffic accidents in the area of NE 163rd Street and 35th Avenue. The area just cannot handle the additional traffic of thousands of additional residents.

Please be sure that this email is read in to the record and heard by the P&Z Board members whenever the hearing is held.

Thank you,
Marc Einbinder

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Duron, Mario F.

From: nansmoon@aol.com
Sent: Tuesday, June 02, 2020 2:34 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Tuesday, June 02, 2020 2:16 PM
To: Proffitt, Justin; Clara Piana
Subject: Re: URGENT 35 and 163

Gentleman:

We opposed the project that was previously approved and know the developer wants to AMEND the plans to include a hotel, THIS IS OUTRAGEOUS !!!will make the traffic getting into our Neiborhood IMPOSIBLE!!!

The traffic the way it is today is TERRIBLE and more so during high season, we can't imagen adding all those units and traffic.

WE OPPOSED TO ALL !!!

The traffic light they want to install on 163rd on the south side going to the beach, the only thing that will do is make more chaos , so we are OPPOSE to that as well.

We will not APPROVE a ZOOM Metting to discuss this delicate situation!!!! we will need to be able to do it in PERSON everyone PRESENT!!!!

Yours Truly
Eduardo Piana
16434 NE 31 Ave
N Miami Beach, FL 33160

From: Clara Piana <lov2sail@hotmail.com>
Sent: Wednesday, May 27, 2020 1:24 PM
To: justin.proffitt@citynmb.com <justin.proffitt@citynmb.com>
Subject: URGENT

We are the owners of 16434 NE 31 Ave N Miami Beach FL 33160

WE OPOSED the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance) in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge".

The traffic entering or leaving our neighborhood it is a mess and backup already; we don't need more cars coming in or out.

Eduardo and Clara Piana

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Tuesday, June 02, 2020 2:17 PM
To: Proffitt, Justin
Subject: Re: URGENT

Gentleman:

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The traffic the way it is today is TERRIBLE and more so during high season, we can't imagen adding all those units and traffic.

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We will not APPROVE a ZOOM Metting to discuss this delicate situation!!!! we will need to be able to do it in PERSON everyone PRESENT!!!!

Yours Truly
Clara Piana
16434 NE 31 Ave
N Miami Beach, FL 33160

From: Clara Piana <lov2sail@hotmail.com>
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Duron, Mario F.

From: nansmoon@aol.com
Sent: Tuesday, June 02, 2020 2:34 PM
To: Proffitt, Justin
Subject: Intracoastal Development Project

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19 Ave
North Miami Beach, FL 33162-3100

June 2, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163 Street. The only entrance is at the Intracoastal Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Best Regards,
Nancy Felder, Eastern Shores' resident
Eddie Felder, Eastern Shores' resident

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Duron, Mario F.

From: Emily Fernandez <fernandez.emily@ymail.com>
Sent: Monday, June 01, 2020 5:14 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis
Subject: Intracoastal mall

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

June 1, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

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Sincerely,
Emily fernandez
Fernandez.emily@ymail.com
305-401-1291

[Sent from Yahoo Mail on Android](#)

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Duron, Mario F.

From: Miranda Marrero <miramarrero@gmail.com>
Sent: Monday, June 01, 2020 1:38 AM
To: Smukler, Fortuna; Proffitt, Justin; Smith, Phyllis
Subject: Intracoastal Dev. Project

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

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Sincerely,
Miranda Marrero, a concerned Eastern Shores resident

--
Miranda Marrero
North Miami Beach, FL
miramarrero@gmail.com
305-319-1405

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Duron, Mario F.

From: Shawna Cruz <shawna.cruz@yahoo.com>
Sent: Sunday, May 31, 2020 4:32 PM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis
Subject: Resident - City of North Miami Beach

Planning & Zoning Department

The 163rd E/W corridor is congested as is. With additional and regular repairs of road and new construction adding traffic lights will exacerbate, not solve the present, traffic-bottleneck problems. With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area of the city does NOT have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact. Sincerely,
Shawna and David (2 registered voters)

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Duron, Mario F.

From: fabdimisa@bellsouth.net
Sent: Sunday, May 31, 2020 12:03 PM
To: Proffitt, Justin
Subject: FW: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

From: fabdimisa@bellsouth.net <fabdimisa@bellsouth.net>
Sent: Sunday, May 31, 2020 11:54 AM
To: 'espoa@yahoo.com' <espoa@yahoo.com>
Subject: RE: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

If this meeting via zoom will be anything like the one held in May Ref: Zooning it will be a waste At that time it was difficult to hear many times and if anyone wanted to say anything it was worse. All I hope this will not take place and that the technology will be improved to voice our discontent with The plans on ICM. Again, in person will be the best way. Why not wait??? Who is putting pressure On the city??? If my grandsons Bar mitzvah was postponed till Oct from May and many affairs Cancelled rather than use this Zooming idea, Mr Dezer and the city should change the date so all Can be present in person.

From: Amalia Nick < Begin forwarded message:

From: "E.S.P.O.A." <espoa@yahoo.com>
Date: May 30, 2020 at 6:27:48 PM EDT
To: Stacy Roskin <roskinsd@aol.com>
Subject: URGENT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

****URGENT****

IMPORTANT MEETING REGARDING DEVELOPMENT OF INTRACOASTAL MALL

The City will be holding a zoom meeting to discuss plans to allow a traffic light to be put on 163rd Street to create a new entrance/exit (east and west access) for the Intracoastal Mall. This additional traffic light will cause major congestion and traffic nightmares.

In addition, if this traffic light is approved, the developer is expected to request "amended zoning" to change what was previously agreed upon by the City. This could drastically change the number and location of high rises and include a hotel.

It is imperative that we voice our concerns regarding the planned development of this property. This development will impact our quality of life!

Please attend the zoom and express your concerns. If you cannot attend the meeting, please provide an email with your comments to Justin.Proffitt@citynmb.com

ZOOM MEETING INFORMATION

Monday, June 8, 2020 at 6:00 pm

To just Watch or Listen

-
- Comcast Channel 77
 - Live stream on www.citynmb.com

To Watch & Speak, Join us on Zoom

- Zoom Meeting: WWW.ZOOM.US
- Zoom Meeting ID: 858 2719 8307
- Meeting Password: 088 805
- Your email and address will be requested to register for the meeting.

To Watch & Speak on Zoom Via Telephone

- By Phone: (646) 876-9923, (US Toll) (301) 715-8592, (US Toll)

To Send Written Comments by 4:00 PM on the Day of the Meeting

- Email: NMBCOMDEV@citynmb.com

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Duron, Mario F.

From: Hector Marrero <hmarrero@aol.com>
Sent: Sunday, May 31, 2020 3:56 PM
To: Proffitt, Justin
Subject: Fwd: Intracoastal Mall Development

Put this on the record as well.

Sent from my iPhone

Begin forwarded message:

From: Hector Marrero <hmarrero@aol.com>
Date: May 31, 2020 at 3:55:29 PM EDT
To: Diane Frazer <dfrazer81@gmail.com>
Subject: Re: Intracoastal Mall Development

Thank you!!! We need to raise our voices on this one!!!!

Hector Marrero

Sent from my iPhone

On May 31, 2020, at 3:44 PM, Diane Frazer <dfrazer81@gmail.com> wrote:

Hector,

The current plans for the developer to add a light right on top of the light at 35th Avenue is unacceptable as far as ESPOA is concerned. This developer needs to provide an additional ingress/egress into his development prior to any development beginning.

In addition, his proposal for 2 forty story towers, one 32 story tower, additional town homes (all adding up to 2,000 residential units) plus offices, stores and restaurants, and a 250 key hotel is ridiculous.

The addition of all of this will cause a traffic nightmare for us as well as increase crime, etc.

ESPOA understands that the developer has the right to develop, but he must develop so that Eastern Shores is impacted as little as possible.

Thanks,

Diane Frazer-Hayhurst

ESPOA President

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Duron, Mario F.

From: Dr. B. Barry Schugar <schugdady@aol.com>
Sent: Saturday, May 30, 2020 12:08 PM
To: Proffitt, Justin
Subject: intercostal mall

20 Years ago my wife and i bought Two lots in Eastern Shores. WE were moving away from Sunny Isles and their high rises . Now you can see the traffic and CONJESTION they have . We are retired and moving slow. The street {35 Ave } Will not Handle more cars. To, allow them to build with out adding more access is CRAZY.

DO not allow MORE BUILDIN
G without getting more Access ROADS

Sincerely, B. Barry Schugar DDS. FAGD.

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Duron, Mario F.

From: Francesco Martini <frankymart.fm@gmail.com>
Sent: Saturday, May 30, 2020 8:03 AM
To: Proffitt, Justin
Cc: Smukler, Fortuna; Smith, Phyllis

May 30, 2020

Dear Justin Proffitt:

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores.

This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE163rd Street.

The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve, the present traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow.

This area does not have the infrastructure to support a multi-use project of this magnitude.

Nor can it afford its environmental impact.

Sincerely

Francesco Martini

Eastern Shore Resident

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Duron, Mario F.

From: Leslie Sardinia <samazach@gmail.com>
Sent: Saturday, May 30, 2020 2:52 PM
To: NMBCOMDEV
Subject: Planning and Zoning

Mr Mayor and Commissioners,

There CAN NOT be a meeting via zoom, when most have no clue or know how to use Zoom. I use zoom and since everyone is home using internet, I lose wifi service while taking a class or having a meeting. There's no way this is fair to the homeowners of ES, who pay the majority of the taxes to NMB, and will be effected the most by a metropolis in a small neighborhood shopping center.

The city of NMB, should first and foremost, represent the current owners and tax payers, not a billionaire who wants to make millions at the cost of US, the current residents. Not a billionaire to come in and swoop down and take advantage during a pandemic situation, with the blessings of our elected officials.

I think you know what should be done in this situation, and if it goes as planned, I think you know, as current elected officials, you will lose the support of Eastern Shores residents. We have been overlooked long enough, with power lines and poles falling over, streets that are chopped up, no sidewalks. We are coming together and we have a voice, and we want it to be heard in person, NOT on Zoom.

Sincerely,

Bruce & Leslie Sardinia

Only if we understand, can we care.

Only if we care, we will help.

Only if we help, we shall be saved.

-Jane Goodall

Leslie Sardinia

"You may never know what results come from your action. But if you do nothing, there will be no result."

- Mahatma Gandhi

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Duron, Mario F.

From: Judy Blaustein <judyblaustein@gmail.com>
Sent: Saturday, May 30, 2020 7:15 PM
To: Proffitt, Justin
Subject: Intracoastal Mall

Dezer Development will cause traffic, congestion, and the most horrific, crime. The Intracoastal Mall will become trafficked by outsiders for a probable waterpark and condos. Traffic will become chaotic with congestion and the probability of crime. We residents of Eastern Shores pay huge taxes for our homes. Our privacy is jeopardized by this possible event. We pay to live in our gated communities. We maintain our homes through renovation, gardening, and upkeep. This possible development should not be allowed. The intracoastal mall should become better developed. A beauty school and an Old Navy do not belong here. Upscale restaurants would be welcome. A development of condos, a waterpark and garages would not aid a community. It will only bring profits down. This cannot occur.

Judith D. Sohn-Blaustein Eastern Shores Homeowner

--

Judy Sohn-Blaustein
JudyBlaustein@Gmail.co

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Duron, Mario F.

From: fabdimsa@bellsouth.net
Sent: Friday, May 29, 2020 5:17 PM
To: Proffitt, Justin
Cc: 'Diane Frazer'; 'Marc Einbinder'; 'Marteen Longo'; Lamberto, Bruce; 'Daniel Bakalarz'; 'David Templer'; 'FABIO NICK'; 'Leslie Sardinia'; 'Sandra Piligian'; 'Stacy Roskin'; e.riccardi@me.com; 'Iona Gabbidon'; 'Jack Berman'; 'Neal Keys'; 'Saul Smukler'
Subject: Intracoastal Mall Redevelopment

Dear Mr. Proffitt,

We have been advised of an additional traffic light that will be needed on 163rd St. in order to accommodate the redevelopment of the Intracoastal Mall. We do not agree with the monstrosity that is being proposed in our neighborhood without the residents' consent and certainly not with the additional traffic light !!! This is going to create a bigger nightmare in our roads than already exists, not to mention many more accidents. We hope you reconsider based on the consequences that will ensue. We are outraged that this is even being considered !

Truly yours,

Eastern Shores Residents:
Fabio and Amalia Nick
Rosa and Charles Papir
Silvia and Bruce Kusens
Berta and Lenny Backer

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Duron, Mario F.

From: David Templer <dlt@templerhirsch.com>
Sent: Friday, May 29, 2020 10:39 AM
To: Proffitt, Justin
Cc: Diane Frazer (dfrazer81@gmail.com); Scott, Esmond; McHugh, Horace A.; Cino, Sharon; Duron, Mario F.
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thank you Justin. I will look at it.

However, I am in the business of disagreement and am painfully cognizant of the reality that "experts" are paid for conforming opinions. Those affected by those differing opinions are left to deal with and clean up the mess. Often times it is not the expert opinion that matters as much as common sense. I have spoken to more than a dozen people in the last couple of days and that is without any effort to assess the general sentiment. But, not a single one believes this proposed plan is an acceptable solution or good idea. These folks are not uneducated and unsuccessful people. They are the ones that purchased homes in the most expensive neighborhood of North Miami Beach.

While I am sure that City staff would love to see a truly beautiful project move towards fruition, particularly because of the substantial revenue it will offer, we must keep in mind that the money is not free. It comes with a cost. The City is first and foremost a collection of residents, who are living people. They have invested their heart, souls and money (or blood, sweat and tears) into their homes. Their homes are their sanctuaries. If their ownership, use and enjoyment of their properties, in their own City, is subjugated to development or revenue generation, then the City is no longer theirs.

Justin, in Miami-Dade the population has exploded since the 1980's. The resurgence of South Beach/Miami Beach, the weather, the sports teams, the international access have all made our part of the world a magnet. The nature of private land ownership and zoning laws results in development that has challenged our infrastructure and pushed it close to the edge. Setting aside what is underground (like broken sewers that leak excrement into our precious waterways on a regular basis), what is on the side of the road (tons of garbage strewn piece by piece for hundreds of square miles), stand-still highways forever under construction, the loss of the precious sky-blue views (interrupted by successive high rises), the loss of habitat for indigenous wildlife, and other malignancies, the living people who have invested in their homes are legitimately, justifiably and rightfully worried that their use and enjoyment will be crushed under the weight of poorly permitted road projects.

I must again reiterate that I am NOT opposed to the plan to redevelop the Intracoastal Mall. I am of the opinion that a properly planned redevelopment will add real value to the City and the residents alike. Nonetheless, my neighbors and I are in no hurry and will not take our chances with a less-than-optimal traffic access solution. We are NOT prepared to suffer the resultant cost and expense of an engineering failure. It is much, much too high of a price to pay.

Please make this email part of the record for P & Z as well.

Stay safe my friend.

David

PS: On a daily basis (except during this traffic-calming pandemic) is see EMS and Fire trucks sitting in lined up traffic with light flashing and sirens blaring. One would have to be blind and deaf to miss it. The people they are rushing to help are at the mercy of the traffic. The intersection congestion is not merely an inconvenience for the living residents, it is a life-safety hazard.

David L. Templer
Templer & Hirsch, P.A.
20801 Biscayne Blvd., Ste. 400
Aventura, FL 33180

T: (305) 937-2700

E: dlt@templerhirsch.com

F: (305) 935-9873

www.templerhirsch.com



31 Years of Service Excellence

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>

Sent: Friday, May 29, 2020 9:13 AM

To: David Templer <dlt@templerhirsch.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>; Scott, Esmond <Esmond.Scott@citynmb.com>;
McHugh, Horace A. <Horace.McHugh@citynmb.com>; Cino, Sharon <Sharon.Cino@citynmb.com>; Duron, Mario F.
<Mario.Duron@citynmb.com>

Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Hello David,

I encourage you to review the latest Traffic Impact Study showing the analysis and new designs for the intersections. As you point out, transportation management and design is a crucial aspect of this project so I will ask the applicant to provide a very detailed presentation.

Thank you for raising these important questions.



Justin Proffitt, AICP

Community Development Director
City of North Miami Beach
Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:

From: David Templer <dlt@templerhirsch.com>

Sent: Thursday, May 28, 2020 1:57 PM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thanks. I was talking with Phyllis today and we discussed whether changing the eastbound through lanes on 163 to a regular Red-Yellow-Green light would eliminate the problem. If it were Red when the folks leaving Eastern Shores are turning left to go east, there would be less of a crash risk from merging cars. HOWEVER, this does not eliminate the stacking problem that would be created by that proposed left turn lane. Those cars that are stacked up would impeded cars leaving Eastern Shores to go east.

It is a mess, unfortunately.

David L. Templer
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T: (305) 937-2700
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F: (305) 935-9873

www.templerhirsch.com  



31 Years of Service Excellence

From: Proffitt, Justin <Justin.Proffitt@citynmb.com>
Sent: Thursday, May 28, 2020 1:51 PM
To: David Templer <dlt@templerhirsch.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

I will include these comments as well. Thank you.



Justin Proffitt, AICP
Community Development Director
City of North Miami Beach
Community Development Department
T (305) 354-4456, ext. 4456

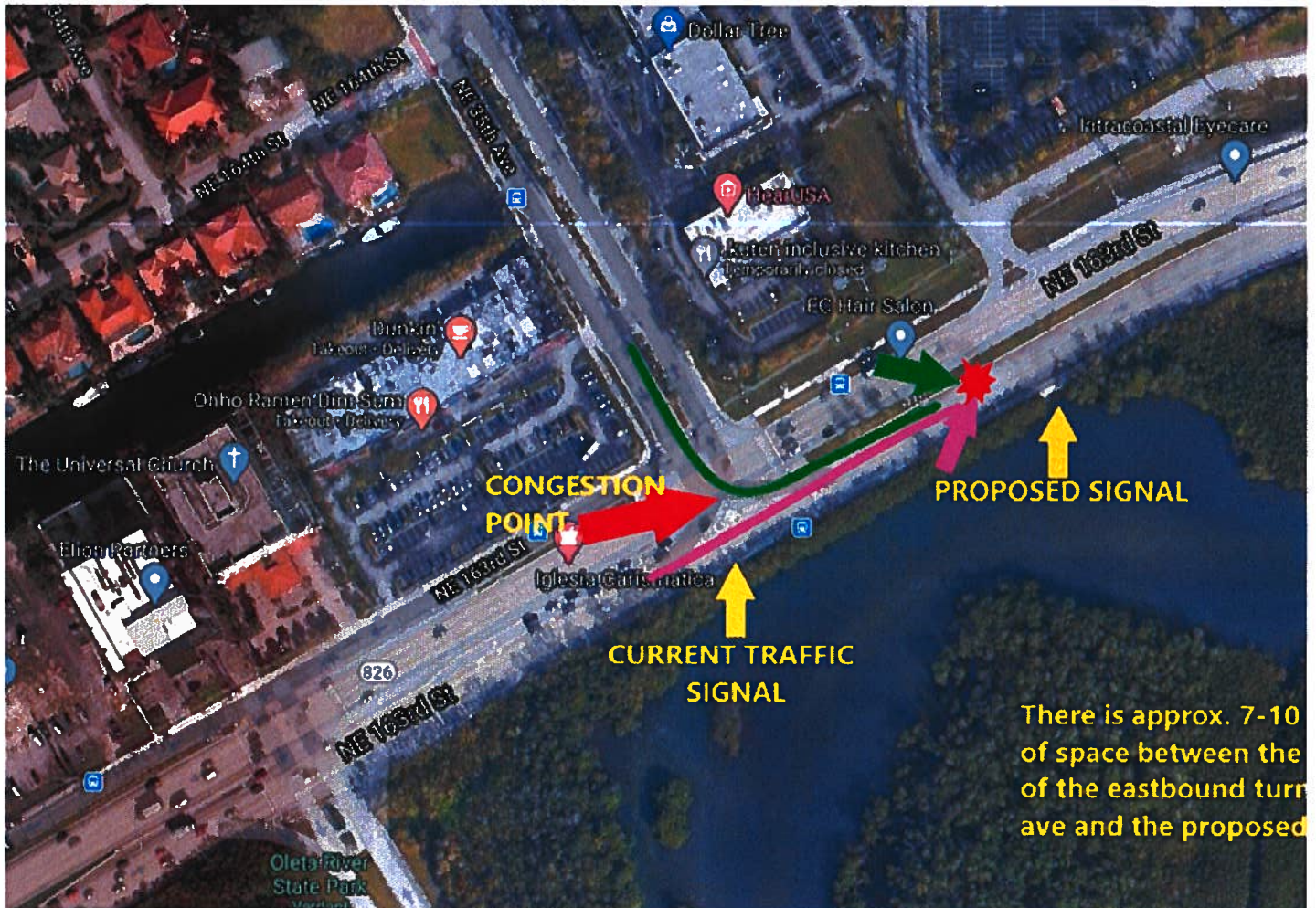
17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:   

From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, May 28, 2020 10:33 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Justin

To add to the below, the newly proposed left turn lane (which will be a collision point, as described below) cannot possibly hold enough cars during a light cycle. With the number of units and residents to the proposed project, that proposed left turn lane (off of eastbound 163) will back up. That will not only disrupt through traffic on 163 eastbound but it will disrupt the eastbound left turn off of 35th Ave because those cars will be unable to proceed east past the newly proposed signal!!

Here is a satellite mock up



David L. Templer
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F: (305) 935-9873
www.templerhirsch.com



Duron, Mario F.

From: Margo Berman <margobermanauthor@gmail.com>
Sent: Friday, May 29, 2020 1:57 PM
To: Proffitt, Justin
Cc: Smith, Phyllis; Smukler, Fortuna

Mr. Justin Proffitt, AICP
Manager, Planning & Zoning Department
City of North Miami Beach
17050 NE 19th Avenue
North Miami Beach, FL 33162-3100

May 28, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores. This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor, can it afford its environmental impact.

Sincerely,
Margo Berman, Eastern Shores' resident

--

Margo Berman, Professor, Author, Inventor

www.amazon.com/author/MargoBerman

Books:

- *Street-Smart Advertising (2006, 2010)*
- *The Brains Behind Great Ad Campaigns (2009)*
- *The Copywriter's Toolkit (2012)*
- *tactikPAK™: A Digital Library of Learning (2014, 2015)*
- *The Blueprint for Strategic Advertising (2016)*

Apps: On iTunes

- - *Advertising tactikPAK* <http://apple.co/1GRItOv>
- - *Copywriting tactikPAK* <http://apple.co/1dA7TXx>

On Google Play: Copywriting tactikPAK <http://tinyurl.com/q7ml8ys>
www.MentalPeanutButter.com

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Duron, Mario F.

From: fabdimisa@bellsouth.net
Sent: Friday, May 29, 2020 5:17 PM
To: Proffitt, Justin
Cc: 'Diane Frazer'; 'Marc Einbinder'; 'Marteen Longo'; Lamberto, Bruce; 'Daniel Bakalarz'; 'David Templer'; 'FABIO NICK'; 'Leslie Sardinia'; 'Sandra Piligian'; 'Stacy Roskin'; e.riccardi@me.com; 'Iona Gabbidon'; 'Jack Berman'; 'Neal Keys'; 'Saul Smukler'
Subject: Intracoastal Mall Redevelopment

Dear Mr. Proffitt,

We have been advised of an additional traffic light that will be needed on 163rd St. in order to accommodate the redevelopment of the Intracoastal Mall. We do not agree with the monstrosity that is being proposed in our neighborhood without the residents' consent and certainly not with the additional traffic light !!! This is going to create a bigger nightmare in our roads than already exists, not to mention many more accidents. We hope you reconsider based on the consequences that will ensue. We are outraged that this is even being considered !

Truly yours,

Eastern Shores Residents:
Fabio and Amalia Nick
Rosa and Charles Papir
Silvia and Bruce Kusens
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Duron, Mario F.

From: Diane Frazer <dfrazer81@gmail.com>
Sent: Friday, May 29, 2020 10:51 AM
To: David Templer
Cc: Cino, Sharon; Duron, Mario F.; McHugh, Horace A.; Proffitt, Justin; Scott, Esmond
Subject: Re: P & Z, June 8: High Rises at Intracoastal Mall

Justin,

Thanks for the information. I am in full agreement with David. Traffic studies tend to support the entity who is paying them. I am hoping you received my email and that it will be placed in the record.

On Fri, May 29, 2020 at 10:39 AM David Templer <dlt@templerhirsch.com> wrote:

Thank you Justin. I will look at it.

However, I am in the business of disagreement and am painfully cognizant of the reality that "experts" are paid for conforming opinions. Those affected by those differing opinions are left to deal with and clean up the mess. Often times it is not the expert opinion that matters as much as common sense. I have spoken to more than a dozen people in the last couple of days and that is without any effort to assess the general sentiment. But, not a single one believes this proposed plan is an acceptable solution or good idea. These folks are not uneducated and unsuccessful people. They are the ones that purchased homes in the most expensive neighborhood of North Miami Beach.

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rightfully worried that their use and enjoyment will be crushed under the weight of poorly permitted road projects.

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Please make this email part of the record for P & Z as well.

Stay safe my friend.

David

PS: On a daily basis (except during this traffic-calming pandemic) is see EMS and Fire trucks sitting in lined up traffic with light flashing and sirens blaring. One would have to be blind and deaf to miss it. The people they are rushing to help are at the mercy of the traffic. The intersection congestion is not merely an inconvenience for the living residents, it is a life-safety hazard.

David L. Templer



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Sent: Friday, May 29, 2020 9:13 AM
To: David Templer <dlt@templerhirsch.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>; Scott, Esmond <Esmond.Scott@citynmb.com>; McHugh, Horace A. <Horace.McHugh@citynmb.com>; Cino, Sharon <Sharon.Cino@citynmb.com>; Duron, Mario F. <Mario.Duron@citynmb.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Hello David,

I encourage you to review the latest Traffic Impact Study showing the analysis and new designs for the intersections. As you point out, transportation management and design is a crucial aspect of this project so I will ask the applicant to provide a very detailed presentation.

Thank you for raising these important questions.

Justin Proffitt, AICP



Community Development Director

City of North Miami Beach

Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:



From: David Templer <dlt@templerhirsch.com>

Sent: Thursday, May 28, 2020 1:57 PM

To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>

Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>

Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Thanks. I was talking with Phyllis today and we discussed whether changing the eastbound through lanes on 163 to a regular Red-Yellow-Green light would eliminate the problem. If it were Red when the folks leaving Eastern Shores are turning left to go east, there would be less of a crash risk from merging cars. HOWEVER, this does not eliminate the stacking problem that would be created by that proposed left turn lane. Those cars that are stacked up would impeded cars leaving Eastern Shores to go east.

It is a mess, unfortunately.

David L. Templer



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Sent: Thursday, May 28, 2020 1:51 PM
To: David Templer <dlt@templerhirsch.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

I will include these comments as well. Thank you.

Justin Proffitt, AICP



Community Development Director
City of North Miami Beach
Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media.



From: David Templer <dlt@templerhirsch.com>
Sent: Thursday, May 28, 2020 10:33 AM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: RE: P & Z, June 8: High Rises at Intracoastal Mall

Justin

To add to the below, the newly proposed left turn lane (which will be a collision point, as described below) cannot possibly hold enough cars during a light cycle. With the number of units and residents to the proposed project, that proposed left turn lane (off of eastbound 163) will back up. That will not only disrupt through traffic on 163 eastbound but it will disrupt the eastbound left turn off of 35th Ave because those cars will be unable to proceed east past the newly proposed signal!!

Here is a satellite mock up



David L. Templer

Templer & Hirsch, P.A.

20801 Biscayne Blvd., Ste. 400

Aventura, FL 33180

T: (305) 937-2700

Duron, Mario F.

From: Bruce Lamberto <blamberto@aol.com>
Sent: Friday, May 29, 2020 10:01 PM
To: Proffitt, Justin
Cc: dlt@templerhirsch.com; dfrazier81@gmail.com
Subject: Intracoastal Mall Traffic Plan

| Justin

Please let this email serve as my opposition to the proposed traffic signal installation on the Sunny Isles Bridge approach EAST OF ne 35TH aVENUE. Should the proposed redevelopment of ICM take place, the only viable eastbound entrance to the ICM should be from under the bridge.

The main issue facing the Texas U turn concept is cost. Unlike the Sunny Isles side of the bridge, there is no upland land on the south side due to the Oleta River. Essentially the ramp needed to exit SR826 to go under the bridge would be 1000 foot long street level bridge with its support columns in the river. This would be extremely expensive and probably not cost effective no matter how many units would be constructed at ICM. There is also the costly environmental studies and mangrove issues that would also need to be addressed. However I agree that the U turn under the bridge would also be beneficial to us in ES and the other businesses along the service road. Currently there is no westbound dedicated right turn lane to 35th Avenue coming from the east. The redesign of the highway to incorporate the U turn could also include the dedicated west-bound right turn lane onto 35th Avenue. It appears in this case that unless State funding is sought and utilized to make the U turn ramp happen, in all probability we will be stuck with the additional signalized intersection. Please keep in mind the developer bought ICM prior to its up-zoning which turned into a huge profit windfall for him. Had not that City- sponsored upzoning occurred, none of us residents would now be dealing with this issue.

The City Administration's default is to approve a request unless there is vocal opposition. Particularly in a case like this, the default is backwards!! The default should be that the proposal is denied unless the applicant brings forth sufficient community support. It is the applicant that is seeking the change and suggesting it is a benefit to the community. The burden of proof should be on the applicant. For that reason, the proposed new traffic signal on Sunny Isles Boulevard east of NE 35th Avenue should be denied.

Bruce Lamberto
3420 NE 165 ST.
NMB, FL. 33160

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Duron, Mario F.

From: Elizabeth Castro <castroelizabeth31@hotmail.com>
Sent: Friday, May 29, 2020 7:45 PM
To: Proffitt, Justin; Smukler, Fortuna; Smith, Phyllis
Subject: Dezer Proposal

May 28, 2020

Dear Justin Proffitt,

As proposed in the Dezer development project, adding a new traffic light into the Intracoastal Mall will only intensify the traffic in and out of Eastern Shores.

This tiny "peninsula" has no side streets between Collins Avenue and Biscayne Boulevard along NE 163rd Street. The only entrance is at the Intracoastal-Mall ingress at N.E. 35th Avenue.

The addition of this second traffic light and east-bound lane, right near the existing entrance, will exacerbate, not solve the present, traffic-bottleneck problems.

With no relief for east-west congestion, the Dezer proposal adds more density and severely impedes traffic flow. This area does not have the infrastructure to support a multi-use project of this magnitude. Nor can it afford its environmental impact.

Sincerely,

Elizabeth Castro

Easter Shores Resident

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Duron, Mario F.

From: Diane Frazer <dfrazer81@gmail.com>
Sent: Thursday, May 28, 2020 2:46 PM
To: Proffitt, Justin
Subject: June 8th Planning and Zoning Meeting

Good Afternoon Justin,

This email is in response to the proposal for an additional light on 163rd Street, allowing access into the Intracoastal Mall.

The current plan to create an additional light on 163rd Street will result in backed up traffic at the light on 35th Avenue. The space to allow for traffic heading eastbound to merge to the left to enter the Intercoastal Mall will be at odds with the cars leaving 35th Avenue and heading east. This traffic is heavy and will result in back ups as they will be immediately stopped once they get onto 163rd Street.

In addition, the heavy traffic that occurs on 163rd Street will result in both of these intersections being gridlocked as people have a tendency to block intersections. This happens now at 35th Avenue and will happen again at the new light.

I have read the information provided by David Templer and agree totally with his description and his drawing. This light is not a solution and will cause traffic nightmares and I believe many traffic accidents.

It is my opinion that this proposal should be defeated and that the developer should explore other avenues of ingress/egress to this site.

Diane Frazer-Hayhurst

ESPOA President

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Duron, Mario F.

From: Dr. B. Barry Schugar <schugdady@aol.com>
Sent: Thursday, May 28, 2020 12:01 PM
To: Proffitt, Justin
Subject: mall

As a 20 resident of NMB MY wife and I are totally opposed to the changes to our INTERCOSTAL MALL.

MR d. s only thinking of how to make money. WE will work to STOP him.

WE do not need more TRAFFIC Or CONJESTION.

sincerely, DR.

Barry Schugar

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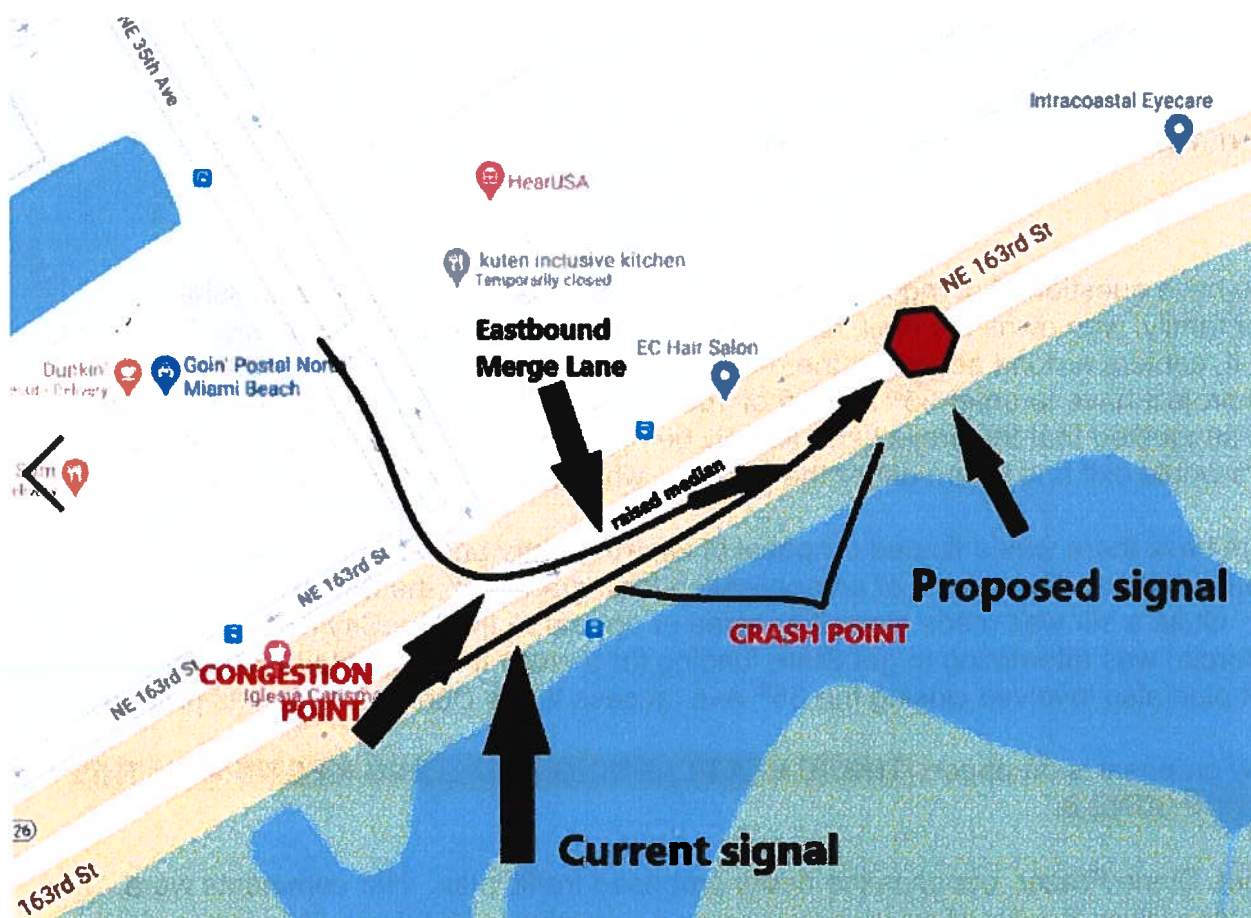
31 Years of Service Excellence

From: David Templer
Sent: Wednesday, May 27, 2020 3:25 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Smukler, Fortuna <Fortuna.Smukler@citynmb.com>
Cc: Diane Frazer (dfrazer81@gmail.com) <dfrazer81@gmail.com>
Subject: P & Z, June 8: High Rises at Intracoastal Mall

Justin

Though I am *not necessarily* opposed to development at the site of the current Intracoastal Mall, I continue in my vehement opposition to any project that will stress the roadway for current Eastern Shores residents. The proposal coming up on June 8 is simply dangerous.

Placement of a light at the base of the downslope on the westbound bridge is a bad idea. Eastbound traffic attempting to access a lane to turn left into that property will cause problems with cars leaving 35th Ave to proceed east. Cars will be merging into and out of the same lane, some slowing down to turn left and others speeding up to get up the bridge. This is a catastrophe in design. Further, cars leaving 35th Ave to proceed east will very suddenly come upon a (new) traffic signal. A turn-east-and-stop will either back up onto the 35th Ave intersection or cause rear-end collisions.



David Templer

3260 NE 164 St.
North Miami Beach, FL 33160

David L. Templer
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Aventura, FL 33180
T: (305) 937-2700
E: dlt@templerhirsch.com
F: (305) 935-9873
www.templerhirsch.com  



31 Years of Service Excellence

From: David Templer <dlt@templerhirsch.com>
Sent: Wednesday, May 27, 2020 2:44 PM
To: David Templer <dlt@templerhirsch.com>
Subject: IMPORTANT NEWS: High Rises at Intracoastal Mall

Neighbors

A number of you have questioned or inquired about the proposed project at the Intracoastal Mall. The Dezer family, who owns the mall, has proposed several high rise towers there. The issue, as I understand it, centers around access to the property. The thought was that if all of the residents of the proposed project have to enter 35th Ave off of 163rd St we will have a gridlock nightmare. At one time, it was suggested that the project should only be approved if the access was off of 163rd (eastbound, cars would exit and u-turn under the bridge....what is called a Texas U-Turn).

A couple of years back there was a floated proposal of allowing entry and exit off of 35th Avenue. That proposal was the subject of an application for a grant from the State of Florida to study the intersection. Quite a stir was made since it seemed or appeared that the City (under then City Manager Ana Garcia) was attempting to get State funding for a study that benefited a private developer. That plan also involved closing the 35th Ave. access to the Dunkin Doughnuts property.

A new traffic flow proposal is on paper. **THERE IS A PLANNING AND ZONING MEETING ON THIS ISSUE COMING UP JUNE 8.**

ESPOA President, Diane Frazer, opposes the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance)

in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge”

My concern is that the proposed “east of 35th avenue” light and access to the property will be quite dangerous. Eastbound traffic wishing to enter that left (north) turn lane will be competing against the traffic leaving Eastern Shores (heading east) that is required to merge into the eastbound through lanes. It will also be a “blind light” for those leaving Eastern Shores and heading east. No sooner will you enter the eastbound merge lane than will you encounter a traffic light, creating a go-and-stop effect that will result in additional crashes and possible back up of cars into the 35th avenue intersection.

If you, as a property owner, leave Diane as the sole voice the City hears, you can expect that the proposed plan will be approved. If you have concerns or objections, you **MUST** either (1) put them in writing to Justin Proffitt at the City or (2) attend this meeting and speak up (the meeting will likely be virtual).

Mr. Proffitt can be reached at justin.proffitt@citynmb.com and I would suggest that you also cc fortuna.smukler@citynmb.com. Fortuna is one of the Commissioners and is an Eastern Shores resident.

David Templer
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North Miami Beach, FL

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Duron, Mario F.

From: Eric Isicoff <Isicoff@irlaw.com>
Sent: Wednesday, May 27, 2020 3:20 PM
To: Proffitt, Justin
Cc: fortuna.smukler@citynmb.org
Subject: Intracoastal Mall

Dear Mr. Proffitt:

I am a 20 year resident of Eastern Shores (3206 NE 168 Street) and serve on the Special Taxing District Committee for the 35th Ave. Guard Gate. I just became aware of the redevelopment plan for the Intracoastal Mall. The massive project being proposed will necessarily generate an enormous amount of traffic coming and going into this site which sits on the edge of 163rd Street and NE 35th Ave. The proposed intersection for ingress and egress will create a very dangerous condition. Traffic moves very quickly on the bridge and the large intersection, with additional traffic light, being proposed is a bad and dangerous solution to a very serious problem. We already have a significant number of accidents with cars leaving Eastern Shores to head East through the light and merging with fast moving traffic. This is a unique situation where you have residential properties on one side, water on another side and an already stressed roadway leading in and out of Eastern Shores which could not handle the massive traffic that would come along with the proposed project. The only remaining option is 163rd Street and, given the configuration of the property, the existence of two traffic lights already in place right outside of Eastern Shores and the dangerous and fast moving traffic coming off the bridge and on 163rd Street generally, this proposal is a recipe for disaster. As everyone already knows, even with the current situation, we are getting back-ups coming into Eastern Shores (from the West) and going out of Eastern Shores to the East. It would be both dangerous and unfair to impose this additional burden on this already sensitive and overwhelmed situation. I would urge the City to reject the plan. Thank you. Eric Isicoff

Eric D. Isicoff, Esq.
Isicoff Ragatz
Courvoisier Centre
601 Brickell Key Drive
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Tel. 305-373-3232
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Email isicoff@irlaw.com



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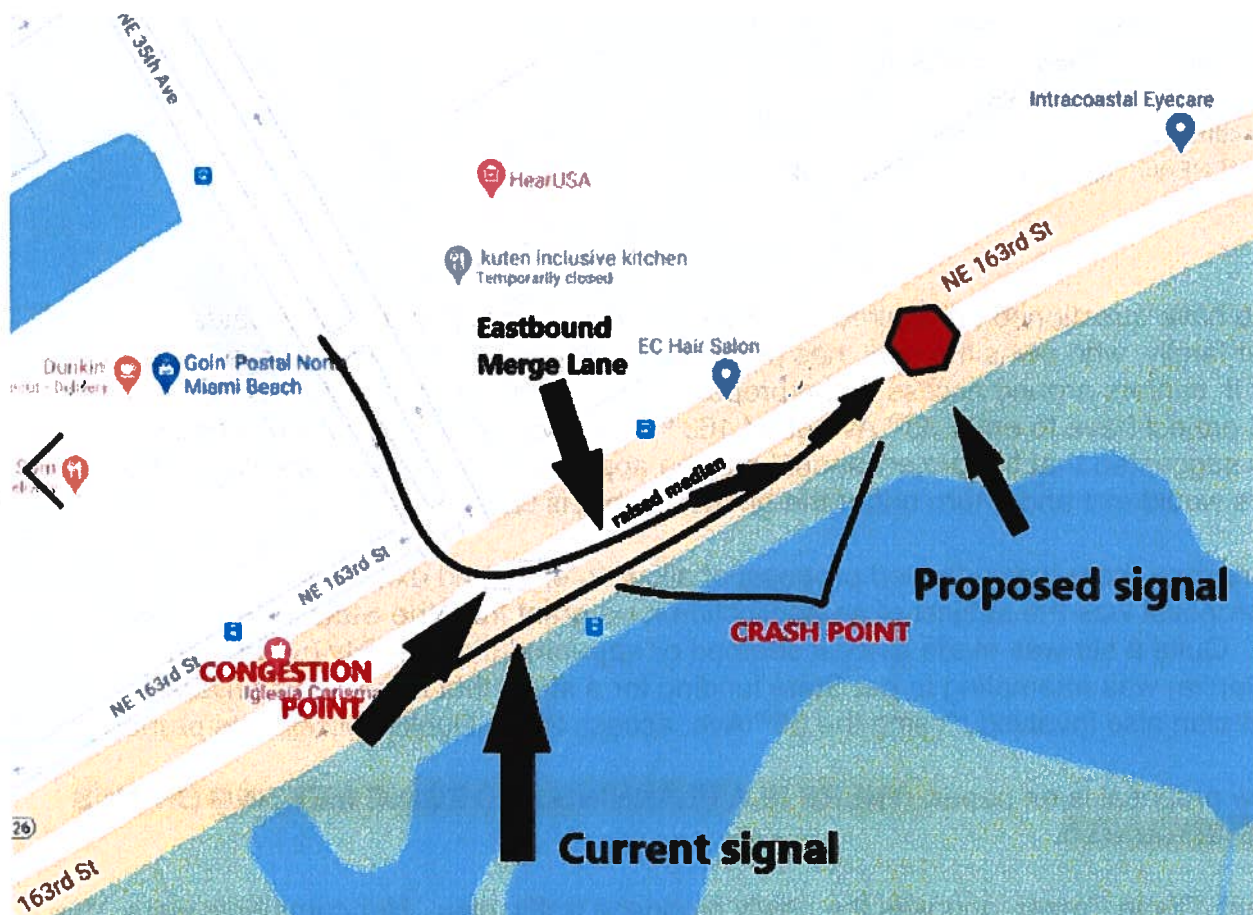
Duron, Mario F.

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Sent: Wednesday, May 27, 2020 3:25 PM
To: Proffitt, Justin; Smukler, Fortuna
Cc: Diane Frazer (dfrazer81@gmail.com)
Subject: P & Z, June 8: High Rises at Intracoastal Mall

Justin

Though I am *not necessarily* opposed to development at the site of the current Intracoastal Mall, I continue in my vehement opposition to any project that will stress the roadway for current Eastern Shores residents. The proposal coming up on June 8 is simply dangerous.

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David Templer
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North Miami Beach, FL 33160

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31 Years of Service Excellence

From: David Templer <dlt@templerhirsch.com>
Sent: Wednesday, May 27, 2020 2:44 PM
To: David Templer <dlt@templerhirsch.com>
Subject: IMPORTANT NEWS: High Rises at Intracoastal Mall

Neighbors

A number of you have questioned or inquired about the proposed project at the Intracoastal Mall. The Dezer family, who owns the mall, has proposed several high rise towers there. The issue, as I understand it, centers around access to the property. The thought was that if all of the residents of the proposed project have to enter 35th Ave off of 163rd St we will have a gridlock nightmare. At one time, it was suggested that the project should only be approved if the access was off of 163rd (eastbound, cars would exit and u-turn under the bridge....what is called a Texas U-Turn).

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intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge”

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If you, as a property owner, leave Diane as the sole voice the City hears, you can expect that the proposed plan will be approved. If you have concerns or objections, you **MUST** either (1) put them in writing to Justin Proffitt at the City or (2) attend this meeting and speak up (the meeting will likely be virtual).

Mr. Proffitt can be reached at justin.proffitt@citynmb.com and I would suggest that you also cc fortuna.smukler@citynmb.com. Fortuna is one of the Commissioners and is an Eastern Shores resident.

David Templer
3260 NE 164 St.
North Miami Beach, FL

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Duron, Mario F.

From: Clara Piana <lov2sail@hotmail.com>
Sent: Wednesday, May 27, 2020 4:17 PM
To: Proffitt, Justin
Subject: URGENT Intracostal Project

We are the owners of 16434 NE 31 Ave N Miami Beach FL 33160

WE OPOSED the newly proposed traffic plan. Her comments were, "This traffic plan calls for the addition of a light where the ingress/egress is currently on 163rd street. The addition of this light would mean that there would be three lights (new light, light at 35th Avenue and light at Oleta State Park entrance) in this limited space. We all know how traffic on 163rd street already backs up and how cars currently block the current intersection at 35th avenue. In my opinion, an additional light in this close proximity to the other two lights will cause major blockage around this area and further a backup on the bridge".

The traffic entering or leaving our neighborhood it is a mess and backup already; we don't need more cars coming in or out.

Eduardo and Clara Piana

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Proffitt, Justin

From: Bruce Kusens <bkusens@collateralopportunities.com>
Sent: Friday, July 10, 2020 3:59 PM
To: Proffitt, Justin
Cc: Bkusens@pionetechs.com; Scott, Esmond; Bernard, Andrise; margobermanauthor@gmail.com; Diane Frazer; fabdimsa@bellsouth.net; Cino, Sharon; Duron, Mario F.; Jose Smith; miamimicrotronix@bellsouth.net; Smith, Phyllis (External); shugrdady@aol.com; Lamberto, Bruce; veronicabluray@gmail.com; n1801e@comcast.net; ruthabeckjerr@gmail.com
Subject: Re: "Town Hall Meeting" TIME SENSITIVE
Attachments: Invitation Agenda.pdf; Jose Smith Legal Opinion.pdf; Objection to the Town Hall Meeting-Copy.pdf; Driving Times Eastern Shores to Hospitals.pdf

Good Afternoon Justin,

I am disappointed that the City chose not to postpone the meeting as I requested for the reasons I set forth. I was able to access the "Town Hall Meeting" and was taken back with how it was conducted by the developer. I have attached my objections to the meeting for your reference.

In summary - this was NOT an OPEN FORUM.

The developer muted participants (except for the developers experts) .

They disabled the chat feature which allows participants to communicate with one another and/or developer staff silently without interfering with the presentation.

They misrepresented the Agenda - (see attached) It was set up as an architectural meeting. Within minutes of its start the actual agenda included Developer Presentations on multiple topics

They exercised exclusive control over who and for what duration they permitted to speak

They selectively read emails sent to them silencing those they choose not to read

They disabled the "Raise Hands" feature which allows participants to silently "virtually raise their hand" indicating to the host that they wish to be recognized

In addition to having the City send out the invitations creating the impression that it was "official", They continued to portray the meeting as "official" by displaying the City's Seal

I don't have enough pixels to describe all of what I consider to be misrepresentations in their description of the impact of the proposed project.

My concerns go so deep, that I have found it necessary to seek legal counsel. I contacted Attorney Jose Smith. Jose and I go back over 50 years and our Wives go back even further. I engaged him to provide me with a legal opinion on this matter and I have attached it for your review. Jose has identified many issues that require discussion and analysis.

I also want to call your attention to the real life traffic situation here. Attached are actual screen shots of the Driving time between Eastern Shores and the two nearest Hospitals. Although the streets have 35-45 MPH signs - Peak hour rides on them are ~ 8 MPH. There is no way that doubling the size of our community is not going to further degrade this situation . Increasing the number of ways to access 163 st accomplishes nothing if the 163 is moving at ~8 MPH. All you do is wait in your car not moving on 163 Street instead of not moving on the Avenues that intersect it. My neighbors and I moved to suburban North Miami Beach to escape this.

I do think the design of the project is well done -- it is just in the wrong place at the wrong time . The only way God was able to build the earth in six days was because there was no installed customer base. We couldn't be further from that at this time in this community. It is so out of place here it isn't funny.

I am fine with improvements to my neighborhood and want to contribute to them. During the developers presentation, they spoke of their entitlements several times without describing the conditions that they are contingent upon. No mention was ever made of our entitlements as homeowners and residents of the community.

I am also very concerned that in the event the project for whatever reason doesn't go as it was presented , there is no recourse or funding to remedy the situation. It is only prudent that the developer put up sufficient collateral (10 digit range) that the City and impacted stakeholders can readily access if the developers impact analysis is flawed. I can't imagine proceeding without there being sufficient collateral to ensure that in the event of failure - sufficient developer funds would be available for any contingency. Five years ago, (while my neighbors and I were fast asleep at the wheel) - the City conditionally rezoned the property. Now 5 years later - they have found a way to fix the same plan that was approved five years earlier.

It is my intention that this email and the exhibits to it become part of the City's record and are provided to the P&Z board and that they are considered as part of any decisions made regarding the proposed development. Please distribute the document to them. If you are unable to - please let me know and provide me with their contact information.

I really dislike having to behave in this manner , but I have read the Emperor's New Clothes (https://en.wikipedia.org/wiki/The_Emperor%27s_New_Clothes) and this seems to me to just be the sequel to it.

Thank you .

Regards and STAY SAFE

Bruce Kusens

305-467-0619

Bkusens@CollateralOpportunities.com

On Thu, Jul 9, 2020 at 2:30 PM Bruce Kusens <bkusens@collateralopportunities.com> wrote:

Hi Justin,

Thank you very much for your prompt response. I have subscribed to several of the list servers and have received communications from them in the past (see below).

When an email from a governmental body is received (City of NMB) , it is clearly regarded as an official document. The email did not contain any language that the mailing was done on behalf of the applicant.

The email sure looked official, smelled official and was interpreted as official from the City triggering the applicable notice requirements. I appreciate your willingness to ensure that future "Town Hall Meetings" will provide adequate notice.

Neither of us know with 100% certainty whether this is in conformance with State and City notice requirements. In view of this uncertainty, I again would encourage our City to err on the side of its Citizens rather than the Developer .

It is good to know that the City will notify residents of Zoom "Town Hall Meetings" I would like to learn more about the process as our concerned residents may wish to utilize that forum to initiate or continue the dialogue about the project. I promise that we will give adequate notice and the meetings will be open to all. Please let me know who to contact to set this up.

I did have a copy of the Traffic Study you attached, thank you. I was able to find that one, but I wasn't able to locate any earlier ones, hence my request. The passage of time between the two studies gives us an opportunity to see how earlier projections actually performed. Below are copies of my outstanding record requests from 6-15-20 and 6-24-20.

Thank you very much -- Still hoping that the City will do the right thing for its residents and cancel the meeting.

Regards and STAY SAFE


Bruce

RE: Request for Complete Traffic Impact Analysis for Proposed Intracoastal Mall project

Siemonds, Marla
To: Bruce Brown <bbrown@intracoastal.com>, City &
Good afternoon Mr. Brown,

This confirms receipt of your email regarding the **public records request** you submitted on June 15, 2020. Your **Public Records Request** was forwarded to the appropriate department for fulfillment. I will follow-up on the **request** and you will be contacted when **records** are available as well as for Application and later if any.

Thank you.

 **Marla Siemonds** | Administrative Coordinator
City of St. Johns Branch
City Clerk's Office
11000 NE 44th Ave, Suite 2000
St. Johns, FL 32258
www.stjohns.com | 386.467.4000

From: Bruce Brown <bbrown@intracoastal.com>
Sent: Wednesday, June 10, 2020 1:44 PM
To: Siemonds, Marla <Marla.Siemonds@stjohns.com>
Re: Request for Complete Traffic Impact Analysis for Proposed Intracoastal Mall project

Hi Marla,

I hope this email finds you well. I really understand that our request for the data essential for the residents in the affected area to review may be delayed. I tried to access the report and documents on the web site however, it does not have anything prior to 2017. We need copies of all releases, meetings, plans, studies and communications related to the opening of the Intracoastal Mall. There is a City meeting set for July 13 and the residents need to have time to review them before the meeting.

I am willing to do whatever you deem appropriate with respect to the wearing of personal protective equipment along with all CDC recommendations to prevent the spread of the virus to release/ copy the documents and other materials.

Please advise.


Regards Bruce Brown

On Mon, Jun 15, 2020 at 1:58 PM Siemonds, Marla <Marla.Siemonds@stjohns.com> wrote:
Good afternoon Mr. Brown,

Please advise this to serve as a confirmation of receipt of your **Public Records Request**. Your **Public Records Request** will be forwarded to the appropriate departments. You will be contacted when **records** are available as well as for Application and later if any.

Please be advised that the City has implemented preventative measures in the face of the COVID-19 Corona Virus. Part of those measures has included or may include the suspension of all non-essential services and personnel on the issue of City Hall. These measures may have a bearing on the response time for services. As such, your **public records request** will be addressed in a reasonable time given the circumstances.

Thank you.

 **Marla Siemonds** | Administrative Coordinator
City of St. Johns Branch
City Clerk's Office
11000 NE 44th Ave, Suite 2000
St. Johns, FL 32258
www.stjohns.com | 386.467.4000

From: Bruce Brown <bbrown@intracoastal.com>
Sent: Monday, June 15, 2020 1:47 PM
To: City Clerk Staff <CityClerk@stjohns.com>; Marla Siemonds <Marla.Siemonds@stjohns.com>; Bruce Brown <bbrown@intracoastal.com>

Good afternoon,

I would like to receive a copy of the March 2020 COMPLETE Traffic Impact Analysis that the developer funded for the proposed Intracoastal Mall project. I have a copy of the "Condensed" report however it lacks vital information.

Please send me as full as file I can receive the entire report including ALL Appendices and ALL third party data used to create the report at an electronic format (PDF, Excel, etc., etc).

In addition, I understand that there were earlier Traffic Impact studies performed and I would like to receive copies of them as well.

There is, if the instance no meetings have been scheduled related to the development and a review of those materials is essential.

Please let me know how you prefer to handle the logistics of receiving those materials. They are welcome to email them or if you prefer I can pick them up at your office.

If you have any questions, please do not hesitate to contact me at 386.467.1021.

Thank you.

Regards and STAY SAFE.

Bruce



On Thu, Jul 9, 2020 at 1:16 PM Proffitt, Justin <Justin.Proffitt@citynmb.com> wrote:

Hello Bruce,

Please see my responses to your points below.

1. I did not receive ANY notice. This is not a city meeting and therefore not subject to the city or state notification laws. It is being held by the applicant and we offered to get the word out to the community. It is our understanding that they plan to hold additional town hall meetings in the near future. We do not know those

dates yet, but will send the word out when we do know the dates. You can sign up to receive City emails in the future here: <https://www.citynmb.com/list.aspx>

2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting. We understand that frustration and have reminded the applicant to give everyone, including the city, more notice for any upcoming meetings they plan.

3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City, the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable. I have attached the relevant sections for your review. I do not think that is correct. That law applies to city boards, the Commission, or committees. This is not one of those meetings. However, we will insist the applicant give the City and the community more notice in the future.

4. I am still awaiting FOI documents that I have requested. These are essential for me to understand and communicate to my neighbors the validity of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern. We sent your public records request to our City Clerk's Office 6-25-20, but attached is a copy of what was sent to the Clerk. Also, I am providing link to the project documents, agenda reports, and the agenda for July 13th P&Z Board Meeting: <https://www.citynmb.com/AgendaCenter/ViewFile/Agenda/07132020-260?html=true>

Thank you,

Justin Proffitt, AICP



Community Development Director
City of North Miami Beach
Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media: [f](#) [t](#) [i](#)

From: Bkusens@Pionetechs.com <bkusens1@gmail.com>
Sent: Thursday, July 9, 2020 12:25 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Scott, Esmond <Esmond.Scott@citynmb.com>; Bernard, Andrise <Andrise.Bernard@citynmb.com>

Cc: margobermanauthor@gmail.com; Diane Frazer <dfrazer81@gmail.com>; fabdimisa@bellsouth.net; Bruce Kusens <Bkusens@collateralopportunities.com>

Subject: "Town Hall Meeting" TIME SENSITIVE

Good Morning,

My name is Bruce Kusens and I am a resident of Eastern Shores. A neighbor of mine forwarded me an email from the City of North Miami Beach to attend a "Town Hall Meeting" this evening with the developers Architect for the proposed Intracoastal Mall redevelopment.

I don't know why I did not receive an invitation , I have received other notices from the City.

I along with my neighbors do want to learn and participate in understanding what is being proposed and what my life will be like during and after the proposed redevelopment.

I respectfully request this meeting be rescheduled for the following reasons

1. I did not receive ANY notice.
2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting.
3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City , the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable . I have attached the relevant sections for your review.
4. I am still awaiting FOI documents that I have requested . These are essential for me to understand and communicate to my neighbors the validit of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern.

The mere attempt to schedule a meeting of this magnitude with such short notice is raising many questions as to why this essential discussion between the residents whose life is being impacted and the developer was permitted in the first place.

These are exceptional times with the pandemic along with many of my seasonal neighbors being unavailable.

I truly hope the City and other stakeholders will reschedule this.

I would rather have a root canal than to seek other forums to resolve this matter. This issue however is so large that I have to take whatever action is necessary to ensure a constructive open discussion with sufficient notice to all impacted by the project is realized.

Please let me know your decision.

Thank you

Regards and STAY SAFE

Bruce Kusens

Bkusens@collateralopportunities.com

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--

Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, FL 33160

Phone 305.467.0691

Fax 888.224.1747



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Bruce Kusens (Version 4.9)

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SALOMON SMITH

July 6, 2020

TO: Bruce Kusens

Via E-mail: BKusens@Collateralopportunities.com

FROM: Jose Smith, Esq.

JoseSmithmb@gmail.com

RE: Redevelopment of Intracoastal Mall

Dear Bruce:

You asked for my legal opinion regarding the proposed Development Application from Dezer Intracoastal Mall, LLC to re-develop the Intracoastal Mall in Eastern Shores, in the City of North Miami Beach.

In that regard, I have reviewed the Developer's Application, along with its attached submittals, the City's Charter and Zoning Code, the City's 2015 RMA Rezoning process and recommendations, and have also researched various planning, regulatory and legal issues relevant to the Application.

INTRODUCTION

Developer Dezer Intracoastal Mall, LLC seeks approval of a Conceptual Master Plan (CMP) to construct an enormous phased project in Eastern Shores over the next ten (10) years.

The CMP proposes 2,000 multifamily residential units, up to 375,000 sq. ft. of commercial/retail space, 200,000 sq.ft. of office space, and a "250-key hotel", no size or location specified (Exb A).

Because the Developer's CMP is significantly different than what was legally adopted by the City Commission in 2015, amendments to the City's Zoning and Land Development Regulations are required. Simply stated, the Developer's Master Plan does not comply with existing law. (Exb B).

Notably, none of the proposed amendments, (not to mention the CMP), have ever been discussed with the affected Eastern Shores residents, as requested by the City's Planning and Zoning, September 13, 2019 Technical Review of Applications for Development (TRAD) Report:

"Public Participation. It is recommended that you hold a public participation meeting with the Eastern Shores Property Owner's Association prior to the Planning and Zoning Board Meeting. Provide the City copies on meeting sign-in sheets, topics discussed, date, time, location."

DEVELOPER REQUESTED CHANGES:

A. BUILDING HEIGHT LIMITS:

CODE SECTIONS 24-58.7 (e) & (j)

The Developer seeks significant increases in heights, far exceeding the Code's maximum permitted heights. Under the guise of good planning, it seeks to maximize profits, to the detriment of the surrounding single family residential neighborhoods.

Most of the proposed increases are in the "Transition Sub-Area." Heights would rise on two sides: (a) from 12 stories/160 feet, to 20 stories/286 feet; and, (b) from 20 stories/255 feet to 32 stories/425 feet. These increases are a radical departure from the City Commission's direction in 2015 to establishing a meaningful "height transition", or a "scaling down", from 40 story/495 feet in the "Core-Sub-Area" to the lower scale "Edge Sub-Area" where a maximum of 3-8 stories is allowed. (Exb C). This proposed increase in heights, density and intensity is incompatible with, and a detriment to, the adjacent single family neighborhood immediately to the west. It is precisely the reason the City lost the "Braha Dixie" (West Dixie Hyway) case. See Alvey v City of North Miami Beach, 206 So.3d 67 (Fla.3d DCA 2016). (The courts will not approve a zoning

action that is based on nothing more than the fact that those who support it have the power to work their will). Simply stated, this plan will never withstand legal scrutiny.

**B. MAXIMUM HORIZONTAL
DIMENSIONS OF BLOCKS & BUILDINGS**

Despite the City Commission's desire for thinner, less bulky towers and avoiding massive, concrete canyon structures, the developer wants to change the Code's "Design Standards" to:

- (a) Increase the maximum dimension of a building from 300 ft to 560 ft.
- (b) Increase the maximum block dimension from 400 ft to 600 ft.

See Section 24-58 (S)(2)(a) and 24.58 (S)(1) (a). These changes are inconsistent with the pedestrian friendly, neighborhood oriented goal. They should be rejected. Eastern Shores should not be turned into Sunny Isles Beach. (Exb D & E)

**C. DEVELOPMENT ALONG and
ADJACENT TO N.E. 35th AVE.**

Under the guise of achieving "improved compatibility with the existing surrounding development", and "designing a walkable neighborhood", the Developer seeks Amendments to modify building frontage design and uses along N.E. 35th Avenue. Section 24.7 (G)(1) of the Code requires:

- (a) "Active" uses along the ground floor on all buildings fronting N. E. 35th Ave, as defined in the Code:

"Active use, ground floor means an active use that attracts pedestrian activity provides access to the general public, and conceals uses designed for parking and other non-active uses if present. Ground floor active uses generally include, but are not limited to, retail, other commercial, restaurants, coffee shops, libraries, institution, educational and cultural facilities, residential and entrance lobbies."

- (b) A 50 foot wide landscaped buffer along the entire length of N. E. 35th Avenue.

Developer's proposed amendments reduce these requirements to only 25% of the building frontage along the ground floor. The Planning Director has indicated that the proposed amendments need a hardship variance, See Charter Section 3.5.3. The proposed changes should be rejected since any hardship is self imposed. (Exb F), and adversely impact Eastern Shores residents.

D. 250 KEYS HOTEL

The Developer is proposing a 250 Keys hotel as a "Permitted Use" instead of a "Conditional Use". However, there is no discussion about size, location, or incompatibility with surrounding areas. A hotel would create significant adverse impacts. In light of the strong opposition to short term rentals in Eastern Shores, a hotel should not be a permitted use.

E. A CANAL

Dredging a canal through the middle of the property (a concept never discussed publicly and not permitted under the adopted zoning) raises serious regulatory, environmental, ecological and safety concerns. It also introduces intensive maritime uses which will have serious impacts on the surrounding neighborhood. There has never been a public discussion about dredging a canal on this property.

THE BIG ELEPHANT IN THE ROOM **(Traffic Gridlock – ingress and egress)**

Even without granting the proposed changes, the Developer is still unable to proceed with its Conceptual Master Plan because it can not meet a critical condition for any new development at the site.

According to Code Section 24-58.7 (0)(2)(e):

“The developer shall be required to provide for multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden N. E. 35th Ave.”

This Code section was conceived during a rezoning process beginning in 2014. The City’s Planning Consultant, RMA, after numerous public meetings, presented the City Commission with recommendations on all zoning districts. In approving the recommendations, the Commission emphasized that among the “multiple access points”, the developer needed to work with FDOT and, at developer’s expense, build a “Texas U-Turn” under the bridge. The requirement is included in the RMA report at page 67.

Even during the September, 2019 TRAD Review Process the Developer was reminded that no project would be approved without adequately addressing the traffic problems.

Additional Comment: Approval from the FDOT access management Board is critical for this project to move forward. Tables 3 and 4 Indicates that the WB approach at N. E. 35th Avenue and N. E. 163rd Street will fail if the improvements are not made. Also, Table 5 and 6 in the Traffic Impact Study show that the queue for the future total conditions without improvements will overburden this intersection as the SB left turn queues for the AM and PM are over capacity and longer than the turn bay length provided. These improvements are also required to meet City of North Miami Beach’s Eastern Mixed-Use Waterfront District Code requirements.

While the Developer’s traffic consultant, (and perhaps the City’s own) may turn themselves into pretzels and conclude that thousands of new residential, commercial and office units, (not to mention a hotel), will not reduce the required level of service (LOS), the residents categorically reject the notion that such development “does not burden N. E. 35th Avenue”. That is plain common sense.

Equally unacceptable is that the Developer has not yet addressed the projected gridlock at N. E. 163rd Street and Biscayne Boulevard.

Even a cursory review of Developer's Traffic Impact Analysis reflects that it is flawed, unreliable, misleading, and speculative.

1. The sample size used (a 3 hour vehicle count on May 14, 2019) during an "off season" day can not form the basis for predicting traffic conditions in 10 years.
2. The traffic report uses a 3% seasonal adjustment in the calculations. It is ridiculous to assume that there is only a 3% increase in traffic during the season.
3. The report ignores that traffic is so congested that residents take alternate routes to avoid 163rd Street (William Lehman, Hallandale, etc). Official Florida Department of Transportation (FDOT) records show a substantial increase in volume. The report only counts vehicles that chose the 163 street route. The data used erroneously assumes that the number of vehicles using 163 street reflects the actual demand.
4. Vehicle counts the developer uses in some of the models are "averages". Vehicle count "averages" are computed on a 24 hour, 365 day utilization. There are significant differences in traffic at 2 AM on Sunday and rush hour on Monday AM. Averages over those extended periods do not effectively reflect what a resident experiences on the way to work, or an ambulance rushing a stroke or heart attack patient to the hospital.
5. The report includes a 24 hour traffic report (May 30, 2019) an off season Thursday with a reported 52,897 vehicles –This differs sharply from official FDOT records that report an average of 61,500. Also, it used a different date (5/30/2019 vs 5/14/2019) for that vehicle count. That is statistically improper and will lead to erroneous results. (Exb G).

In sum, the Traffic impact Analysis is nothing more than junk science.

RECOMMENDATIONS

1. Continue the July 13th Planning and Zoning Meeting if it is to be conducted visually by Zoom. Under the City Charter's Citizens Bill of Rights, P & Z, public hearings are considered "quasi judicial" and must be conducted with due process, and a reasonable opportunity to be heard, afforded to all parties, particularly affected residents:


"Right to public hearing. At any zoning or other hearing in which review is exclusively by certiorari, a party or his counsel shall be entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The decision of any such agency, board, department or authority must be based upon the facts in the record."

Conducting this hearing by Zoom would result in due process violations.

2. Continue the hearing until Developer holds meetings with Eastern Shores residents, as requested by City staff.
3. Deny Developer's requested changes and require strict compliance with the adopted zoning particularly those sections of the Code dealing with traffic, heights, density and massing.
4. The Planning and Zoning Board should make a strong recommendation to the City Commission to place a ballot question to the residents requiring voter approval prior to any upzoning or increase in heights or densities in the MU/EFW District.

Thank you for the opportunity to look into these important matters. If you need additional information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Salomon Smith', written over the printed name below.

Daniel Salomon Smith, Esq.

Cc: Daniel Salomon Smith

Development Programming

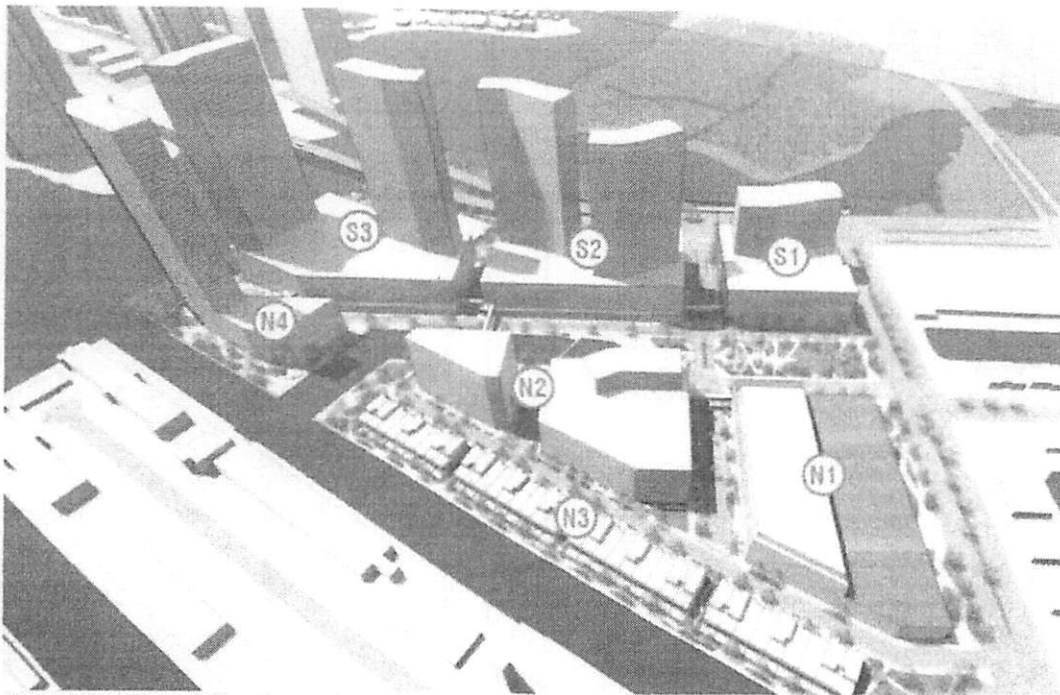
The proposed development plan will include (7) blocks, as shown on the site plan below. The following table indicates the preliminary design and density concept for each of the blocks, along with the proposed uses.

Project Summary							
Block	Multifamily	Condominiums	Townhomes	Retail, Restaurant & Gym	Office	Hotel	Parking
N1				46,860 SF			490 spaces
N2	136 units			32,585 SF		249 rooms	284 spaces
N3			36 units				35 spaces
S1				171,321 SF	196,580 SF		751 spaces
S2		679 units		55,762 SF			1,356 spaces
S3		816 units		40,706 SF			1,929 spaces
S4		391 units		31,832 SF			0 spaces
Total	136 units	1,828 units	36 units	379,066 SF	196,580 SF	249 rooms	4,845 spaces

- The total square footage and unit count may differ from the sum of the individual block counts as the development plan has been updated since the TRAD submittal 2 for total unit count but not for individual blocks.

Source: Intracoastal Mall Program Analysis-TRAD submittal 2, dated February 5, 2020, and discussion with ownership about development plan updates.

It is anticipated that Block N1 will include ground floor retail (46,860 SF), and a gym (35,729 SF) while Block S1 will include a supermarket (42,046 SF), an upper soft good retailer (22,170 SF), a home furnishing retailer (22,565 SF), and a 492-seat movie theater. Block S1 will contain an 18-story Class A office building (196,580 SF). The multifamily rental units will be in Block N2 while the for-sale condominium units will be located in Block S2, S3, and S4, and the townhomes will be located directly on the Intracoastal in Block S3 and along the existing canal on the northern boundary of the property.



* Block S4 is shown as N4 on the massing study above.

Regulating Plan

Proposed

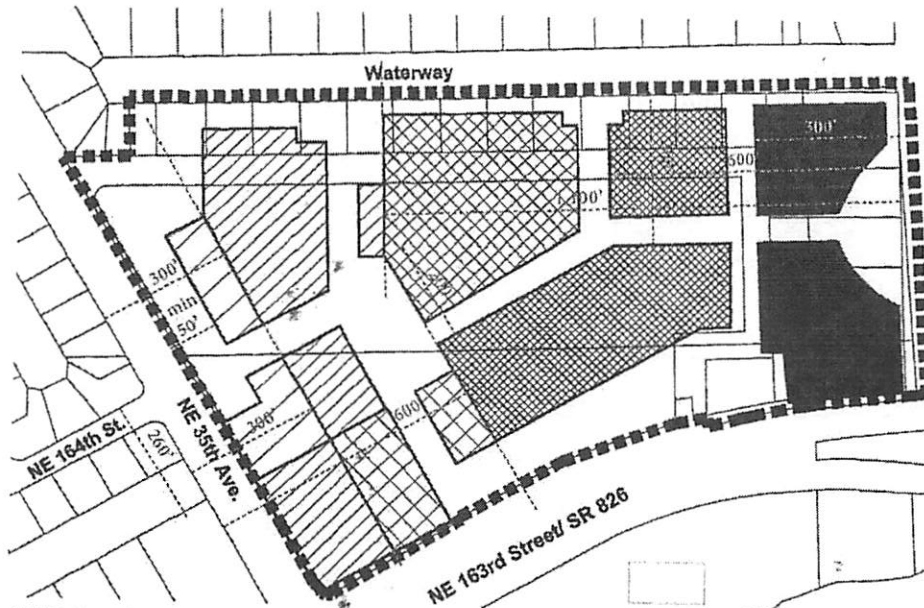
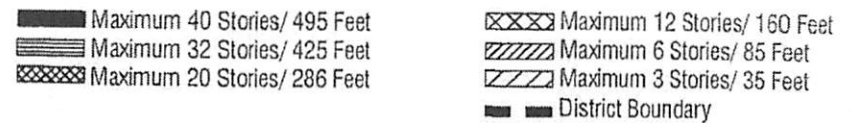
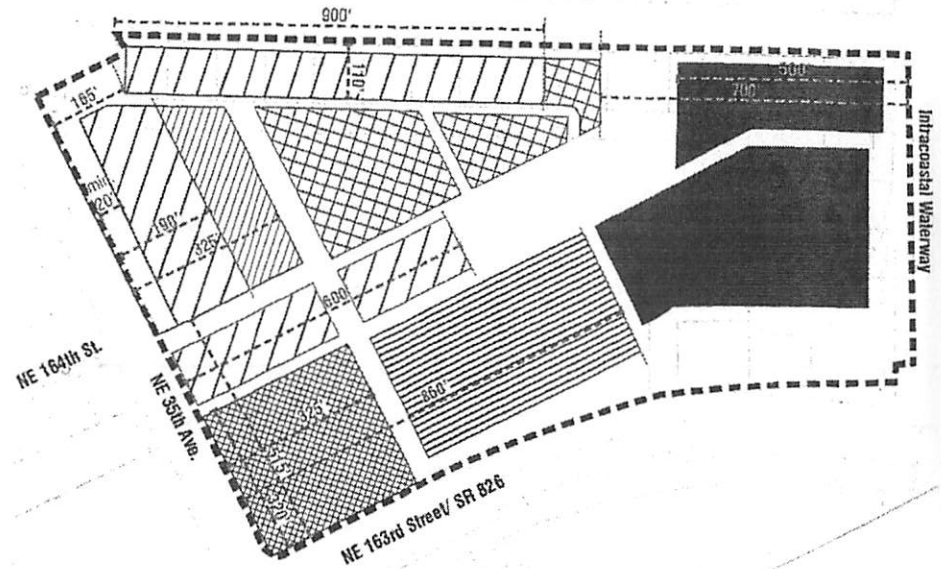


FIGURE MUEWF-4:
BUILDING HEIGHTS REGULATING PLAN



These plans are preliminary and intended to define massing, distribution of the development program, and preliminary design concepts. Final development design shall be in accordance with the individual site plan approvals.



The number of stories may be increased provided the overall building height is not exceeded. The Applicant shall demonstrate that the resulting intensity does not exceed the intensity that would otherwise be accommodated in the maximum number of stories permitted.



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North Miami Beach, Florida

Building Heights Regulating Plan

ZYSCOVICH
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EXHIBIT "D"

Study Area 7: Intracoastal Mall (Eastern Shores) Proposed Height Transitions

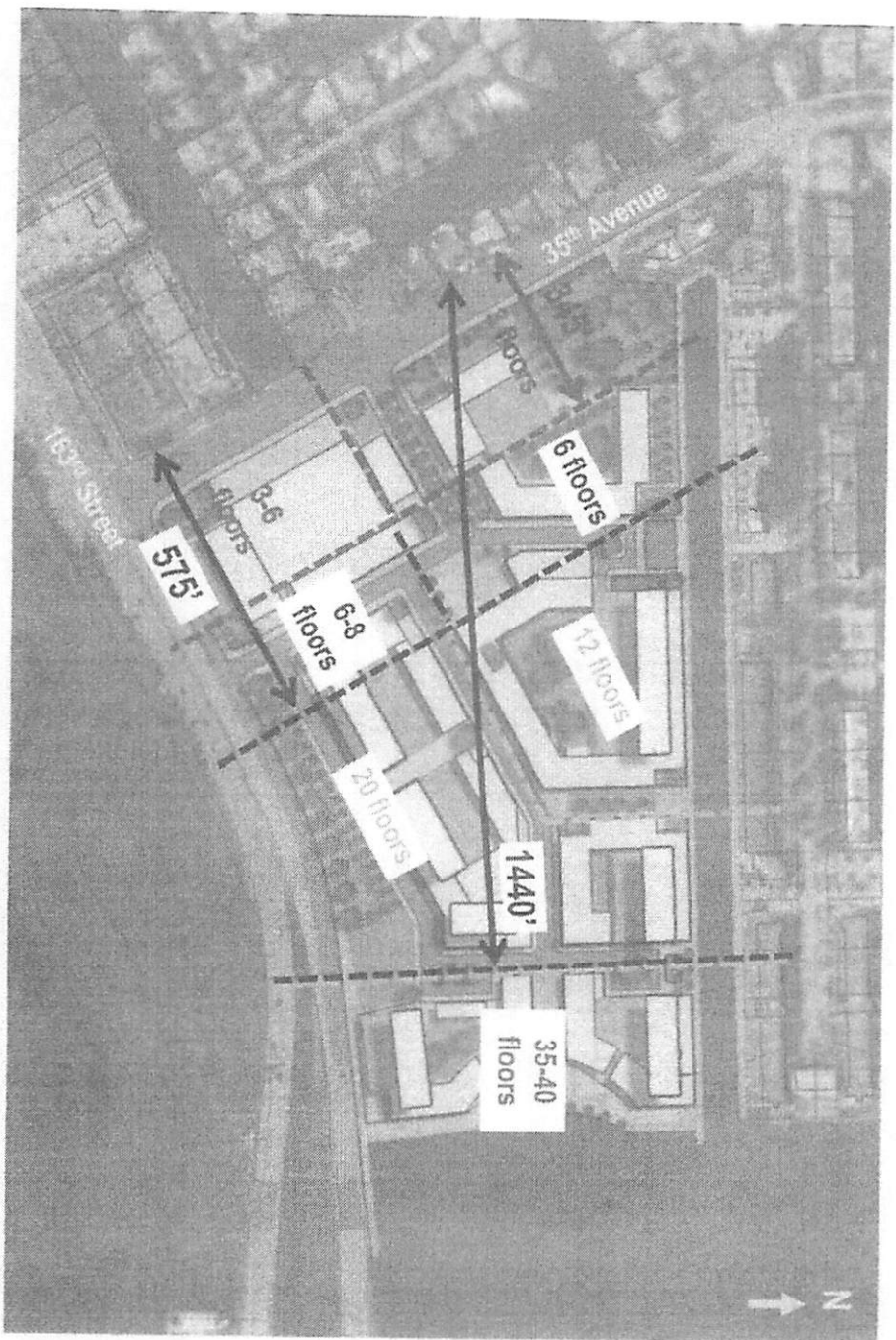
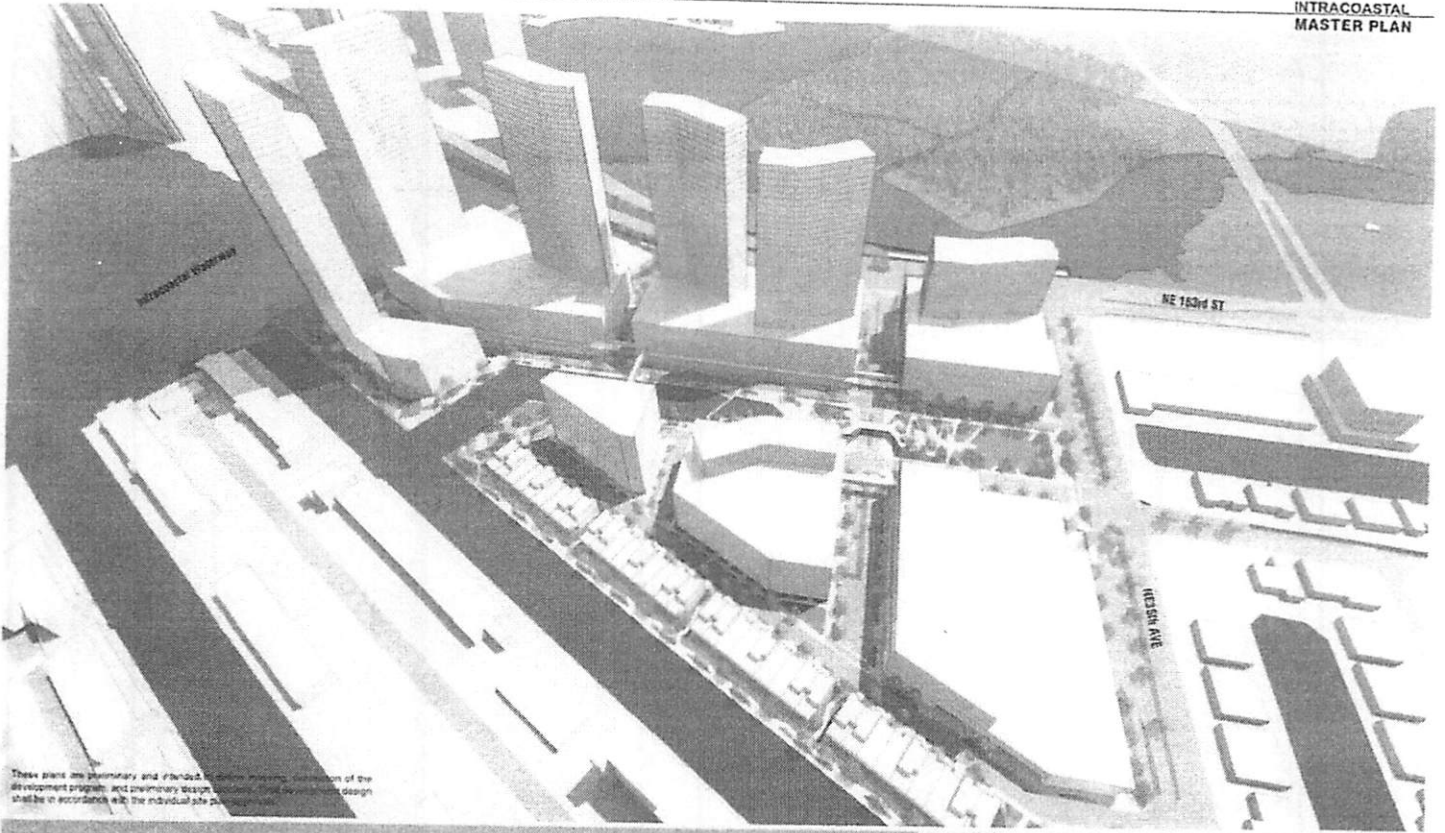


EXHIBIT "C"

DRAFT DATED 05/20/2020

INTRACOASTAL
MASTER PLAN



These plans are preliminary and intended to define the general location of the development program, and preliminary design conditions. Final development design shall be in accordance with the individual site development plans.

North Miami Beach, Florida

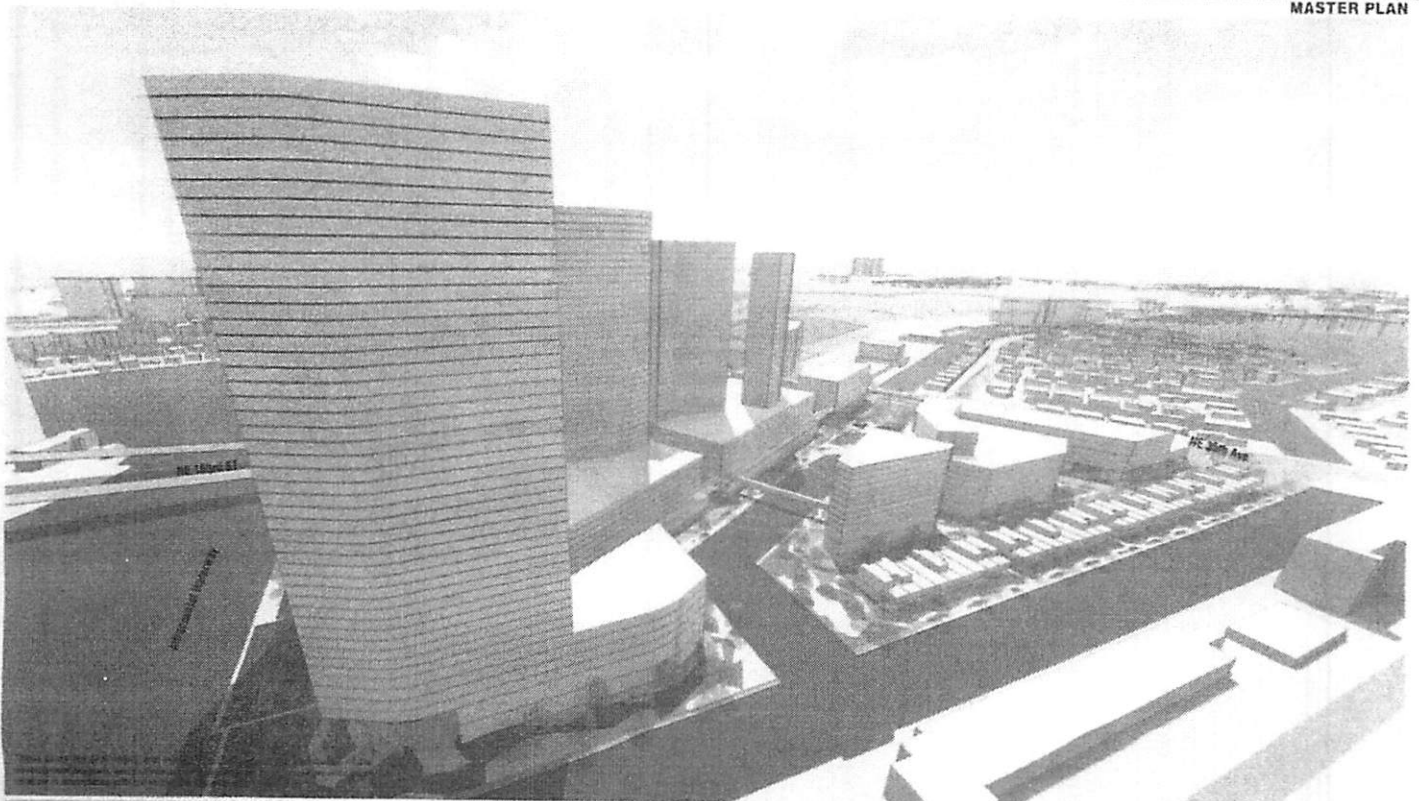
Aerial Perspective

ZYSCOVICH

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DRAFT DATED 05/20/2020

INTRACOASTAL
MASTER PLAN



North Miami Beach, Florida

Aerial Perspective

ZYSCOVICH

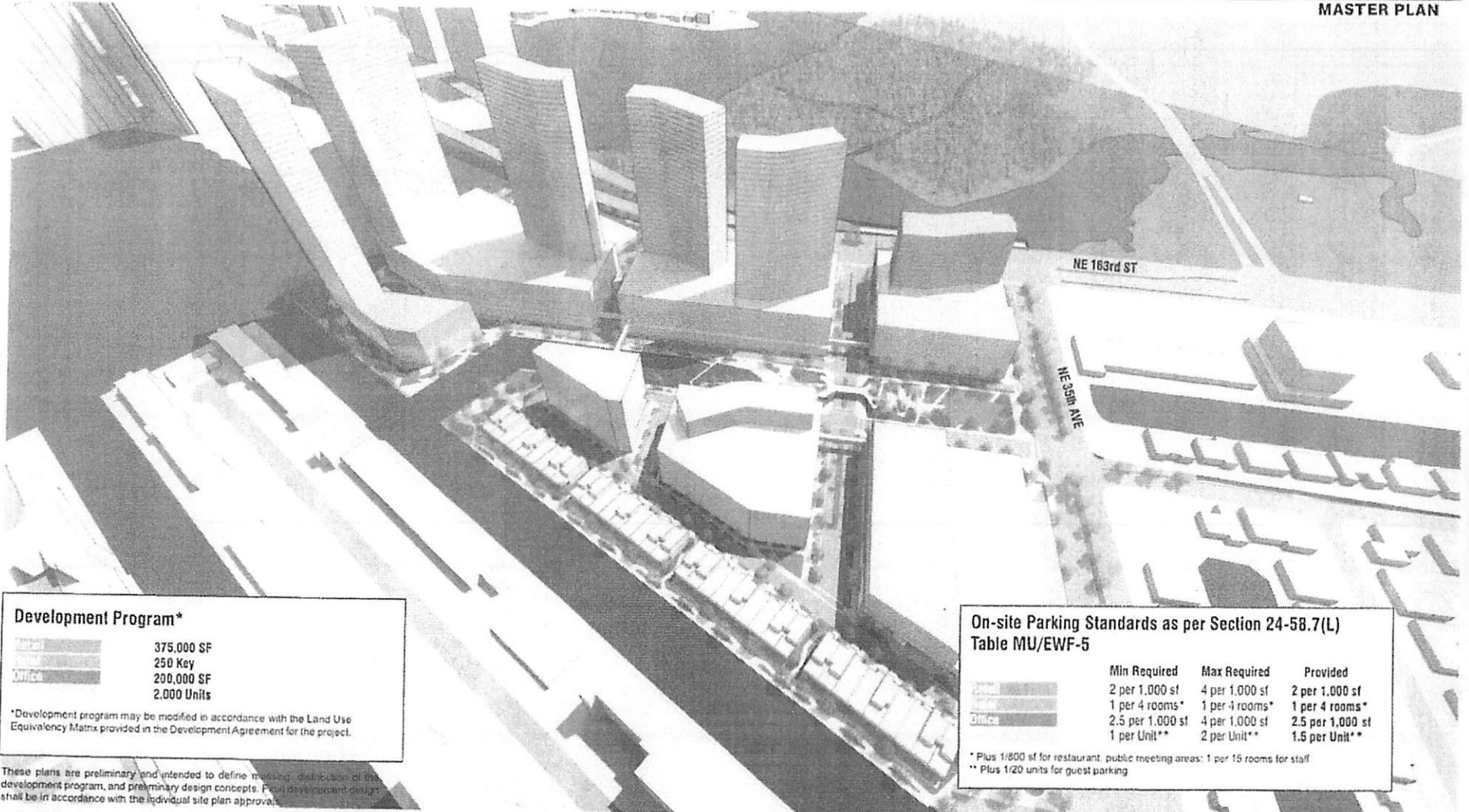
These plans are preliminary and intended to define the general location of the development program, and preliminary design conditions. Final development design shall be in accordance with the individual site development plans.

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EXHIBIT "D"

DRAFT DATED 05/20/2020

INTRACOASTAL
MASTER PLAN



Development Program*

Hotel	375,000 SF
Key	250 Key
Office	200,000 SF
	2,000 Units

*Development program may be modified in accordance with the Land Use Equivalency Matrix provided in the Development Agreement for the project.

These plans are preliminary and intended to define massing, distribution of the development program, and preliminary design concepts. Final development design shall be in accordance with the individual site plan approvals.

**On-site Parking Standards as per Section 24-58.7(L)
Table MU/EFW-5**

	Min Required	Max Required	Provided
Hotel	2 per 1,000 sf	4 per 1,000 sf	2 per 1,000 sf
Key	1 per 4 rooms*	1 per 4 rooms*	1 per 4 rooms*
Office	2.5 per 1,000 sf	4 per 1,000 sf	2.5 per 1,000 sf
	1 per Unit**	2 per Unit**	1.5 per Unit**

* Plus 1/800 sf for restaurant, public meeting areas: 1 per 15 rooms for staff
 ** Plus 1/20 units for guest parking

North Miami Beach, Florida

Development Program

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www.zyscovich.com

EXHIBIT "E"

designed for specific uses, as well as the location of trades and industries, and may divide the City into districts of such proper shape and area as may be deemed to be the best suited to carry out the purposes of this section. For each such district, regulations may be imposed designating the uses for which such building and structures of all kinds may be erected, altered or reconstructed, and designating the trades and industries that may be excluded or subjected to special regulations and designating the purposes for which they may be used. Such regulations may be designed to promote the public health, safety and general welfare. The City shall give reasonable consideration, among other things, to the character of the districts, their peculiar suitability for particular uses, the conservation of property values and the direction of building development.

Sec. 3.5.3 - Variances.



Variances from compliance with any of the provisions of the codes relating to building, planning or zoning may be allowed by the affirmative vote of two-thirds (2/3) of the Planning and Zoning Board quorum present, only for the purpose of preventing hardship or inequities not self-imposed, or for the purpose of preserving the constitutional rights of the applicant, which variance is subject to the approval of the City Commission. Application for variance shall first be submitted to the Planning and Zoning Board in the manner prescribed by ordinance, upon payment of such reasonable fee as may be established by ordinance. The City Commission may by ordinance provide for public hearing and procedure connected therewith, including notice and determination of persons entitled to notice. The decision of the Planning and Zoning Board shall be submitted to the City Commission at a regular or special meeting occurring more than five days after the meeting of the Planning and Zoning Board at which the decision was made. Recommendation for approval of variance requests by the Planning and Zoning Board must receive a majority vote of the quorum of the City Commission present in order to be sustained and granted. Recommendation for denial of variance requests by the Planning and Zoning Board must receive a two-thirds (2/3) affirmative vote of the quorum of the City Commission present in order to overrule the recommendation of denial by the Planning and Zoning Board and grant the variance request. The City Commission may impose conditions upon the variance approval.

Sec. 3.5.4 - Planning and Zoning Board.



The powers herein granted shall be exercised by the adoption by ordinance of a building code and a zoning plan delineating the various zoning districts into which the City is divided and prescribing the use regulations in each such district. There shall be a Planning and Zoning Board composed of seven members appointed by the City Commission for staggered terms of two years, (such appointments to be made as the terms of members currently serving expire). Any changes in the zoning code or zoning plan of the City of North Miami Beach shall be made only by the City Commission acting in its legislative capacity. The City Commission may provide by ordinance that changes be initiated by application to the Planning and Zoning Board for advisory action by it in recommending the adoption or rejection of the proposal.

EXHIBIT "F"

TrafficGate- Preliminary Report



Prepared by NDS/ATD

VOLUME

NE 163rd St E/O NW 35th Ave

DEVELOPER

Day: Thursday
Date: 5/30/2019

City: North Miami Beach
Project #: FL19_3386_001

DAILY TOTALS						NB	SB	EB	WB	Total
						0	0	26,695	26,202	52,897

AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL			
00:00			100	134	234	12:00			355	390	745			
00:15			73	124	197	12:15			352	372	724			
00:30			60	97	157	12:30			326	371	697			
00:45			68	301	63	418	12:45		337	2670	396	1529	733	2899
01:00			50	56	106	13:00			400	363	763			
01:15			60	50	110	13:15			404	441	845			
01:30			37	39	76	13:30			395	388	783			
01:45			32	179	44	189	13:45		285	1484	378	1570	663	3054
02:00			25	20	45	14:00			423	408	831			
02:15			22	24	46	14:15			343	378	721			
02:30			34	31	65	14:30			511	401	912			

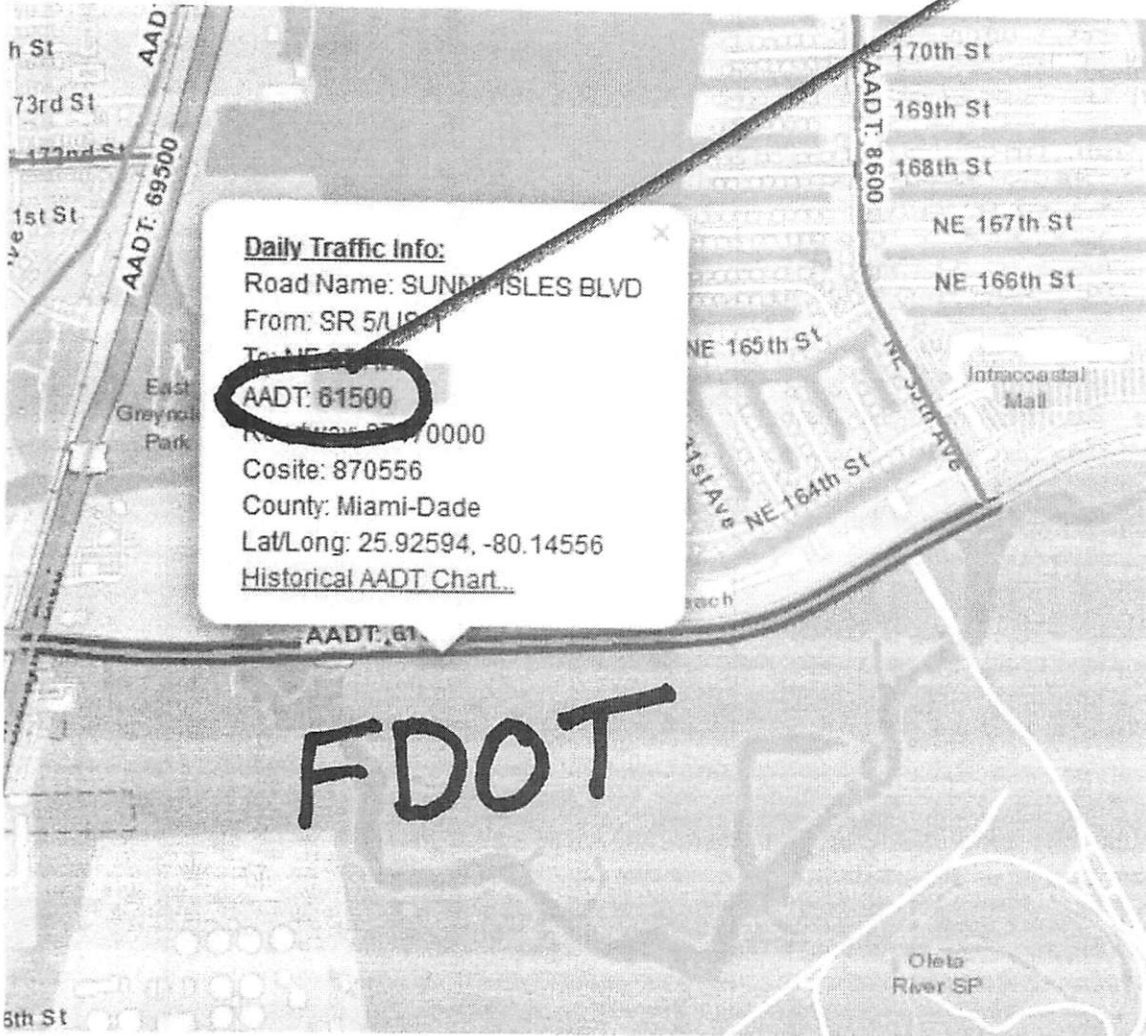
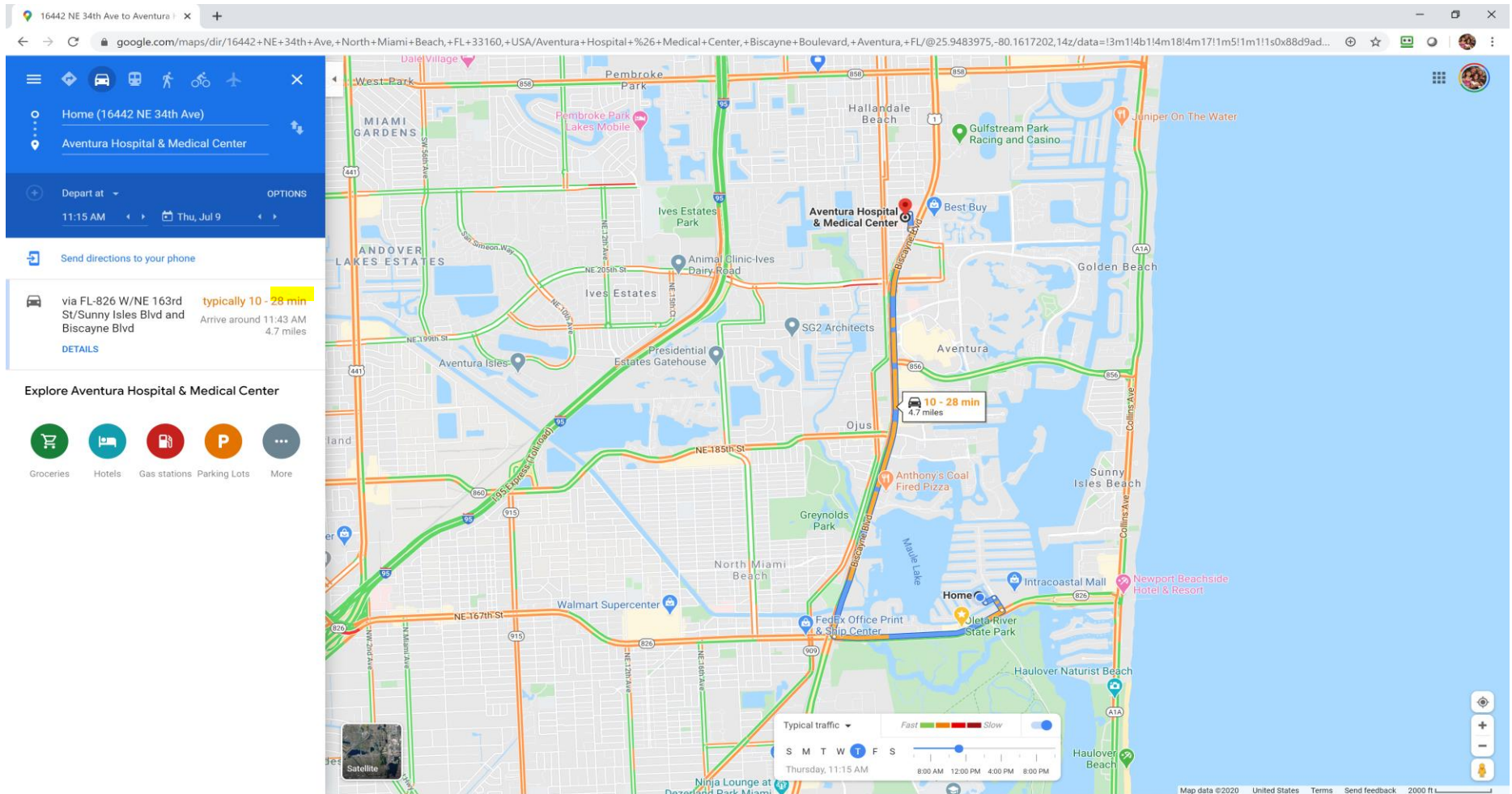


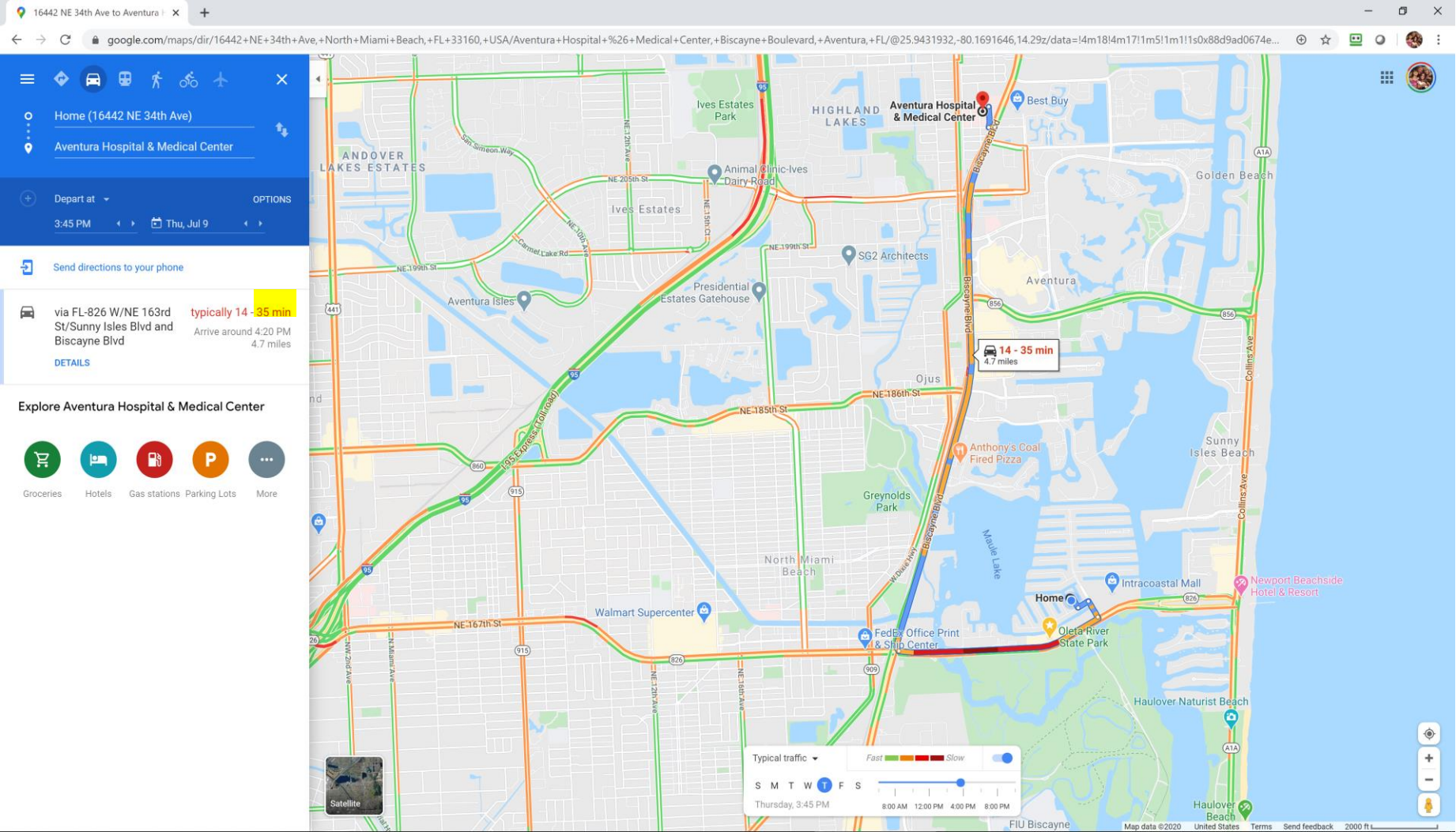
EXHIBIT "G"



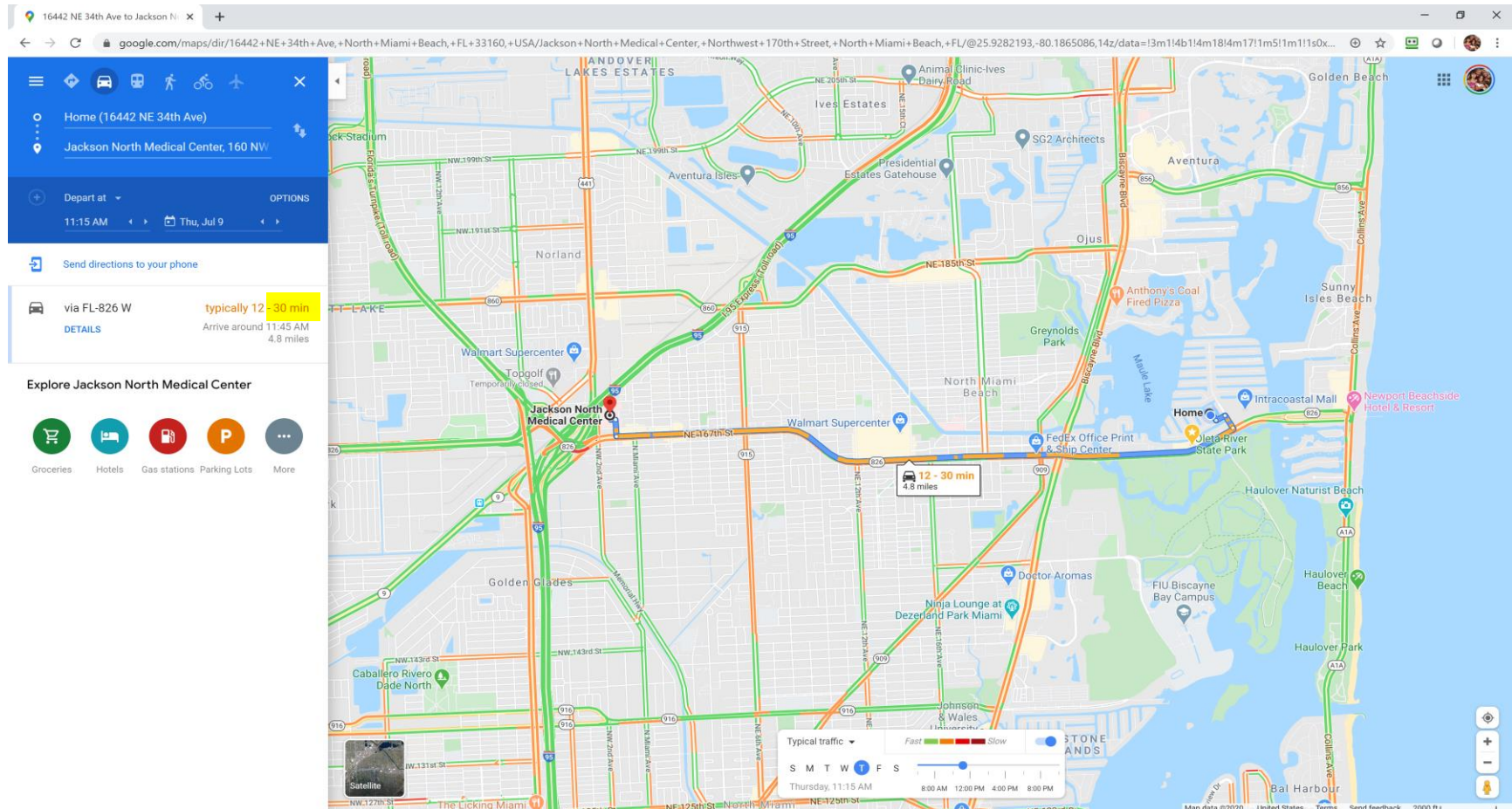
Google Maps Driving Time Forecast from Eastern Shores to Aventura – Thursday 11:15 AM



Google Maps Driving Time Forecast from Eastern Shores to Aventura – Thursday 3:45 PM



Google Maps Driving Time Forecast from Eastern Shores to Jackson North – Thursday 11:15 AM



Please join us



Learn more about the Intracoastal
Mall Master Plan application

Thursday July 9, 2020
7pm

The first in a series of online Town Hall meetings as it pertains to the July 13 Planning and Zoning hearing and the subsequent Commission Hearings. The project architect will present the proposed conceptual plan and address comments and concerns.

Participation is encouraged via the chat feature or live. Questions may also be emailed in advance to info@mhcpcolab.com.

Step 1:

Register with the following link:

<https://us02web.zoom.us/meeting/register/tZUrceyrqDljCtJp2zVWrPzSsK-IoMVC0kYQ>

After registering, you will receive a confirmation email containing information about joining the meeting by computer or phone.

Step 2:

Sign in day of meeting at 7pm
Meeting ID: 816 6536 9906
Password: 034107



Bruce Kusens <bkusens@collateralopportunities.com>

Objection to "Town Hall Meeting"

1 message

Bruce Kusens <bkusens@collateralopportunities.com>

Thu, Jul 9, 2020 at 7:45 PM

To: info@mhcpcolab.com, Margo Berman <MargoBermanAuthor@gmail.com>, Diane Frazer <dfrazer81@gmail.com>, FABIO NICK <fabdimisa@bellsouth.net>

To whom it may concern.

I am a resident of Eastern Shores and this subject is very important to me and my neighbors. I want to voice my displeasure about the short notice to provide this "Town Hall Meeting" It is wrong on every level and it is my position that the holding of this meeting is not at all what is required and I do not recognize it as satisfying the requirements to hold meetings with the community..

This is far from an open forum. The Zoom chat feature which allows participants to communicate with one another and the speaker has been disabled. The host has also muted all of the microphones to silence participants from interacting with the host. This prevents participants to communicate with one another without bothering anyone else.

Zoom has a feature "raise hands" which although the host mentioned can be used to call attention has also been disabled.

Finally -- the invitation that was sent out listed the agenda as a presentation by the architect. There was no mention of the other presenters and topics. It's misleading and by failing to disclose the agenda - it has failed to grab the attention of residents that may have wished to contribute to those discussions.

I want to enhance my community -- I am very disappointed with your efforts to date to involve the residents

Respectfully yours.

Bruce Kusens

--
Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, Fl 33160

Phone 305.467.0691

Fax 888.224.1747



From: [ldinsea](#)
To: [NMBCOMDEV](#)
Subject: Dezer Intracoastal Mall
Date: Thursday, July 09, 2020 2:49:49 PM

I have lived in Eastern Shores for 30 years and I absolutely **do not want** a humongous development at Intracoastal Mall: it would be an eye sore, it would create extreme traffic (very dangerous if we have to evacuate for a hurricane), and we would loose our peace and quiet and the stores we have now that we have learned to love and appreciate. Count me as a **no vote** for this project.

Regards,

Ingrid D. Aljure
168th Street

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From: [qbish1](#)
To: [Proffitt, Justin](#)
Subject: Dezer Intracoastal project
Date: Sunday, July 12, 2020 12:28:36 PM

Dear Sir:

My name is BeileAxelrad. I live in [16463 NE 33rd Avenue, North Miami Beach, Fl. 33160](#) [where I have lived and raised](#) my children for 30 years.

I am extremely concerned and extremely oppose the Dezer project at the Intracoastal Mall and need to be heard, having paid my high property taxes for 30 years.

I want to address some topics mentioned on Architect Zyscovich's Save Our Paradise zoom presentation on [7-9-2020](#).

1. Traffic
2. New canal
3. Environmental Issues

1. In regards to traffic, I would recommend that the city leaders revise the data on which Architect Zyscovich traffic project findings and proposal is based. For any neighbor who lives in Eastern Shores, traffic has been a nightmare for the last several years, an it is not related to the present construction.

During rush hours in the morning and the afternoon, during sunny beach days and when the draw bridge is up, 163rd street is a parking lot.

Going in and out of Eastern Shores is a more than a challenge.

Dezer's traffic consultant proposal, which is part of the redevelopment plan, aggravates this issue, since there is no solution when adding to the existing problem more cars brought by the high density project proposed by architect Zyscovich's redevelopment project for Dezer.

2. New Canal.

Very proudly Architect Zyscovich markets his new proposed canal as inspired by European canals, as in the Netherlands.

He forgets that:

- a. all of these European
- b. canals were designed around 17th century for territory defense, water management, and as an economic solution to traffic and circulation of goods to busy ports.
- c. all the cities to which Architect Zyscovich refers, where these canals were built, are low to medium density cities with no high rises
- d. these cities have miles and miles of canals, which over the years have caused significant costly environmental problems, from flooding to cleaning and waste

management.

- e. None of these canals were built for “recreation” purposes, to help market a speculative project, purposely destroying the environment.

3. Environmental Issues:

There is scientific evidence that by 2050, an estimated \$15 billion to \$36 billion of Florida’s coastal property will be threatened by sea-level rise, according to a report last year from the Risky Business Project, a Bloomberg Philanthropies effort that quantifies economic risks from climate change. In South Florida, sea-level rise and climate change are already having an effect on available drinking water, roads and sewer lines in low-lying areas, and storm and flood insurance rates.

Using Army Corps of Engineers sea-level-rise predictions, companies now assign flood scores to properties. Its formula can show how much of a threat sea-level rise poses to a property.

I would have been interested that Architect Zyscovich’s presentation when referring to environment would have addressed how his project will not flood our Eastern Shores neighborhood for the next 50 years based on predicted sea-level-rise rates and king tides and everything else.

Otherwise, based on sea-level-rise projections, future owners of his property and Eastern Shores’ neighbors may want to buy a boat along with their home or office.

These are just some of my concerns, my children's concerns and my neighbor's concerns.

I urge you to help us save our paradise.

Sincerely,

Beile Axelrad

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

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Cino,Sharon

From: NMBCOMDEV
Sent: Friday, July 10, 2020 11:25 AM
To: Proffitt, Justin; Cino,Sharon
Subject: FW: Redevelopment of the "Intracoastal Mall"
Attachments: Letter to City N Miami Beach_1.pdf

From: Frank Ruiz <frankr.2u@gmail.com>
Sent: Thursday, July 9, 2020 11:36 PM
To: NMBCOMDEV <NMBCOMDEV@citynmb.com>
Subject: Redevelopment of the "Intracoastal Mall"

My name is Frank Ruiz. I am a resident at Eden Isle Condo. This letter is directed at our Leaders in the The City of NMB. Please see attachment.

Frank R

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PLEASE NOTE: The City of North Miami Beach is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

July 08, 2020

To: City of North Miami Beach Officials; and
Intracoastal Mall Project Developers

Subject: Re-Development of the Intracoastal Mall by Dezer Intracoastal Mall LLC

My name is Frank Ruiz and I am a resident of Eden Isle Condos in beautiful Eastern Shores, North Miami Beach, Florida. As a concerned resident and citizen I would like to express a list of genuine concerns who like many other residents in Eastern Shores inlet have regarding the impact of the aforementioned subject matter. Along with the concerns are some solutions to be considered.

I would like the concerns to be known not only to the Developer of this new project in the Intracoastal Mall but mainly to our Political Leaders of the City of North Miami Beach. It is no surprise that this massive endeavor will cause a huge impact in our community at so many levels including, but not limited to: financial, safety, environmental, infrastructure, emotional and health for many years to come.

It seems that without conscientiously making an effort to produce a viable citizen survey nor an environmental study with facts about the impact this will have on our health and natural resources as a result of higher pollution along with the stressful impact on our citizen's financial, safety, and emotional well-being, and infrastructure impact, the project is being pushed forward. Our representatives, commissioners and many other leaders have not produce a document regarding all these impacts that our Eastern Shores Inlet will pay now and in the future as a result of the developer's massive undertaking.

In addition to Eden Isles Condo being a 55 plus community, its residents are on a fixed income and some physically challenged. Hence, we are very concerned about their financial, emotional and physical well-being. Many are currently suffering levels of anxiety and stress because they are aware that the development changes will affect our way of life. Eden Isles Condominium community is a loving, fun, and peaceful community and in many ways we would like to keep it that way. The following are our requests:

PROPERTY TAXES

1. Since the City of North Miami Beach will greatly and immensely benefit financially by the generation of a significant amount of Property Taxes Income in the near future, we demand a significant adjustment 40% decrease in Property Taxes for our 55 and older citizens at Eden Isles Condos, where the majority are retired residents who live on a fix income.

SAFETY

2. Since we are aware that more people bring more traffic, activity and movement to our Eastern Shores Inlet we demand that a better security system at the security gate entrance, for the safety and the peace of mind of all residents of Eastern Shores.

INFRASTRUCTURE & ENVIRONMENTAL

- 3. Since we are very aware that our beautiful environment will drastically suffer environmental & infrastructure impact, we demand that all of our structures be evaluated and approved as safe and secure. Since a significant influx of people in this area means more traffic, more pollution, more use and abuse of our precious natural environment resources, supplies and our old structures, we demand that a thorough study be conducted before approval of this project. Our structures are already old deteriorated and will continue to decay. These structures must be taken into consideration for repairs, maintenance or new construction including, but not limited to: Sea Walls, Water Supply, Sewer System, Streets, Sidewalks, Solid Waste Processing Plant. I**

MAINTENANCE & REPAIR FUND

- 4. We demand that a Maintenance & Repair Fund be created so we can all be better off in the future when the aforementioned infrastructures require maintenance, repairs or replacement. This Fund will mitigate the need for future taxation on our citizens at Eastern Shores. If and whenever this project is approved this Fund will be created immediately in the amount equal to 50% of capital appraisal assessment.**

HEALTH AWARENESS

- 5. Take into consideration the health of our Eastern Shores residents who suffer from asthma, allergies and other upper respiratory illnesses. The higher air smells contaminate from gas, diesel, oil and many others highly contaminants can exacerbate their health conditions.**

WELLNESS CENTER

- 6. A Wellness Center must be part of any new services to our community to address the health and well-being of our senior residents.**

EMPLOYMENT & TRAINING

- 7. Since many of our Eastern Shores residents are 55 plus who live on a fixed-income we ask that for those who are willing, able and available to work, be offered firsthand the opportunity to be hired with the new businesses. This will help them financially to subsidize their fixed-income.**
- 8. If training is required it should be available using our local qualified South Florida Career Training Centers. This is a great opportunity for our senior residents to use their work experience, skills, and abilities. It is very important for our seniors and residents to have a sense of belonging, self-esteem and dignity to know they can still be productive.**

MERCHANTS

- 9. Since we are aware that new merchandizers will come to be part of our Eastern Shores community, we demand that a list of these merchandisers be provided to all residents and specifically to our 55 plus residents to have a say if they meet our needs.**

DISCOUNTS

10. Since an increase and influx of new group of people with an inclusive and diverse personal interest will be moving into our friendly and boutique Inlet territory we are very aware the cost of basic needs, such food, clothing and entertainment, will increase. As a result, we are demanding discounts for residents of Eastern Shores who are age 55 and older to be used in all the stores that will be part of this community with a minimum discount of 20% in retail stores, restaurants, and theaters, and 15% discount for other special events.

COMMUNITY PROTESTS

11. Since we are aware of the environmental and infrastructure and consequential impact in Eastern Shores Inlet community during construction for years to come as a result of: construction equipment, material use, use and consumption of our resources add to that unviable traffic, noise, higher air smells contaminate from gas, diesel, oil and many others highly contaminants, we will reserve the right to actively engage in community protests, peoples march, seek support from friendly environmental groups, march in a lawful organized way and proceed to, if needed, file a class action suit for, including, but not limited to, any violations or environmental hazards that we see affecting our normal way of living.

Again, It is no surprise that the massive endeavor of the new development in the Intracoastal Mall will cause a huge impact in our community at so many levels including but not limited to: financial, safety, environmental, infrastructure, health, emotional and psychological for years to come. Our sincere concern is the cause and effects that will bring everlasting consequences and that will forever change our beautiful Eastern Shores inlet community.

Sincerely,

Frank Ruiz

Duron, Mario F.

From: Huynh, Dat <Dat.Huynh@dot.state.fl.us>
Sent: Monday, July 13, 2020 2:37 PM
To: Enrique Fuhrman
Cc: Commission All External; Proffitt, Justin; Wolfe, James; Shaheen, Helen; Margo Berman
Subject: RE: my objection to the master agreement between the city and the developer of the intracoastal mall, for the 07/13/20 meeting

Dear Mr. Fuhrman,

As I had state in my email on Friday, July 10, 2020, I just want to clarify that, the developer's plan needs City approval first, one of the steps for local approval is to go before North Miami Beach's Planning & Zoning Board (Board) scheduled for today, Monday, July 13, 2020. The Board will review and make advisory recommendations to the City Commission which a Virtual City Commission Meeting is schedule on July 21, 2020, 6:00 PM. There may be another City Commission Meeting on the subject development. The planning and zoning decision is a City decision and the FDOT will review local government comprehensive plans, and amendments and the Developer access request. The FDOT will also review the access and identify, comment on, and recommend mitigation to ameliorate impacts to state transportation facilities.

If the City approves, they need to go before our Access Management Review Committee (AMRC) for any variance to the signal spacing requirements as per 14-97.003 Florida Administrative Code (FAC). The FDOT is in receipt of the Access permit application 'Intercoastal Mall' project, 2020-A-691-00029. This project is scheduled for AMRC review on August 6, 2020 for the proposed signalized intersection at SR 826/NE 163rd Street and Intracoastal Mall Driveway.

If I can be of further assistance, please feel contact me.

Sincerely,

From: Enrique Fuhrman <enriquefuhrman@gmail.com>
Sent: Monday, July 13, 2020 1:17 AM
To: Anthony.DeFillip@citynmb.com; Wolfe, James <James.Wolfe@dot.state.fl.us>; Commissionall@citynmb.com; Justin.Proffitt@citynmb.com
Cc: Margo Berman <margobermanauthor@gmail.com>
Subject: my objection to the master agreement between the city and the developer of the intracoastal mall, for the 07/13/20 meeting

EXTERNAL SENDER: Use caution with links and attachments.

Anthony De Fillip Anthony.DeFillip@citynmb.com
James Wolfe, james.wolfe@dot.state.fl.us
City of NMB, Commissionall@citynmb.com
Justin Proffit Justin.Proffitt@citynmb.com

Dear All

My name is Zwi Fuhrman and I have been a resident of Eastern Shores since 2004, a city where we pay high taxes and our sidewalks are a disaster.

It is with great sorrow that I am sending this letter (email), our Rulers have been meeting for more than a year with a Developer to destroy the peace in my neighborhood.

Lies on the paper holds everything. This is the Intracoastal Mall Project.

I would like to understand what our Mayor and his team are thinking when they want to approve a MASTER AGREEMENT with the developer for the intracoastal Mall.

Yesterday I received an answer from FDOT that they do not like the project and have many objections but to begin evaluating it, they need the city approval, but after the city approval is granted, there will not be much to say or complain about the complete volume of 200000 squareFeet of office space, 280000 square feet of mall, 50000 square feet of supermarket, 45000 square feet of gym. 2000 apartments and 250 Hotel rooms, and this CAN NOT HAPPEN. Because this is not a City Approval this is an agreement for 15 years to do whatever the developer wants.

Some ideas:

- The traffic report done by the developer, shows more traffic today than after the project is done please read the Multimodal reduction Report, Table 1.!!!!!!!
- Who in his right mind thinks that traffic will be reduced by 15% because of some bicycle lines and walking sidewalks or a future taxi boat? In FLORIDA with 90 degrees 8 months of the year this is logic only in the minds of people for whom money is more important than quality of life. And we just received the new report from another big company that I thought has integrity, also paid by the developer that agrees that traffic will be reduced by 15% after the project is finished. How the city allows this type of scam that looks like a legal option.
- This project is presented as the best of the projects but only contemplates one and half parking spaces per apartment, so where will all the cars be parked at night? Why not the reality 2 to 4 parking space per apartment size, plus parking space for each area to be developed.
- The developer wants to open a canal in front of the canal of our neighbors on NE 166 St, this is crazy, if they want to open a canal they should do it in front of the intracoastal, where they do not affect more to Eastern Shores, if there is only one neighbor that is against of that canal in front of 166st, our Rulers should have to desist of this idea, but our neighbors of 166 st where not asked!!!
- Sunny isle has new buildings, many built by the developer, but none on of them has 8 floors of parking up from level one, the idea of having 8 floors of parking just side to the sidewalk is horrendous, just feel the concept when you go on the ramp of Ives dairy road to Aventura and the beacon tower with 4 or 5 parking floors, just besides the ramp is suffocating.
- This is not an entertainment area so no hotel and no kayak renting should be allowed.
- And traffic lights: a new traffic light at 36 ave, does not give space or time to stop when you come thru the bridge from Collins ave, or if you want to go east the bridge will not give space or time for the cars to pass if it is open. The stop sign at 165 st and the mall now is a service street not a principal street, and it was never intended to be a principal street, that means that the corner will require a traffic light, so 3 traffic lights to enter eastern shores at 35 ave?? To start the developer said in the town meeting last week that they are offering some private square feet to widen the 35 avenue, but when you read the project it is not true.
- There is not enough school, but that was not a problem for the city, the explanation received in the town hall meeting was laughable.

- I, as eastern shores habitant, do not see anything good for us in this new project.

This is a genuinely nice project for a land with double the side and more green space.

Finally, I think that a genuine traffic project and the involvement of eastern shores neighbors are the key to authorize a development in the mall area.

If you exercise an independent traffic project by the city this will bring ideas of the quantity of square feet of mall, supermarket, gym offices, apartments should be authorized.

Why, we, neighbors of Eastern Shores, need to invest money in attorneys and experts to keep living the life we found here when we bought the house. And why our Rulers do not understand that they were elected to protect and take care of us, not to create a monster project. we need some transparency here.

You all know that this agreement will be a muzzle to all the departments of the City because when any department will bring objections the developer will show his master agreement, and NO one will have a say.

Please do the right thing, cancel this meeting, create a developer, neighbors and the city committee and start from zero. I believe in innovation, but it cannot go over or affect the weak.

We just have lived more than a month of manifestations against racism and intolerance, in this new scenario we need to see a new different project for the intracoastal mall.

Best Regards

Zwi Fuhrman
Eastern Shores

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From: [Scott, Esmond](#)
To: [Proffitt, Justin](#); [McHugh, Horace A.](#)
Subject: Fwd: PUBLIC COMMENT
Date: Monday, July 13, 2020 3:57:06 PM

Sent from my iPhone

Begin forwarded message:

From: miamimicrotronix <miamimicrotronix@bellsouth.net>
Date: July 13, 2020 at 3:56:22 PM EDT
To: Esmond Scott <esmond.scott@citynmb.com>
Subject: Fw: PUBLIC COMMENT

Esmond,
FYI....
Saul

----- Forwarded Message -----

From: miamimicrotronix <miamimicrotronix@bellsouth.net>
To: NMBCOMDEV@CITYNMB.COM <nmbcomdev@citynmb.com>
Sent: Monday, July 13, 2020, 3:54:12 PM EDT
Subject: PUBLIC COMMENT

Regarding Dezer Presentation for Traffic Mitigation Plans at Intracaostal Mall.

7/13/20 Corradino Memo by Edward Ng-comments in error. 2nd paragraph: "pertaining to AN access point with direct east/west access..." The "AN" incorrectly refers to **ONE access point**, not the Multiple Access Points referenced in the Code.

City Code Section 24-58.7 "Provide a traffic study that shows **Multiple Access Points** with direct East and West Access To/From SR826 and Traffic Mitigation such that the Development does NOT overburden NE 35th Avenue."

Intention of Code was to create multiple free flow entrance and exit points to Development, and alleviate potential increase of traffic on 35th avenue - a primarily residential access road.

The proposed 35th avenue configuration will have 8 decision points, the first decision point only 200 feet from SR826.

SR 826 will have three (3) turn lanes onto 35th Avenue. This will create a mixed traffic composition, and a large proportion of weaving vehicles into the proposed development.

"Triple left-turn lanes are appropriate at intersections with high left-turn volumes that cannot be adequately served with a single or double turn lane". FHWA states that a double turn lane should be used for left-turn volumes exceeding 300 vehicles per hour, and a triple turn lane when demand exceeds 600 vehicles per hour. Based on this, a triple turn lane would double the traffic being loaded onto 35th avenue. **A CLEAR CASE OF OVERBURDONING.**

Plans show multiple access points with direct east and west access to/from SR 826 have **NOT** been created, and in direct violation of the ordinance. Mall ingress/egress points on 35th Avenue have increased from 2 to 5. **Need a plan that de-insentivizes vehicles from using 35th avenue.**

Distance Between 35th avenue and proposed 36th avenue will be approximately 400 feet.

Saul Smukler
3207 NE 168 Street

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as public record.

From: [Duron, Mario F.](#)
To: [NMBCOMDEV](#)
Subject: Intracoastal Mall Public Comment
Date: Monday, July 13, 2020 11:59:45 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image002.png](#)

Josephine Zweik: 3445 NE 166 ST Apt. 901

Objects to development. Entirely too large a project by ten-fold. Has concerns with size and scope. Feels like this is a take-over and a complete change of the character of the Eastern Shores community, and that it is being converted into a new city center. Concerns with noise, dust, insect influx from demolition. The destruction before construction will be a terrible ordeal, and even life endangering to those with breathing or lung issues. Environmental concerns with sea level rise and sinking of land.

Mario Duron, AICP | *Associate Planner*

City of North Miami Beach

Community Development

T (305) 948-2966

F (305) 787-6015



17011 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:

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From: [CARLOS DOUGNAC](#)
To: [Proffitt, Justin](#); [Defillipo, Anthony](#); [Commission All External](#)
Subject: Intra-coastal Mall re-development
Date: Wednesday, July 08, 2020 4:07:30 PM

To Whom It May Concern;

Re: Intra-coastal Mall Re-development

I have been a resident at 3451 NE 164th Street (within 500' of subject property) in Eastern Shores since 1983. Dezer Development purchased the Intra-coastal Mall property and in 2015, through less than transparent dealings, obtained approval to redevelop the property. Now they are asking for an increase in density to that original approval and a hearing has now been scheduled for July 13th, 2020. I hereby request postponement of that hearing for the following reasons;

1. The cancellation of the June 22 on-line meeting leaves no time to properly review the responses to changes requested during internal review by City planners. Rescheduling for July 8th leaves even less time.
2. The documents available on-line contain numerous inconsistencies and do not reflect the current request in density and building massing. I cannot tell what is being requested based on those documents.
3. The response to many important questions raised by the City have not been answered and the developer suggests that answers will come in subsequent reviews. You cannot approve based on a promise and good faith of the developer.
4. The traffic study presented is inadequate to determine the true impact to Eastern Shores.

Furthermore, I object to the manner that the project was scheduled for review on June 16, 2020. It was scheduled for the end of a long agenda. I managed to attend until 10:45 pm and the matter still had not been heard. If you value transparency and inclusivity, please schedule future reviews in a manner that ensures participation- not prohibits it. Dealing with this important issue when everyone is exhausted and just wants to go home is unacceptable.

The scheduling of an in-person City Hall meeting on July 13, 2020 is likewise unacceptable. The majority of those affected by this proposal are over 60, myself included. With Covid-19 cases rapidly rising in Miami-Dade County, it is inconceivable that you would ask that I possibly risk my life in order to attend. Either postpone the hearing or explain how you will provide a safe environment for me to attend. Failure to do so shows a lack of concern for your citizens or worse, complicity in a scheme to squash dissent.

Sincerely,

Carlos Dounac

3451 NE 164th Street
North Miami Beach, FL 33160
352-260-1829

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Randy Rose 3750 NE 169th Street # 111

I have owned properties in Eastern Shores since 1987. I have been selling real estate in the area for over 40 years. I have been for Development within Reason. Reference to the Intracoastal Mall. Past and Present Owners of the Mall knew as a prerequisite a Texas U turn , under the 163rd St Bridge is a Prerequisite & Priority for major redevelopment of the Mall and all concerns for all who travel in all directions .

Since representation is being made that our infrastructures for water –sewers –drainage –traffic, etc. can handle Future Development , Now is the time to put in a Formal Request to the City of North Miami Beach to increase the Residential Zoning Height requirements which(currently is ONLY 4 stories) for Eastern Shores east of 35th Ave from 166th Street to 171st Street to at least 20 stories on canal locations to possible 40 stories on the intracoastal property locations . This is the RIGHT thing to do now . Back in the 1970's 20 stories was allowed (the RE Market was not ready) at that time .

Plan for the future today increase the City and County Tax Base and give the rest of the Eastern Shores Area the Opportunities it deserves . NMB . these ZOOM MEETINGS is not the proper time or way to have Have a Major Discussions or any Decision like this . It Needs to be held in Person Face to Face Open to the Public .

July 08, 2020

To: City of North Miami Beach Officials; and
Intracoastal Mall Project Developers

Subject: Re-Development of the Intracoastal Mall by Dezer Intracoastal Mall LLC

My name is Frank Ruiz and I am a resident of Eden Isle Condos in beautiful Eastern Shores, North Miami Beach, Florida. As a concerned resident and citizen I would like to express a list of genuine concerns who like many other residents in Eastern Shores inlet have regarding the impact of the aforementioned subject matter. Along with the concerns are some solutions to be considered.

I would like the concerns to be known not only to the Developer of this new project in the Intracoastal Mall but mainly to our Political Leaders of the City of North Miami Beach. It is no surprise that this massive endeavor will cause a huge impact in our community at so many levels including, but not limited to: financial, safety, environmental, infrastructure, emotional and health for many years to come.

It seems that without conscientiously making an effort to produce a viable citizen survey nor an environmental study with facts about the impact this will have on our health and natural resources as a result of higher pollution along with the stressful impact on our citizen's financial, safety, and emotional well-being, and infrastructure impact, the project is being pushed forward. Our representatives, commissioners and many other leaders have not produce a document regarding all these impacts that our Eastern Shores Inlet will pay now and in the future as a result of the developer's massive undertaking.

In addition to Eden Isles Condo being a 55 plus community, its residents are on a fixed income and some physically challenged. Hence, we are very concerned about their financial, emotional and physical well-being. Many are currently suffering levels of anxiety and stress because they are aware that the development changes will affect our way of life. Eden Isles Condominium community is a loving, fun, and peaceful community and in many ways we would like to keep it that way. The following are our requests:

PROPERTY TAXES

1. Since the City of North Miami Beach will greatly and immensely benefit financially by the generation of a significant amount of Property Taxes Income in the near future, we demand a significant adjustment 40% decrease in Property Taxes for our 55 and older citizens at Eden Isles Condos, where the majority are retired residents who live on a fix income.

SAFETY

2. Since we are aware that more people bring more traffic, activity and movement to our Eastern Shores Inlet we demand that a better security system at the security gate entrance, for the safety and the peace of mind of all residents of Eastern Shores.

INFRASTRUCTURE & ENVIRONMENTAL

3. Since we are very aware that our beautiful environment will drastically suffer environmental & infrastructure impact, we demand that all of our structures be evaluated and approved as safe and secure. Since a significant influx of people in this area means more traffic, more pollution, more use and abuse of our precious natural environment resources, supplies and our old structures, we demand that a thorough study be conducted before approval of this project. Our structures are already old deteriorated and will continue to decay. These structures must be taken into consideration for repairs, maintenance or new construction including, but not limited to: **Sea Walls, Water Supply, Sewer System, Streets, Sidewalks, Solid Waste Processing Plant.** I

MAINTENANCE & REPAIR FUND

4. We demand that a Maintenance & Repair Fund be created so we can all be better off in the future when the aforementioned infrastructures require maintenance, repairs or replacement. This Fund will mitigate the need for future taxation on our citizens at Eastern Shores. If and whenever this project is approved this Fund will be created immediately in the amount equal to 50% of capital appraisal assessment.

HEALTH AWARENESS

5. Take into consideration the health of our Eastern Shores residents who suffer from asthma, allergies and other upper respiratory illnesses. The higher air smells contaminate from gas, diesel, oil and many others high contaminants can exacerbate their health conditions.

WELLNESS CENTER

6. A Wellness Center must be part of any new services to our community to address the health and well-being of our senior residents.

EMPLOYMENT & TRAINING

7. Since many of our Eastern Shores residents are 55 plus who live on a fixed-income we ask that for those who are willing, able and available to work, be offered firsthand the opportunity to be hired with the new businesses. This will help them financially to subsidize their fixed-income.
8. If training is required it should be available using our local qualified South Florida Career Training Centers. This is a great opportunity for our senior residents to use their work experience, skills, and abilities. It is very important for our seniors and residents to have a sense of belonging, self-esteem and dignity to know they can still be productive.

MERCHANTS

9. Since we are aware that new merchandizers will come to be part of our Eastern Shores community, we demand that a list of these merchandisers be provided to all residents and specifically to our 55 plus residents to have a say if they meet our needs.

DISCOUNTS

10. Since an increase and influx of new group of people with an inclusive and diverse personal interest will be moving into our friendly and boutique Inlet territory we are very aware the cost of basic needs, such food, clothing and entertainment, will increase. As a result, we are demanding discounts for residents of Eastern Shores who are age 55 and older to be used in all the stores that will be part of this community with a minimum discount of 20% in retail stores, restaurants, and theaters, and 15% discount for other special events.

COMMUNITY PROTESTS

11. Since we are aware of the environmental and infrastructure and consequential impact in Eastern Shores Inlet community during construction for years to come as a result of: construction equipment, material use, use and consumption of our resources add to that unviable traffic, noise, higher air smells contaminate from gas, diesel, oil and many others highly contaminants, we will reserve the right to actively engage in community protests, peoples march, seek support from friendly environmental groups, march in a lawful organized way and proceed to, if needed, file a class action suit for, including, but not limited to, any violations or environmental hazards that we see affecting our normal way of living.

Again, It is no surprise that the massive endeavor of the new development in the Intracoastal Mall will cause a huge impact in our community at so many levels including but not limited to: financial, safety, environmental, infrastructure, health, emotional and psychological for years to come. Our sincere concern is the cause and effects that will bring everlasting consequences and that will forever change our beautiful Eastern Shores inlet community.

Sincerely,

Frank Ruiz

To all responsible defenders of the Environment,

My name is Liliana Korn Custy. For the last seventeen years we chose to live in Eastern Shores, a low-density residential community surrounded by the Intracoastal waterways, by beautiful Oleta River State Park, by nature and wildlife. I am pleading for your help today.

I know this letter is long; but I sincerely and kindly ask for your patience in reading this letter.

This letter is regarding the Intracoastal Mall redevelopment project.

Eastern Shores neighborhood was built in the late 1950s on a [peninsula](#) located in the city of North Miami Beach. The land was first all mangroves, until the neighborhood was built. Eastern Shores is made up of all man-made canals except the natural canal on the North Side of NE 171st Street.

I want to think that the leaders of our city of North Miami Beach, City Major and Commissioners, understand the meaning of the word "environment". This concept was not very popular in the 1950's. In the 2020's saving the environment, and not creating further problems to the environment, this is a responsibility that we all owe to the generations to come.

I want to illustrate in photos how the canal where I live looks now, and how the environment where I live is now, July 2020. And I want to compare the present situation with the megalopolis proposed for this site by Architect Zyscovich and his team.

The back of the townhome where I live faces this canal, canal that we share with the Intracoastal Mall. It is a very quiet canal, with hardly no traffic, with the exception of some homeowners going boating once in a while. Thanks to this great combination of low density residential and no traffic, we have a lot of wildlife in our canal; from manatees to birds and iguanas. I am adding some of the photos that I took from my balcony facing the canal.



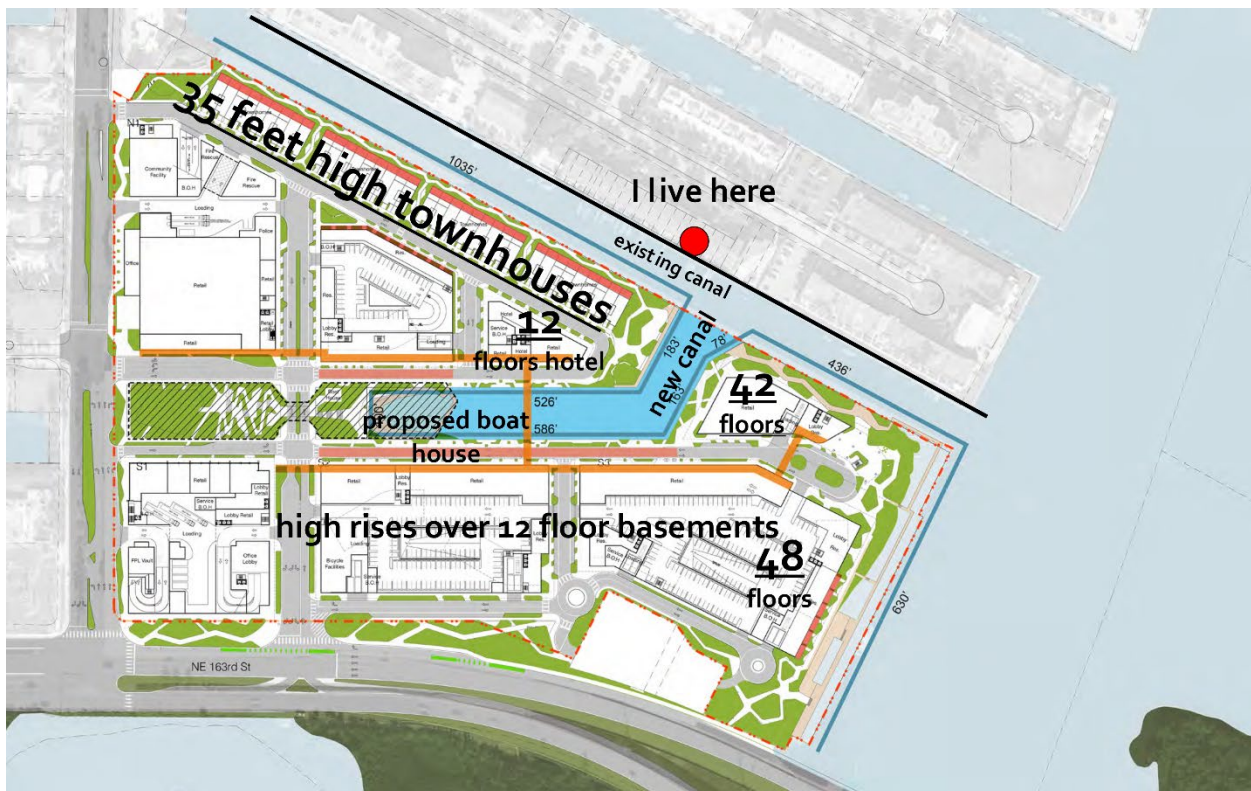
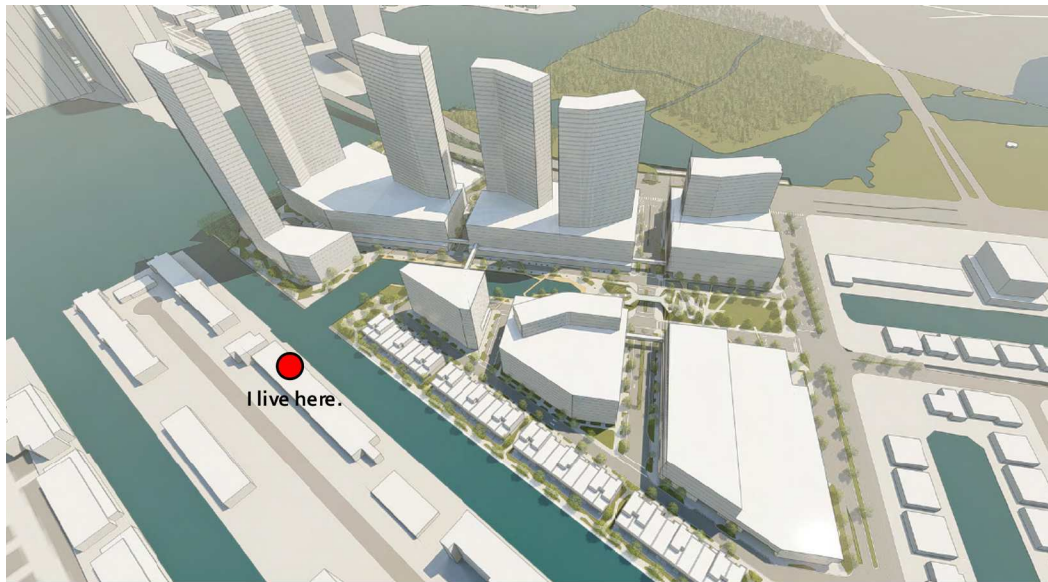
From my balcony, I see our almost private residential canal, and the line of trees that border the silent lot of the Intracoastal Mall, where a few delivery trucks come very early in the morning, and my view extends up to the Intracoastal Waterways.



We are a quite low-density residential neighborhood. We chose to live in this neighborhood because of these tranquil settings.

Our canal is used only by neighbors whose boats are docked in front of each unit.

The following photos show Architect's Zyscovich proposed project for the Intracoastal Mall Redevelopment and for this canal and for this quiet community and tranquil neighborhood



In the Zoom meeting Architect Zyscovich explained that his architectural team decided to open this new canal in front of our townhouses, because he was sure that the Corps of Engineers or other authorities would not allow him to open a canal facing the Intracoastal Waterways, where he plans to built several

48 floors high towers with basement. Probably, his thinking is that commercially, those high rises, 48 floors tall, will be market at higher prices overlooking the Intracoastal, where now low buildings are located. The Intracoastal Waterways has only low building on this side; no high rises, which makes it a wonderful and pleasant view.

Architect Zyscovich and his team decides then to destroy a wonderful quiet canal with plenty of wildlife, to open this canal; which he describes as not for commercial use, but “recreational” use. He plans to have a water taxi service in the canal, accessing and exiting the canal through our residential canal, which I believe makes this canal commercial. He plans to build a “boat house” for small motor crafts and canoes, which I believe his “boat house” denomination must stand for Architect Zyscovich’s way of describing a commercial marina.

This is Architect Zyscovich rendering for this new canal



In the meeting he said his inspiration for opening a new canal and disturbing the environment was being inspired by Rio de Janeiro’s beaches, which are wide and extended, with huge distances between the buildings, the street in front of the beaches, and the beaches, so no shadows from any building land on the beaches, and the European canals built around the 17th century, as in the Netherlands, where canals were then built for city defense and to improve commerce, which was vital for the 17th century europea economies.

Here are some photos of European canals, just to compare size and proportions



This is the water taxi route designed by Architect's Zyscovich redevelopment plan for the Intracoastal Mall, which I believe is going to destroy the habitat of some many species of wildlife that inhabitat our canal today.



This is some of the wildlife that lives today in our canal; and we have the pleasure to enjoy every day.

I truly believe that the scope of Architect Zyscovich project for the Intracoastal Mall will displace all wildlife from this area.







Environmental Issues:

Beyond the dramatic problem of displacing wildlife, there is scientific evidence that by 2050, an estimated \$15 billion to \$36 billion of Florida's coastal property will be threatened by sea-level rise, according to a report last year from the Risky Business Project, a Bloomberg Philanthropies effort that quantifies economic risks from climate change. In South Florida, sea-level rise and climate change are already having an effect on available drinking water, roads and sewer lines in low-lying areas, and storm and flood insurance rates.

Conclusion:

As an Eastern Shores' neighbor, as a responsible world citizen, as an experienced architect who has worked with and for very important developers worldwide, as a retired professor from Florida International University School of Architecture and the Arts, I plead with you for your help in considering a re scaling of this Intracoastal Redevelopment project to an environmental friendly size, with an environmental friendly scope of use.

I beg you not to let the Intracoastal Mall developers open a canal that will destroy the ecology of a beautiful area. My understanding is that perhaps by opening a canal the developers will have better marketing tools to promote their connection to the Oleta River State Park.

Speculation wins over ecology and protecting the environment?

Please, I beg you Mr. Major and North Miami Beach Commissioners!

Reflect over your actions and your decisions! You are compromising the lives of Eastern Shores neighbors by augmenting the population on a lot that is not ready to receive a Brickell size project, compromising the only evacuation route in case of health emergency and of a hurricane storm!

You will be destroying the ecology, the wild life and the environment!

Please, I beg you!!!!

Best regards,

Liliana Korn Custy.

KORNInteriorDesign Inc

Architectural Interior Design & Contracting

Liliana Korn Custy,

Home Design to the Power³

- Adjunct Professor at Florida International University School of Architecture & The Arts,

Department of Interior Architecture

- Argentinean Architect

- Florida License Interior Designer ID5852

- Florida Licensed General Contractor CGC1513044

korninterior@bellsouth.net

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IB 26001347

Duron, Mario F.

From: Mayling Ganuza <mayling.ganuza@gmail.com>
Sent: Monday, July 13, 2020 3:13 PM
To: Commission All External; Proffitt, Justin; Anthony.DeFillip@citynmb.com
Subject: opportunity for redemption

Good afternoon,

Eastern Shore residents are furious that the 2015 decision to change the zoning regulations at the Intracoastal Mall site was essentially done behind closed doors with little to no public input. The least the City Commission can do is make sure that residents are included in the process of developing the site by postponing this vote until we can all meet in person.

Moreover, please use your power to veto the proposed project.

To be honest, I was excited about the proposed development with its central park and waterfront promenade. However, it needs to be scaled down. Miami is the city most vulnerable to the effects of climate change and sea-level rise in the US. Building on such a massive scale threatens the environment and nearby residents. Architect Zyschovic said that the buildings were going to be "environmental," but gave absolutely no details as to what that means.

Entitling Dezer to build 2800 units was a short-sighted mistake. Think of the future and the long-term effects of managing traffic, roads, sewer lines and available drinking water.

Please use your power to prevent this mega-development disaster.

Sincerely,
Mayling Ganuza
16477 NE 30 Avenue

PLEASE NOTE: The City of North Miami Beach is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

Duron, Mario F.

From: Bruce Kusens <bkusens@collateralopportunities.com>
Sent: Friday, July 10, 2020 3:59 PM
To: Proffitt, Justin
Cc: Bkusens@pionetechs.com; Scott, Esmond; Bernard, Andrise; margobermanauthor@gmail.com; Diane Frazer; fabdimsa@bellsouth.net; Cino, Sharon; Duron, Mario F.; Jose Smith; miamimicrotronix@bellsouth.net; Smith, Phyllis (External); shugrdady@aol.com; Lamberto, Bruce; veronicabluray@gmail.com; n1801e@comcast.net; ruthabeckjerr@gmail.com
Subject: Re: "Town Hall Meeting" TIME SENSITIVE
Attachments: Invitation Agenda.pdf; Jose Smith Legal Opinion.pdf; Objection to the Town Hall Meeting-Copy.pdf; Driving Times Eastern Shores to Hospitals.pdf

Good Afternoon Justin,

I am disappointed that the City chose not to postpone the meeting as I requested for the reasons I set forth. I was able to access the "Town Hall Meeting" and was taken back with how it was conducted by the developer. I have attached my objections to the meeting for your reference. In summary - this was NOT an OPEN FORUM.

The developer muted participants (except for the developers experts) . They disabled the chat feature which allows participants to communicate with one another and/or developer staff silently without interfering with the presentation. They misrepresented the Agenda - (see attached) It was set up as an architectural meeting. Within minutes of its start the actual agenda included Developer Presentations on multiple topics They exercised exclusive control over who and for what duration they permitted to speak They selectively read emails sent to them silencing those they choose not to read They disabled the "Raise Hands" feature which allows participants to silently "virtually raise their hand" indicating to the host that they wish to be recognized In addition to having the City send out the invitations creating the impression that it was "official", They continued to portray the meeting as "official" by displaying the City's Seal I don't have enough pixels to describe all of what I consider to be misrepresentations in their description of the impact of the proposed project.

My concerns go so deep, that I have found it necessary to seek legal counsel. I contacted Attorney Jose Smith. Jose and I go back over 50 years and our Wives go back even further. I engaged him to provide me with a legal opinion on this matter and I have attached it for your review. Jose has identified many issues that require discussion and analysis.

I also want to call your attention to the real life traffic situation here. Attached are actual screen shots of the Driving time between Eastern Shores and the two nearest Hospitals. Although the streets have 35-45 MPH signs - Peak hour rides on them are ~ 8 MPH. There is no way that doubling the size of our community is not going to further degrade this situation . Increasing the number of ways to access 163 st accomplishes nothing if the 163 is moving at ~8 MPH. All you do is wait in your car not moving on 163 Street instead of not moving on the Avenues that intersect it. My neighbors and I moved to suburban North Miami Beach to escape this.

I do think the design of the project is well done -- it is just in the wrong place at the wrong time . The only way God was able to build the earth in six days was because there was no installed customer base. We couldn't be further from that at this time in this community. It is so out of place here it isn't funny.

I am fine with improvements to my neighborhood and want to contribute to them. During the developers presentation, they spoke of their entitlements several times without describing the conditions that they are contingent upon. No mention was ever made of our entitlements as homeowners and residents of the community.

I am also very concerned that in the event the project for whatever reason doesn't go as it was presented , there is no recourse or funding to remedy the situation. It is only prudent that the developer put up sufficient collateral (10 digit range) that the City and impacted stakeholders can readily access if the developers impact analysis is flawed. I can't imagine proceeding without there being sufficient collateral to ensure that in the event of failure - sufficient developer funds would be available for any contingency. Five years ago, (while my neighbors and I were fast asleep at the wheel) - the City conditionally rezoned the property. Now 5 years later - they have found a way to fix the same plan that was approved five years earlier.

It is my intention that this email and the exhibits to it become part of the City's record and are provided to the P&Z board and that they are considered as part of any decisions made regarding the proposed development. Please distribute the document to them. If you are unable to - please let me know and provide me with their contact information.

I really dislike having to behave in this manner , but I have read the Emperor's New Clothes (https://en.wikipedia.org/wiki/The_Emperor%27s_New_Clothes) and this seems to me to just be the sequel to it.

Thank you .

Regards and STAY SAFE

Bruce Kusens

305-467-0619

Bkusens@CollateralOpportunities.com

On Thu, Jul 9, 2020 at 2:30 PM Bruce Kusens <bkusens@collateralopportunities.com> wrote:

Hi Justin,

Thank you very much for your prompt response. I have subscribed to several of the list servers and have received communications from them in the past (see below).

When an email from a governmental body is received (City of NMB) , it is clearly regarded as an official document. The email did not contain any language that the mailing was done on behalf of the applicant.

The email sure looked official, smelled official and was interpreted as official from the City triggering the applicable notice requirements. I appreciate your willingness to ensure that future "Town Hall Meetings" will provide adequate notice.

Neither of us know with 100% certainty whether this is in conformance with State and City notice requirements. In view of this uncertainty, I again would encourage our City to err on the side of its Citizens rather than the Developer .

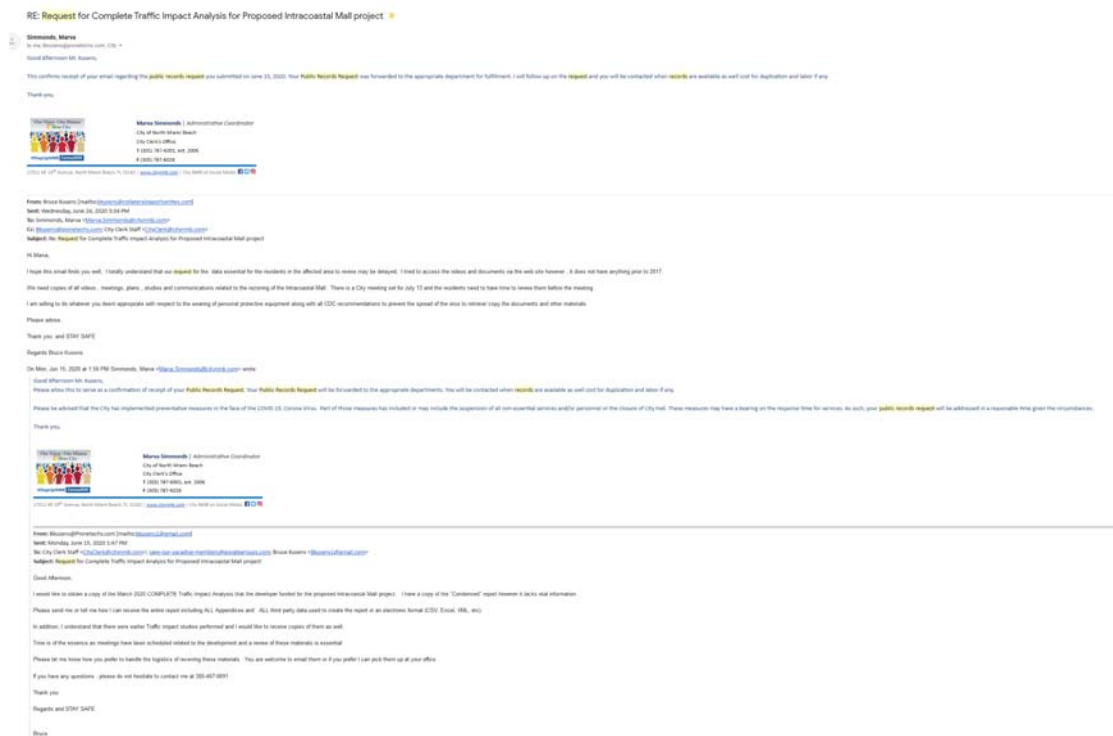
It is good to know that the City will notify residents of Zoom "Town Hall Meetings" I would like to learn more about the process as our concerned residents may wish to utilize that forum to initiate or continue the dialogue about the project. I promise that we will give adequate notice and the meetings will be open to all. Please let me know who to contact to set this up.

I did have a copy of the Traffic Study you attached, thank you. I was able to find that one, but I wasn't able to locate any earlier ones, hence my request. The passage of time between the two studies gives us an opportunity to see how earlier projections actually performed. Below are copies of my outstanding record requests from 6-15-20 and 6-24-20.

Thank you very much -- Still hoping that the City will do the right thing for its residents and cancel the meeting.

Regards and STAY SAFE

Bruce



Curfew in effect for North Miami Beach
Read On

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Public Health Notices

- Roads: Receive notifications about planned road closures
- Severe Weather Advisories
- Water: Receive notifications about water color, odor, boil advisors, etc.

Government Jobs

METHOD	LIST NAME	DESCRIPTION
<input type="checkbox"/>	Internships	
<input type="checkbox"/>	Part-Time	

News Flash

METHOD	LIST NAME	DESCRIPTION
<input type="checkbox"/>	Home - Police	
<input type="checkbox"/>	Home - Water	
<input type="checkbox"/>	Message - Water	
<input type="checkbox"/>	Procurement	
<input type="checkbox"/>	Upcoming Events	
<input type="checkbox"/>	Upcoming Events - Police	

Calendar

METHOD	LIST NAME	DESCRIPTION
<input type="checkbox"/>	Annexation	
<input type="checkbox"/>	Boards & Commissions Meetings	
<input type="checkbox"/>	Charter Review Committee	
<input type="checkbox"/>	Code Hearings	
<input type="checkbox"/>	CRA Board Meeting	Meeting calendar for the Community Redevelopment Agency
<input type="checkbox"/>	Library	
<input type="checkbox"/>	NMB Water	NMB Water Department
<input type="checkbox"/>	Parks and Recreation	
<input type="checkbox"/>	Parks and Recreation - Activities - Adults	
<input type="checkbox"/>	Parks and Recreation - Activities - Youth	
<input type="checkbox"/>	Parks and Recreation - Special Events	
<input type="checkbox"/>	Planning & Zoning	
<input type="checkbox"/>	Police Department	City of North Miami Beach Police Department event and activities calendar
<input type="checkbox"/>	Procurement	
<input type="checkbox"/>	Public Works	
<input type="checkbox"/>	Technical Review of Applications for Development	
<input type="checkbox"/>	Training	

Agenda Center

METHOD	LIST NAME	DESCRIPTION
<input type="checkbox"/>	Code Compliance Enforcement Board Hearing	
<input type="checkbox"/>	Code Compliance Special Magistrate Hearing	
<input type="checkbox"/>	Commission Meetings	
<input type="checkbox"/>	Community Redevelopment Agency Board & Advisory Board	
<input type="checkbox"/>	General Employees Retirement	

On Thu, Jul 9, 2020 at 1:16 PM Proffitt, Justin <Justin.Proffitt@citynmb.com> wrote:

Hello Bruce,

Please see my responses to your points below.

1. I did not receive ANY notice. This is not a city meeting and therefore not subject to the city or state notification laws. It is being held by the applicant and we offered to get the word out to the community. It is our understanding that they plan to hold additional town hall meetings in the near future. We do not know those dates yet, but will send the word out when we do know the dates. You can sign up to receive City emails in the future here: <https://www.citynmb.com/list.aspx>

2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting. We understand that frustration and have reminded the applicant to give everyone, including the city, more notice for any upcoming meetings they plan.

3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City, the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable. I have attached the relevant sections for your review. I do not think that is correct. That law applies to city boards, the Commission, or committees. This is not one of those meetings. However, we will insist the applicant give the City and the community more notice in the future.

4. I am still awaiting FOI documents that I have requested. These are essential for me to understand and communicate to my neighbors the validity of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern. We sent your public records request to our City Clerk's Office 6-25-20, but attached is a copy of what was sent to the Clerk. Also, I am providing a link to the project documents, agenda reports, and the agenda for July 13th P&Z Board Meeting: https://www.citynmb.com/AgendaCenter/ViewFile/Agenda/_07132020-260?html=true

Thank you,

Justin Proffitt, AICP



Community Development Director

City of North Miami Beach

Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:



From: Bkusens@Pionetechs.com <bkusens1@gmail.com>
Sent: Thursday, July 9, 2020 12:25 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Scott, Esmond <Esmond.Scott@citynmb.com>; Bernard, Andrise <Andrise.Bernard@citynmb.com>
Cc: margobermanauthor@gmail.com; Diane Frazer <dfrazer81@gmail.com>; fabdimisa@bellsouth.net; Bruce Kusens <Bkusens@collateralopportunities.com>
Subject: "Town Hall Meeting" TIME SENSITIVE

Good Morning,

My name is Bruce Kusens and I am a resident of Eastern Shores. A neighbor of mine forwarded me an email from the City of North Miami Beach to attend a "Town Hall Meeting" this evening with the developers Architect for the proposed Intracoastal Mall redevelopment.

I don't know why I did not receive an invitation , I have received other notices from the City.

I along with my neighbors do want to learn and participate in understanding what is being proposed and what my life will be like during and after the proposed redevelopment.

I respectfully request this meeting be rescheduled for the following reasons

1. I did not receive ANY notice.
2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting.
3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City , the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable . I have attached the relevant sections for your review.

4. I am still awaiting FOI documents that I have requested . These are essential for me to understand and communicate to my neighbors the validity of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern.

The mere attempt to schedule a meeting of this magnitude with such short notice is raising many questions as to why this essential discussion between the residents whose life is being impacted and the developer was permitted in the first place.

These are exceptional times with the pandemic along with many of my seasonal neighbors being unavailable.

I truly hope the City and other stakeholders will reschedule this.

I would rather have a root canal than to seek other forums to resolve this matter. This issue however is so large that I have to take whatever action is necessary to ensure a constructive open discussion with sufficient notice to all impacted by the project is realized.

Please let me know your decision.

Thank you

Regards and STAY SAFE

Bruce Kusens

Bkusens@collateralopportunities.com

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Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, FL 33160

Phone 305.467.0691

Fax 888.224.1747



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Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, FL 33160

Phone 305.467.0691

Fax 888.224.1747



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From: [Enrique Fuhrman](#)
To: Anthony.DeFillip@citynmb.com; james.wolfe@dot.state.fl.us; [Commission All External](#); [Proffitt, Justin](#)
Cc: [Margo Berman](#)
Subject: my objection to the master agreement between the city and the developer of the intracoastal mall, for the 07/13/20 meeting
Date: Monday, July 13, 2020 1:17:12 AM

Anthony De Fillip Anthony.DeFillip@citynmb.com
James Wolfe, james.wolfe@dot.state.fl.us
City of NMB, Commissionall@citynmb.com
Justin Proffit Justin.Proffitt@citynmb.com

Dear All

My name is Zwi Fuhrman and I have been a resident of Eastern Shores since 2004, a city where we pay high taxes and our sidewalks are a disaster. It is with great sorrow that I am sending this letter (email), our Rulers have been meeting for more than a year with a Developer to destroy the peace in my neighborhood.

Lies or the paper holds everything. This is the Intracoastal Mall Project.

I would like to understand what our Mayor and his team are thinking when they want to approve a MASTER AGREEMENT with the developer for the intracoastal Mall.

Yesterday I received an answer from FDOT that they do not like the project and have many objections but to begin evaluating it, they need the city approval, but after the city approval is granted, there will not be much to say or complain about the complete volume of 200000 squareFeet of office space, 280000 square feet of mall, 50000 square feet of supermarket, 45000 square feet of gym. 2000 apartments and 250 Hotel rooms, and this CAN NOT HAPPEN. Because this is not a City Approval this is an agreement for 15 years to do whatever the developer wants.

Some ideas:

- The traffic report done by the developer, shows more traffic today than after the project is done please read the Multimodal reduction Report, Table 1.!!!!!!!
- Who in his right mind thinks that traffic will be reduced by 15% because of some bicycle lines and walking sidewalks or a future taxi boat? In FLORIDA with 90 degrees 8 months of the year this is logic only in the minds of people for whom money is more important than quality of life. And we just received the new report from another big company that I thought has integrity, also paid by the developer that agrees that traffic will be reduced by 15% after the project is finished. How the city allows this type of scam that looks like a legal option.
- This project is presented as the best of the projects but only contemplates one and half parking spaces per apartment, so where will all the cars be parked at night? Why not the reality 2 to 4 parking space per apartment size, plus parking space for each area to be developed.

- The developer wants to open a canal in front of the canal of our neighbors on NE 166 St, this is crazy, if they want to open a canal they should do it in front of the intracoastal, where they do not affect more to Eastern Shores, if there is only one neighbor that is against of that canal in front of 166st, our Rulers should have to desist of this idea, but our neighbors of 166 st where not asked!!!
- Sunny isle has new buildings, many built by the developer, but none on of them has 8 floors of parking up from level one, the idea of having 8 floors of parking just side to the sidewalk is horrendous, just feel the concept when you go on the ramp of Ives dairy road to Aventura and the beacon tower with 4 or 5 parking floors, just besides the ramp is suffocating.
- This is not an entertainment area so no hotel and no kayak renting should be allowed.
- And traffic lights: a new traffic light at 36 ave, does not give space or time to stop when you come thru the bridge from Collins ave, or if you want to go east the bridge will not give space or time for the cars to pass if it is open. The stop sign at 165 st and the mall now is a service street not a principal street, and it was never intended to be a principal street, that means that the corner will require a traffic light, so 3 traffic lights to enter eastern shores at 35 ave?? To start the developer said in the town meeting last week that they are offering some private square feet to widen the 35 avenue, but when you read the project it is not true.
- There is not enough school, but that was not a problem for the city, the explanation received in the town hall meeting was laughable.
- I, as eastern shores habitant, do not see anything good for us in this new project.

This is a genuinely nice project for a land with double the side and more green space.

Finally, I think that a genuine traffic project and the involvement of eastern shores neighbors are the key to authorize a development in the mall area.

If you exercise an independent traffic project by the city this will bring ideas of the quantity of square feet of mall, supermarket, gym offices, apartments should be authorized.

Why, we, neighbors of Eastern Shores, need to invest money in attorneys and experts to keep living the life we found here when we bought the house. And why our Rulers do not understand that they were elected to protect and take care of us, not to create a monster project. we need some transparency here.

You all know that this agreement will be a muzzle to all the departments of the City because when any department will bring objections the developer will show his master agreement, and NO one will have a say.

Please do the right thing, cancel this meeting, create a developer, neighbors and the city committee and start from zero. I believe in innovation, but it cannot go over or

affect the weak.

We just have lived more than a month of manifestations against racism and intolerance, in this new scenario we need to see a new different project for the intracoastal mall.

Best Regards

Zwi Fuhrman
Eastern Shores

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From: [Mayling Ganuza](#)
To: [Commission All External](#); [Proffitt, Justin](#); Anthony.DeFillip@citynmb.com
Subject: opportunity for redemption
Date: Monday, July 13, 2020 3:13:47 PM

Good afternoon,

Eastern Shore residents are furious that the 2015 decision to change the zoning regulations at the Intracoastal Mall site was essentially done behind closed doors with little to no public input. The least the City Commission can do is make sure that residents are included in the process of developing the site by postponing this vote until we can all meet in person.

Moreover, please use your power to veto the proposed project.

To be honest, I was excited about the proposed development with its central park and waterfront promenade. However, it needs to be scaled down. Miami is the city most vulnerable to the effects of climate change and sea-level rise in the US. Building on such a massive scale threatens the environment and nearby residents. Architect Zyschovic said that the buildings were going to be "environmental," but gave absolutely no details as to what that means.

Entitling Dezer to build 2800 units was a short-sighted mistake. Think of the future and the long-term effects of managing traffic, roads, sewer lines and available drinking water.

Please use your power to prevent this mega-development disaster.

Sincerely,
Mayling Ganuza
16477 NE 30 Avenue

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From: joelnyc1@aol.com
To: [Proffitt, Justin](#); [Commission All External](#); [Defillipo, Anthony](#)
Cc: save-our-paradise-members@googlegroups.com; lou1442@aol.com
Subject: Oppose the Eastern Shores Development Megaproject
Date: Sunday, July 12, 2020 11:59:05 PM

Dear Mr. Major and Commissioners,

My parents bought a condo in Eastern Shores in 1970 because it was a safe, quiet, low-key and low density area. Upon their passing, my brother and I moved there for the same reasons. This megaproject will destroy this quiet neighborhood and cause monumental traffic jams on 163rd st... which are already a nightmare after 3 pm and when the bridge opens, especially in the winter season. This area is a peninsula with no exit to the north... all traffic must exit to 163rd st. This will make it almost impossible for emergency response vehicles to respond in a timely manner and could cost lives.

In addition, I refer you to all of the other issues raised by Liliana Korn in her email below. I agree with all of them. It is time we all took a stand against greedy developers who don't care about the affect their plans have on people and neighborhoods.

I am an Ivy-educated aerospace engineer with 2 masters degrees in engineering, but you don't have to be a rocket scientist to see that this project is wrong for this neighborhood.

I urge you to reject this development!

Thank you,

Joel Kurtzberg
3725 NE 169th St, B201
North Miami Beach

-----Original Message-----

From: Liliana <info@korninteriordesign.com>
To: justin.proffitt@citynmb.com <justin.proffitt@citynmb.com>; commissionall@citynmb.com <commissionall@citynmb.com>; Anthony.defillipo@citynmb.com <Anthony.defillipo@citynmb.com>
Cc: save-our-paradise-members@googlegroups.com <save-our-paradise-members@googlegroups.com>
Sent: Sat, Jul 11, 2020 12:00 pm
Subject: Some notes after Architect's Zyscovich zoom presentation

Dear Mr. Major and Commisssioners,

My name is Liliana Korn Custy. I live in 3808 NE 166th Street, North Miami Beach, Fl. 33160

To make sure there is transparency in the way the city addresses all topics and decisions related to the Intracoastal Mall redevelopment:

1. I suggest that any meeting will be informed to all North Miami Beach residents with at least 15 days of the meeting.
2. I suggest that all people registered in the city web page to receive information about meeting and events, should be emailed about all meetings.

I want to address some topics mentioned on Architect Zyscovich's zoom presentation on 7-9-2020.

1. Traffic

2. New canal
3. Environmental Issues

1. In regards to traffic, I would recommend that the city leaders revise the data on which Architect Zyscovich traffic project findings and proposal is based. For any neighbor who lives in Eastern Shores, traffic has been a nightmare for the last several years, and it is not related to the present construction.

During rush hours in the morning and the afternoon, during sunny beach days and when the draw bridge is up, 163rd street is a parking lot.

Going in and out of Eastern Shores is a more than a challenge.

Dezer's traffic consultant proposal, which is part of the redevelopment plan, aggravates this issue, since there is no solution when adding to the existing problem more cars brought by the high density project proposed by architect Zyscovich's redevelopment project for Dezer.

2. New Canal.

Very proudly Architect Zyscovich markets his new proposed canal as inspired by European canals, as in the Netherlands.

He forgets that

- a. all of these European
- b. canals were designed around 17th century for territory defense, water management, and as an economic solution to traffic and circulation of goods to busy ports.
- c. all the cities to which Architect Zyscovich refers, where these canals were built, are low to medium density cities with no high rises
- d. these cities have miles and miles of canals, which over the years have caused significant costly environmental problems, from flooding to cleaning and waste management.
- e. None of these canals were built for "recreation" purposes, to help market a speculative project, purposely destroying the environment.

3. Environmental Issues:

There is scientific evidence that by 2050, an estimated \$15 billion to \$36 billion of Florida's coastal property will be threatened by sea-level rise, according to a report last year from the Risky Business Project, a Bloomberg Philanthropies effort that quantifies economic risks from climate change. In South Florida, sea-level rise and climate change are already having an effect on available drinking water, roads and sewer lines in low-lying areas, and storm and flood insurance rates.

Using Army Corps of Engineers sea-level-rise predictions, companies now assign flood scores to properties. Its formula can show how much of a threat sea-level rise poses to a property.

I would have been interested that Architect Zyscovich's presentation when referring to environment would have addressed how his project will not flood our Eastern Shores neighborhood for the next 50 years based on predicted sea-level-rise rates and king tides and everything else.

Otherwise, based on sea-level-rise projections, future owners of his property and Eastern Shores' neighbors may want to buy a boat along with their home or office.

As a municipal government, you can have a major impact on climate change policy, by strengthening building codes that make homes and offices and shops more resilient, and by enacting zoning ordinances that steer new development away from the riskiest areas.

Mr Major and North Miami Beach Commissioners, I hope you give all these important issues much consideration. The legacy of your time in government will be forever stained if you fail to responsibly take action against the rezoning of the Intracoastal Mall and

Architect's Zyscovich Intracoastal Mall redevelopment project.
Best regards,
Liliana

KORNInteriorDesign Inc

Interior Design & Contracting

Liliana Korn Custy,

Home Design to the Power³

- Florida License Interior Designer ID5852

- Florida Licensed General Contractor CGC1513044

- Adjunct Professor at Florida International University School of Architecture & The Arts, Department of Interior Architecture

- Former Co-Chair Luxury Council Builders Association of South Florida

- Architect in Argentina

info@korninteriordesign.com

www.korninteriordesign.com

954-520-3182

IB 26001347

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You received this message because you are subscribed to the Google Groups "Save Our Paradise members" group.

To unsubscribe from this group and stop receiving emails from it, send an email to save-our-paradise-members+unsubscribe@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/save-our-paradise-members/a79d94ee53304047b171e2631ee10123%40S12-MBX11-15.S12.local>.

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From: [Bruce Lamberto](mailto:Bruce.Lamberto)
To: fortuna.smuckler@citynmb.com; Joseph.Michael; Fleurimond.McKenzie; Kramer.Barbara; Smith.Phyllis; Villard.Paule
Cc: Proffitt.Justin
Subject: Opposition to Proposed Intracoastal Mall / Dezer Development Traffic Signal and Left Turn Lane
Date: Sunday, July 12, 2020 1:38:48 PM

From: Bruce Lamberto <blamberto@aol.com>
Date: Saturday, July 11, 2020
Subject: Opposition to Proposed Intracoastal Mall / Dezer Development Traffic Signal and Left Turn Lane
To: Bruce Lamberto <blamberto@aol.com>

I have reviewed the proposed traffic ingress and egress plan for the above project and have the following concerns:

1. The installation of a traffic signal near the base of the bridge approach is extremely hazardous. Westbound traffic from Collins Avenue flows unimpeded from Collins Avenue to the current traffic signal at NE 35th Avenue. Although the posted speed limit is 35mph, due to the 4 lane width of the highway, traffic frequently exceeds 45 to 55mph. During rush hour traffic, traffic currently backs up from US 1 all the way to NE 35th Avenue.. If a traffic signal were to be installed at NE 36th Avenue, the base of the bridge, there is insufficient sight view of traffic backed up at this signal to safely stop a vehicle. Add the probable driving under the influence driver who tops the bridge crest at excessive rate of speed and cannot safely stop is an accident waiting to happen. Should a loss of life occur at this traffic signal, the blood of the fatality will be on the hands of those who approved this signal location.
2. The installation of a single left-turn stacking lane for the proposed 36th Avenue traffic signal would mean that there would need to be an extended red light timing to hold westbound traffic in order to clear the single left turn stacking lane. A double left turn stacking lane would remove the protected NE 35th Avenue left turn (eastbound) protected lane from the residents of Eastern Shores.
3. Currently traffic exiting Eastern Shores and wanting to go east are funneled into a protected left turn lane that is shielded from oncoming eastbound traffic as noted in Number 2 above. If the protected left turn lane is repurposed to provide left turn stacking lane(s), traffic exiting NE 35th Avenue and headed east would have to utilize the other eastbound unprotected travel lanes to go east. This will necessitate the eastbound traffic signal at NE 35th Avenue and SR 826 to turn red and hold eastbound SR 826 traffic. Currently the traffic signal at that location is green at all times for eastbound traffic.
4. The developer is proposing adding a 3rd left turn lane on SR 826 turning onto NE 35th Avenue. The operation of the current two lane left turn lanes is problematic in that there is no delineation of the lanes as to destination. Many motorists enter the left turn lane closest to the median because it consistently stacks less vehicles, Once left turning traffic begins turning onto NE 35th Avenue, motorists that are in the inner-most left lane find out they need to get into the right lane to turn into the ICM property. These sudden lane changes cause safety issues. This condition would be made much worse by the installation of a third left turn lane.
5. There are currently 2,256 single-family homes, condominium units, and apartments in Eastern Shores whose only means of ingress and egress is NE 35th Avenue. The proposed Dezer Development Project is proposing 2000 residential units, 250 hotel units, and approximately 500,000 sf. of commercial space, including supermarkets, restaurants, retail stores and a movie theater. This proposed development's population will exceed the current population of Eastern Shores, none of which is discussed in the

developers traffic report.

6. The Corrodino Traffic Study states that there will be a 10%-15% reduction in traffic counts due to bicycles, city shuttle buses, and Metro-Dade transit. While these forms of travel may be utilized by staff employees of the commercial units, it is doubtful if many of the 2000 upscale residential units or the hotel occupants would utilize public transit or bicycles at the rates provided in the study.. Please keep in mind that a Traffic Engineering Study hired by a developer will state all the theoretical reductions in traffic utilizing aged data provide by various sources and submitting their written opinion.. They are hired to provide a favorable traffic study that reinforces the developers goal of building as many units on the property that the zoning code will allow.

The Dezer family purchased the ICM property at a cost that was based upon then-current zoning that allowed for the construction of 800 residential units. The City of North Miami Beach up-zoned the property so that 2000 residential units could be built on the property. This is a financial windfall for the developer that is the equivalent of hundreds of millions of dollars in real money. I mentioned this for the record because there appears to be only one safe ingress to the property from eastbound traffic and that is a U-turn under the bridge similar to what is installed on the east side of the Sunny Isles bridge where a similar congregation of high-rise towers are accessed by the U-turn under the east side of the bridge. An off-ramp on eastbound 826 that takes traffic under the bridge and provides direct access to the Dezer property will save lives.

The reason the developer and their traffic engineers have not done a traffic study to provide an under the bridge U-turn study is the cost and the more difficult permitting process that would be required if this option were offered. The right-of-way needed to provide the ramp for the U-turn is owned by the State. Environmental permits required can be obtained. Estimated construction costs would be between \$10 to \$20 million, far more than a traffic signal installation and an additional left-turn lane. The paragraph above explains how it is affordable to the developer to construct.

I am attaching a traffic plan that I hope FDOT will review and consider for further examination. It consists of extending the service road that currently is constructed on the west side of 35th Avenue and runs to NE 26th Avenue. By extending the service road to NE 36th Avenue, it will allow a U-turn by motorists desiring to go east to Sunny Isles at 35th and 34th Avenues, similar to the same traffic pattern along the the other signalized intersections on the service road to NE 26th Avenue. The service road extension (without a median) to 36th Avenue would also provide an on-ramp for west-bound traffic on SR 826. This traffic plan along with the U-turn under the bridge access would provide the least impact to the current traffic pattern on NE 35th Avenue and lessen the impact on the Eastern Shores residents.

Why should the residents of Eastern Shores and commuters on SR 826 be negatively impacted by a developer who is maximizing the number of units (and traffic issues) he can build on his property? There is an alternative, albeit more expensive, solution to the traffic problem the residents and commuters are now facing.

Sincerely,

Bruce Lamberto
3420 N.E. 165 ST.
North Miami Beach, FL. 33160
blamberto@aol.com
786 367 7072 cell

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From: [ana.delfino](#)
To: [NMBCOMDEV](#)
Subject: PUBLIC COMMENT
Date: Monday, July 13, 2020 1:27:41 PM

ANA MARIA DELFINO

3703 NE 166th ST APT 708
NMB, FL 33160

I do not agree with the project because my main concern is the traffic and the height of the buildings. I would like it to be somewhat more in line with the existing construction in Eastern Shores.

Thank you.

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From: [helen.lurye](#)
To: [NMBCOMDEV](#)
Subject: PUBLIC COMMENT re: Intracoastal Mall
Date: Monday, July 13, 2020 11:27:54 AM

Hello,

I'm a resident and an apartment owner in Eastern Shores and I'm very concerned about this proposed new development of Intracoastal Mall. I'm concerned about overcrowding if residential towers are built there with 2,000 multi-family residential units, 250 hotel keys and 200,00 SF office space. We already have problems with our sewer system on regular basis that causes environmental problems in Oleta river and seasonal traffic jams are also makes driving stressful. By adding this additional stress on the system at Intracoastal Mall our quality of life and property value will go down the drain (so to speak).

That's why I'm AGAINST this new proposed development program of Intracoastal Mall.

Please confirm the receipt of this email.

Best regards,
Yelena Lurye
3860 NE 170 St. # 404
North Miami Beach FL 33160
(305)-491-5250

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From: [michael lurye](#)
To: [NMBCOMDEV](#); [NMBCOMDEV](#)
Subject: PUBLIC COMMENT re: Intracoastal Mall
Date: Monday, July 13, 2020 12:14:03 PM

Hello,

I'm a resident and an apartment owner in Eastern Shores and I'm very concerned about this proposed new development of Intracoastal Mall. I'm concerned about overcrowding if residential towers are built there with 2,000 multi-family residential units, 250 hotel keys and 200,00 SF office space. We already have problems with our sewer system on regular basis that causes environmental problems in Oleta river and seasonal traffic jams are also makes driving stressful. By adding this additional stress on the system at Intracoastal Mall our quality of life and property value will go down the drain (so to speak).

That's why I'm AGAINST this new proposed development program of Intracoastal Mall.

Please confirm the receipt of this email.

Best regards,
Michael Lurye
3860 NE 170 St. # 404
North Miami Beach FL 33160
(305)-491-7946

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From: natalia.goldman
To: [NMBCOMDEV](#)
Subject: PUBLIC COMMENT
Date: Monday, July 13, 2020 3:42:45 PM

Hello,

My name is Natalia Goldman and I'm a resident and an apartment owner in North Miami Beach since 2000 and I'm very concerned about this proposed new construction program of Intracoastal Mall.

This extensive construction will be extremely disruptive to the local residential community creating dust pollution, noise pollution and increased traffic.

I'm concerned about overcrowding if residential towers are built there with 2,000 multi-family residential units, 250 hotel keys and 200,00 SF office space.

We already have problems with our sewer system on regular basis that causes environmental problems in Oleta river and seasonal traffic jams are also makes driving stressful. By adding this additional stress on the system at Intracoastal Mall our quality of life and property value will go down the drain (so to speak).

That's why I'm AGAINST this new proposed development program of Intracoastal Mall.

Please confirm the receipt of this email.

Best regards,

Natalia Goldman
2841 NE 163 st
N Miami Beach
FI 33160

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as public record.

From: [Tatyana Kats](#)
To: [NMBCOMDEV](#)
Subject: PUBLIC COMMENTS
Date: Monday, July 13, 2020 12:21:44 PM

Hello,

My name is Tatyana Kats.
I have been a resident of
3660 NE 166 St Apt #814 North Miami Beach, FL 33160 since 1995.

I'm against the planning, development, and construction programs for hotels and multi-family residences by Dezer at the Intercostal Mall.

The construction will be extremely disruptive to the lives of residents in terms of construction pollution, excessive noise, increased traffic, and over population of a small area.

We welcome the development of open and accessible public spaces, an improved fire station, and community center.

This is a quiet, peaceful neighborhood and the residents of Eastern Shores intend to keep it that way.

Regards,
Tatyana Kats
305-467-9566
tatyanakats@icloud.com

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From: [Bruce Kusens](#)
To: [Proffitt, Justin](#)
Cc: [Bkusens@pionetechns.com](#); [Scott, Esmond](#); [Bernard, Andrise](#); [margobermanauthor@gmail.com](#); [Diane Frazer](#); [fabdimisa@bellsouth.net](#); [Cino, Sharon](#); [Duron, Mario F.](#); [Jose Smith](#); [miamimicrotronix@bellsouth.net](#); [Smith, Phyllis \(External\)](#); [shugrdady@aol.com](#); [Lamberto, Bruce](#); [veronicabluray@gmail.com](#); [n1801e@comcast.net](#); [ruthabeckjerr@gmail.com](#)
Subject: Re: "Town Hall Meeting" TIME SENSITIVE
Date: Friday, July 10, 2020 4:00:24 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image002.png](#)
[image.png](#)
[image.png](#)
[Invitation Agenda.pdf](#)
[Jose Smith Legal Opinion.pdf](#)
[Objection to the Town Hall Meeting-Copy.pdf](#)
[Driving Times Eastern Shores to Hospitals.pdf](#)

Good Afternoon Justin,

I am disappointed that the City chose not to postpone the meeting as I requested for the reasons I set forth. I was able to access the "Town Hall Meeting" and was taken back with how it was conducted by the developer. I have attached my objections to the meeting for your reference.

In summary - this was NOT an OPEN FORUM.

The developer muted participants (except for the developers experts) .

They disabled the chat feature which allows participants to communicate with one another and/or developer staff silently without interfering with the presentation.

They misrepresented the Agenda - (see attached) It was set up as an architectural meeting. Within minutes of its start the actual agenda included Developer Presentations on multiple topics

They exercised exclusive control over who and for what duration they permitted to speak

They selectively read emails sent to them silencing those they choose not to read

They disabled the "Raise Hands" feature which allows participants to silently "virtually raise their hand" indicating to the host that they wish to be recognized

In addition to having the City send out the invitations creating the impression that it was

"official", They continued to portray the meeting as "official" by displaying the City's Seal

I don't have enough pixels to describe all of what I consider to be misrepresentations in their description of the impact of the proposed project.

My concerns go so deep, that I have found it necessary to seek legal counsel. I contacted Attorney Jose Smith. Jose and I go back over 50 years and our Wives go back even further. I engaged him to provide me with a legal opinion on this matter and I have attached it for your review. Jose has identified many issues that require discussion and analysis.

I also want to call your attention to the real life traffic situation here. Attached are actual screen shots of the Driving time between Eastern Shores and the two nearest Hospitals.

Although the streets have 35-45 MPH signs - Peak hour rides on them are ~ 8 MPH. There is no way that doubling the size of our community is not going to further degrade this situation . Increasing the number of ways to access 163 st accomplishes nothing if the 163 is moving at ~8 MPH. All you do is wait in your car not moving on 163 Street instead of not moving on the Avenues that intersect it. My neighbors and I moved to suburban North Miami Beach to escape this.

I do think the design of the project is well done -- it is just in the wrong place at the wrong time . The only way God was able to build the earth in six days was because there was no installed customer base. We couldn't be further from that at this time in this community. It is so out of place here it isn't funny.

I am fine with improvements to my neighborhood and want to contribute to them. During the developers presentation, they spoke of their entitlements several times without describing the conditions that they are contingent upon. No mention was ever made of our entitlements as homeowners and residents of the community.

I am also very concerned that in the event the project for whatever reason doesn't go as it was presented , there is no recourse or funding to remedy the situation. It is only prudent that the developer put up sufficient collateral (10 digit range) that the City and impacted stakeholders can readily access if the developers impact analysis is flawed. I can't imagine proceeding without there being sufficient collateral to ensure that in the event of failure - sufficient developer funds would be available for any contingency. Five years ago, (while my neighbors and I were fast asleep at the wheel) - the City conditionally rezoned the property. Now 5 years later - they have found a way to fix the same plan that was approved five years earlier.

It is my intention that this email and the exhibits to it become part of the City's record and are provided to the P&Z board and that they are considered as part of any decisions made regarding the proposed development. Please distribute the document to them. If you are unable to - please let me know and provide me with their contact information.

I really dislike having to behave in this manner , but I have read the Emperor's New Clothes (https://en.wikipedia.org/wiki/The_Emperor%27s_New_Clothes) and this seems to me to just be the sequel to it.

Thank you .

Regards and STAY SAFE

Bruce Kusens

305-467-0619

Bkusens@CollateralOpportunities.com

On Thu, Jul 9, 2020 at 2:30 PM Bruce Kusens <bkusens@collateralopportunities.com> wrote:

Hi Justin,

Thank you very much for your prompt response. I have subscribed to several of the list servers and have received communications from them in the past (see below).

When an email from a governmental body is received (City of NMB) , it is clearly regarded as an official document. The email did not contain any language that the mailing was done on behalf of the applicant.

The email sure looked official, smelled official and was interpreted as official from the City triggering the applicable notice requirements. I appreciate your willingness to ensure that future "Town Hall Meetings" will provide adequate notice.

Neither of us know with 100% certainty whether this is in conformance with State and City notice requirements. In view of this uncertainty, I again would encourage our City to err on the side of its Citizens rather than the Developer .

It is good to know that the City will notify residents of Zoom "Town Hall Meetings" I would like to learn more about the process as our concerned residents may wish to utilize that forum to initiate or continue the dialogue about the project. I promise that we will give adequate notice and the meetings will be open to all. Please let me know who to contact to set this up.

I did have a copy of the Traffic Study you attached, thank you. I was able to find that one, but I wasn't able to locate any earlier ones, hence my request. The passage of time between the two studies gives us an opportunity to see how earlier projections actually performed. Below are copies of my outstanding record requests from 6-15-20 and 6-24-20.

Thank you very much -- Still hoping that the City will do the right thing for its residents and cancel the meeting.

Regards and STAY SAFE

Bruce

image.png



image.png



On Thu, Jul 9, 2020 at 1:16 PM Proffitt, Justin <Justin.Proffitt@citynmb.com> wrote:

Hello Bruce,

Please see my responses to your points below.

1. I did not receive ANY notice. This is not a city meeting and therefore not subject to the city or state notification laws. It is being held by the applicant and we offered to get the word out to the community. It is our understanding that they plan to hold additional town hall meetings in the near future. We do not know those dates yet, but will send the word out when we do know the dates. You can sign up to receive City emails in the future here: <https://www.citynmb.com/list.aspx>

2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting. We understand that frustration and have reminded the applicant to give everyone, including the city, more notice for any upcoming meetings they plan.

3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City , the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable . I have attached the relevant sections for your review. I do not think that is correct. That law applies to city boards, the Commission, or committees. This is not one of those meetings. However, we will insist the applicant give the City and the community more notice in the future.

4. I am still awaiting FOI documents that I have requested . These are essential for me to understand and communicate to my neighbors the validity of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern. We sent your public records request to our City Clerk's Office 6-25-20, but attached is a copy of what was sent to the Clerk. Also, I am providing a link to the project documents, agenda reports, and the agenda for July 13th P&Z Board Meeting:
https://www.citynmb.com/AgendaCenter/ViewFile/Agenda/_07132020-260?html=true

Thank you,

Justin Proffitt, AICP

Community Development Director



City of North Miami Beach

Community Development Department

T (305) 354-4456, ext. 4456

17050 NE 19th Avenue, North Miami Beach, FL 33162 | www.citynmb.com | City NMB on Social Media:



From: Bkusens@Pionetechs.com <bkusens1@gmail.com>
Sent: Thursday, July 9, 2020 12:25 PM
To: Proffitt, Justin <Justin.Proffitt@citynmb.com>; Scott, Esmond <Esmond.Scott@citynmb.com>; Bernard, Andrise <Andrise.Bernard@citynmb.com>
Cc: margobermanauthor@gmail.com; Diane Frazer <dfrazer81@gmail.com>; fabdimisa@bellsouth.net; Bruce Kusens <Bkusens@collateralopportunities.com>
Subject: "Town Hall Meeting" TIME SENSITIVE

Good Morning,

My name is Bruce Kusens and I am a resident of Eastern Shores. A neighbor of mine forwarded me an email from the City of North Miami Beach to attend a "Town Hall Meeting" this evening with the developers Architect for the proposed Intracoastal Mall redevelopment.

I don't know why I did not receive an invitation , I have received other notices from the City.

I along with my neighbors do want to learn and participate in understanding what is being proposed and what my life will be like during and after the proposed redevelopment.

I respectfully request this meeting be rescheduled for the following reasons

1. I did not receive ANY notice.

2. My few neighbors that did receive the email the City sent have complained about the short notice to the meeting.

3. While I understand this is a developer sponsored event and may be exempt from the notice requirements required by the City , the fact is that the invitation was sent out by the City and the notice requirements of Florida in the Sunshine law are applicable . I have attached the relevant sections for your review.

4. I am still awaiting FOI documents that I have requested . These are essential for me to understand and communicate to my neighbors the validity of the underlying data upon which the project impact forecasts have been made. My cursory review of the Traffic report has identified many areas of concern.

The mere attempt to schedule a meeting of this magnitude with such short notice is raising many questions as to why this essential discussion between the residents whose life is being impacted and the developer was permitted in the first place.

These are exceptional times with the pandemic along with many of my seasonal neighbors being unavailable.

I truly hope the City and other stakeholders will reschedule this.

I would rather have a root canal than to seek other forums to resolve this matter. This issue however is so large that I have to take whatever action is necessary to ensure a constructive open discussion with sufficient notice to all impacted by the project is realized.

Please let me know your decision.

Thank you

Regards and STAY SAFE

Bruce Kusens

Bkusens@collateralopportunities.com

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Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, FI 33160

Phone 305.467.0691

Fax 888.224.1747



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Bruce Kusens (Version 4.9)

Chief Toy Officer (CTO)

16422 NE 34 Avenue , North Miami Beach, FI 33160

Phone 305.467.0691

Fax 888.224.1747



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From: [Huynh, Dat](#)
To: [Enrique Fuhrman](#)
Cc: [Commission All External](#); [Proffitt, Justin](#); [Wolfe, James](#); [Shaheen, Helen](#); [Margo Berman](#)
Subject: RE: my objection to the master agreement between the city and the developer of the intracoastal mall, for the 07/13/20 meeting
Date: Monday, July 13, 2020 2:37:52 PM

Dear Mr. Fuhrman,

As I had state in my email on Friday, July 10, 2020, I just want to clarify that, the developer's plan needs City approval first, one of the steps for local approval is to go before North Miami Beach's Planning & Zoning Board (Board) scheduled for today, Monday, July 13, 2020. The Board will review and make advisory recommendations to the City Commission which a Virtual City Commission Meeting is schedule on July 21, 2020, 6:00 PM. There may be another City Commission Meeting on the subject development. The planning and zoning decision is a City decision and the FDOT will review local government comprehensive plans, and amendments and the Developer access request. The FDOT will also review the access and identify, comment on, and recommend mitigation to ameliorate impacts to state transportation facilities.

If the City approves, they need to go before our Access Management Review Committee (AMRC) for any variance to the signal spacing requirements as per 14-97.003 Florida Administrative Code (FAC). The FDOT is in receipt of the Access permit application 'Intercoastal Mall' project, 2020-A-691-00029. This project is scheduled for AMRC review on August 6, 2020 for the proposed signalized intersection at SR 826/NE 163rd Street and Intracoastal Mall Driveway.

If I can be of further assistance, please feel contact me.

Sincerely,

From: Enrique Fuhrman <enriquefuhrman@gmail.com>
Sent: Monday, July 13, 2020 1:17 AM
To: Anthony.DeFillip@citynmb.com; Wolfe, James <James.Wolfe@dot.state.fl.us>; Commissionall@citynmb.com; Justin.Proffitt@citynmb.com
Cc: Margo Berman <margobermanauthor@gmail.com>
Subject: my objection to the master agreement between the city and the developer of the intracoastal mall, for the 07/13/20 meeting

EXTERNAL SENDER: Use caution with links and attachments.

Anthony De Phillip Anthony.DePhillip@citynmb.com
James Wolfe, james.wolfe@dot.state.fl.us
City of NMB, Commissionall@citynmb.com
Justin Proffitt Justin.Proffitt@citynmb.com

Dear All

My name is Zwi Fuhrman and I have been a resident of Eastern Shores since 2004, a city where we pay high taxes and our sidewalks are a disaster.

It is with great sorrow that I am sending this letter (email), our Rulers have been meeting for more than a year with a Developer to destroy the peace in my neighborhood.

Lies or the paper holds everything. This is the Intracoastal Mall Project.

I would like to understand what our Mayor and his team are thinking when they want to approve a MASTER AGREEMENT with the developer for the intracoastal Mall.

Yesterday I received an answer from FDOT that they do not like the project and have many objections but to begin evaluating it, they need the city approval, but after the city approval is granted, there will not be much to say or complain about the complete volume of 200000 squareFeet of office space, 280000 square feet of mall, 50000 square feet of supermarket, 45000 square feet of gym. 2000 apartments and 250 Hotel rooms, and this CAN NOT HAPPEN. Because this is not a City Approval this is an agreement for 15 years to do whatever the developer wants.

Some ideas:

- The traffic report done by the developer, shows more traffic today than after the project is done please read the Multimodal reduction Report, Table 1.!!!!!!!
- Who in his right mind thinks that traffic will be reduced by 15% because of some bicycle lines and walking sidewalks or a future taxi boat? In FLORIDA with 90 degrees 8 months of the year this is logic only in the minds of people for whom money is more important than quality of life. And we just received the new report from another big company that I thought has integrity, also paid by the developer that agrees that traffic will be reduced by 15% after the project is finished. How the city allows this type of scam that looks like a legal option.
- This project is presented as the best of the projects but only contemplates one and half parking spaces per apartment, so where will all the cars be parked at night? Why not the reality 2 to 4 parking space per apartment size, plus parking space for each area to be developed.
- The developer wants to open a canal in front of the canal of our neighbors on NE 166 St, this is crazy, if they want to open a canal they should do it in front of the intracoastal, where they do not affect more to Eastern Shores, if

there is only one neighbor that is against of that canal in front of 166st, our Rulers should have to desist of this idea, but our neighbors of 166 st where not asked!!!

- Sunny isle has new buildings, many built by the developer, but none on of them has 8 floors of parking up from level one, the idea of having 8 floors of parking just side to the sidewalk is horrendous, just feel the concept when you go on the ramp of Ives dairy road to Aventura and the beacon tower with 4 or 5 parking floors, just besides the ramp is suffocating.
- This is not an entertainment area so no hotel and no kayak renting should be allowed.
- And traffic lights: a new traffic light at 36 ave, does not give space or time to stop when you come thru the bridge from Collins ave, or if you want to go east the bridge will not give space or time for the cars to pass if it is open. The stop sign at 165 st and the mall now is a service street not a principal street, and it was never intended to be a principal street, that means that the corner will require a traffic light, so 3 traffic lights to enter eastern shores at 35 ave?? To start the developer said in the town meeting last week that they are offering some private square feet to widen the 35 avenue, but when you read the project it is not true.
- There is not enough school, but that was not a problem for the city, the explanation received in the town hall meeting was laughable.
- I, as eastern shores habitant, do not see anything good for us in this new project.

This is a genuinely nice project for a land with double the side and more green space.

Finally, I think that a genuine traffic project and the involvement of eastern shores neighbors are the key to authorize a development in the mall area.

If you exercise an independent traffic project by the city this will bring ideas of the quantity of square feet of mall, supermarket, gym offices, apartments should be authorized.

Why, we, neighbors of Eastern Shores, need to invest money in attorneys and experts to keep living the life we found here when we bought the house. And why our Rulers do not understand that they were elected to protect and take care of us, not to create a monster project. we need some transparency here.

You all know that this agreement will be a muzzle to all the departments of the City because when any department will bring objections the developer will show his master agreement, and NO one will have a say.

Please do the right thing, cancel this meeting, create a developer, neighbors and the

city committee and start from zero. I believe in innovation, but it cannot go over or affect the weak.

We just have lived more than a month of manifestations against racism and intolerance, in this new scenario we need to see a new different project for the intracoastal mall.

Best Regards

Zwi Fuhrman
Eastern Shores

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From: [Roberta Gordon](#)
To: [NMBCOMDEV](#)
Subject: Re: North Miami Beach Planning and Zoning Board Meeting Confirmation
Date: Sunday, July 12, 2020 10:05:43 PM

Please see my comments on my registration.

I wasted more than 30 minutes composing comments, without a character count, only to give up.

Here's some of what I wrote:

Plans changing for 3+ yrs, some of my concerns are traffic in Eastern Shores & those traversing NE 163rd St, 4 upwards of 5 yrs as the phases R built. Eastern Shores is a man-made island w/seawalls falling in the water, roads not repaired, electrical above ground & 1 way in (NE 35th Ave) & out. Will the land take the weight of this project? Will Oleta Park suffer from the waste created by 2000 condos, townhomes, a 250 room hotel, retail and public space. Sunny Isles Beach was overbuilt by developers including the Dezers — how many of those are occupied and have not lost millions in revenue from lack of sales? Who are the Dezers backing politically to have gotten this far? Scale it back!!!!

Thank you.

On Jul 12, 2020, at 9:59 PM, Planning & Zoning Division <no-reply@zoom.us> wrote:



Hi Roberta Gordon,



Thank you for registering for "North Miami Beach Planning and Zoning Board Meeting".

Please submit any questions to:
NMBCOMDEV@citynmb.com

Date Time: Jul 13, 2020 06:00 PM Eastern Time (US and Canada)

Join from PC, Mac, Linux, iOS or Android: [Click Here to Join](#)

Password: 088805

Note: This link should not be shared with others; it is unique to you.

[Add to Calendar](#) [Add to Google Calendar](#) [Add to Yahoo Calendar](#)

Or iPhone one-tap

US: +13017158592,,82558099248# or
+13126266799,,82558099248#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1
646 876 9923 or +1 253 215 8782 or +1 346 248 7799
or +1 408 638 0968 or +1 669 900 6833

Meeting ID: 825 5809 9248

Password: 088805

International numbers available:

<https://us02web.zoom.us/j/82558099248>

You can [cancel](#) your registration at any time.

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From: [Liliana](#)
To: [Proffitt, Justin](#); [Commission All External](#); [Defillipo, Anthony](#)
Cc: save-our-paradise-members@googlegroups.com
Subject: Some notes after Architect's Zyscovich zoom presentation
Date: Saturday, July 11, 2020 12:00:27 PM

Dear Mr. Major and Commissionners,

My name is Liliana Korn Custy. I live in 3808 NE 166th Street, North Miami Beach, Fl. 33160

To make sure there is transparency in the way the city addresses all topics and decisions related to the Intracoastal Mall redevelopment:

1. I suggest that any meeting will be informed to all North Miami Beach residents with at least 15 days of the meeting.
2. I suggest that all people registered in the city web page to receive information about meeting and events, should be emailed about all meetings.

I want to address some topics mentioned on Architect Zyscovich's zoom presentation on 7-9-2020.

1. Traffic
2. New canal
3. Environmental Issues

1. In regards to traffic, I would recommend that the city leaders revise the data on which Architect Zyscovich traffic project findings and proposal is based. For any neighbor who lives in Eastern Shores, traffic has been a nightmare for the last several years, an it is not related to the present construction.

During rush hours in the morning and the afternoon, during sunny beach days and when the draw bridge is up, 163rd street is a parking lot.

Going in and out of Eastern Shores is a more than a challenge.

Dezer's traffic consultant proposal, which is part of the redevelopment plan, aggravates this issue, since there is no solution when adding to the existing problem more cars brought by the high density project proposed by architect Zyscovich's redevelopment project for Dezer.

2. New Canal.

Very proudly Architect Zyscovich markets his new proposed canal as inspired by European canals, as in the Netherlands.

He forgets that

- a. all of these European
- b. canals were designed around 17th century for territory defense, water management, and as an economic solution to traffic and circulation of goods to busy ports.
- c. all the cities to which Architect Zyscovich refers, where these canals were built, are low to medium density cities with no high rises
- d. these cities have miles and miles of canals, which over the years have caused significant costly environmental problems, from flooding to cleaning and waste management.
- e. None of these canals were built for "recreation" purposes, to help market a speculative project, purposely destroying the environment.

3. Environmental Issues:

There is scientific evidence that by 2050, an estimated \$15 billion to \$36 billion of Florida's coastal property will be threatened by sea-level rise, according to a report last year from the Risky Business Project, a Bloomberg Philanthropies effort that quantifies economic risks from climate change. In South Florida, sea-level rise and climate change are already having an effect on available drinking

water, roads and sewer lines in low-lying areas, and storm and flood insurance rates.

Using Army Corps of Engineers sea-level-rise predictions, companies now assign flood scores to properties. Its formula can show how much of a threat sea-level rise poses to a property.

I would have been interested that Architect Zyscovich's presentation when referring to environment would have addressed how his project will not flood our Eastern Shores neighborhood for the next 50 years based on predicted sea-level-rise rates and king tides and everything else.

Otherwise, based on sea-level-rise projections, future owners of his property and Eastern Shores' neighbors may want to buy a boat along with their home or office.

As a municipal government, you can have a major impact on climate change policy, by strengthening building codes that make homes and offices and shops more resilient, and by enacting zoning ordinances that steer new development away from the riskiest areas.

Mr Major and North Miami Beach Commissioners, I hope you give all these important issues much consideration. The legacy of your time in government will be forever stained if you fail to responsibly take action against the rezoning of the Intracoastal Mall and Architect's Zyscovich Intracoastal Mall redevelopment project.

Best regards,

Liliana

KORNInteriorDesign Inc

Interior Design & Contracting

Liliana Korn Custy,

Home Design to the Power ³

- Florida License Interior Designer ID5852

- Florida Licensed General Contractor CGC1513044

- Adjunct Professor at Florida International University School of Architecture & The Arts, Department of Interior Architecture

- Former Co-Chair Luxury Council Builders Association of South Florida

- Architect in Argentina

info@korninteriordesign.com

www.korninteriordesign.com

954-520-3182

IB 26001347

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the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mail sent and received is captured by our servers and kept as public record.

From: [Bruce Lamberto](#)
To: [Proffitt, Justin](#)
Cc: [Kramer, Barbara](#); [Joseph, Michael](#); [Fleurimond, McKenzie](#); [Smith, Phyllis](#); [Smukler, Fortuna](#); [Villard, Paule](#); tucker@wtgibbs.com
Subject: U Turn Under Bridge
Date: Monday, July 13, 2020 6:57:33 AM

Justin

Please forward this email to the P & Z members this morning and prior to the meeting.

The City of North Miami Beach's residents paid a consulting firm (Kevin Crowder) to provide a redevelopment plan for the City. This plan included up-zoning numerous properties throughout the city. This up-zoning gave a windfall profit to all owners of these up-zoned properties. In the case of the ICM property, the property was originally zoned for up to 800 residential units and, due to up-zoning, is now allowed to build over 2250 residential and hotel units, more than tripling the value of the property..

In order to build the increased number of units, the developer is required to submit an acceptable (to the City) traffic plan that minimizes the impact to residents. The traffic plan Dezer Development submitted does not meet that mandate. They took the cheap way out.. The only option that provides minimal impact to the residents of Eastern Shores is for the developer to provide an off-ramp and U turn under the bridge that would provide direct access to the ICM property. This option is expensive, making the developer spend 10% to 15% of the windfall profit he received due to the up-zoning.on the construction of the ramp and U turn. Please keep in mind Dezer Development DID NOT PAY for the up-zoning, the residents did..

There is no reason why the P & Z Commission and the City Commission should allow any other option, including the installation of a dangerous traffic signal at the base of the bridge.and an additional left turn lane at 35th Avenue.that the residents of Eastern Shores would have to navigate. Do not let the developer tell you that the U turn is not a viable option. Environmental permitting can be accomplished for the U turn. The additional right of way required is owned by the State and the roadway is owned by the State. Please vote to mandate that the developer provide this option. To not do so is not in the best interests of the Eastern Shires residents.and residents of the City.

Sincerely

Bruce Lamberto

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July 13, 2020

Dat Huynh, Acting Dir, Transportation Development
Florida Department of Transportation- District 6
1000 NW 111th Avenue, Room 6111A
Miami, FL 33172

Dear Mr. Huynh,

As per our conversation earlier today, This email is to review some of my concerns with the Traffic Mitigation Plans at the North Miami Beach IntraCoastal Mall Development presented by Dezer Intracoastal Mall LLC.

I have included several issues which probably do not directly involve FDOT, I feel you should be aware of as these issues will have collateral detrimental impacts on SR-826.

It has come to my attention that Dezer's Plans are going to be reviewed by the Planning & Zoning Board Meeting this evening July 13, 2020. As the P&Z Board in our city is purely an advisory board, no approval of any kind will be granted or denied at that time. The item will be scheduled after this P&Z meeting for first reading at the August Council Meeting, and then for second reading (and council vote) during the September Council Meeting. Until the vote decision at the September Council Meeting, nothing has been approved (or denied) by the city. I have attached a screenshot of the city's website with the description and duties of the P&Z Board for reference.

Summary:

In March 2015 the City of North Miami Beach Commission (the City Commission) passed plans for the redevelopment of the IntraCoastal Mall known now as the Eastern Mixed-Use Waterfront District (Eastern MU/WF). The ordinance required that the Developer –

- a. Provide for multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden NE 35th Avenue.
- b. Provide a traffic study that shows multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden NE 35th Avenue.

I have attached a portion of the applicable city municipal code ordinance Section 24-58.7(O)(2)(e) for reference.

The ordinance approved by the City Commission was based on the intention to create multiple free flow entrance and exit points to/from the Property, alleviate a potential increase of traffic on 35th avenue (a primarily residential access road), and provide traffic improvements for east/west traffic on the 826.

In the latest Master Plan drawings (dated May 20 2020) submitted by the Developer to the City of North Miami Beach Planning and Zoning Board (the Board), although limited in detail, show a clear disregard for the requirements of the ordinance items noted above.

The plans show the following points of ingress and egress to the property -

1. A modification to the existing 826 entrance and exit of the Property. This creates a new signalized intersection at what will become 36th.
2. A new entrance/exit on 35th avenue for utility ROW access, as well as heavy (semi-trucks) retail deliveries.
3. A new entrance (one way) on 35th avenue to the Property
4. A modification to the existing 35th avenue signalized intersection with to the Property at NE 164th St.

5. A new entrance/exit on 35th avenue for heavy (semi-trucks) retail deliveries and access to Police, Fire, and Community facilities.
6. A modification to the existing entrance/exit just south of the Eastern Shores guard house, to accommodate access to the proposed Townhomes on the Property.

The plans show the distance between the existing 35th avenue signalized intersection and new 36th avenue signalized intersection to be approximately 400 feet. The FWHA states that thought should be given to "the locations of other nearby traffic signals when considering the installation of new traffic signals". Many experts state that even for a minor roadway classification in current and projected urban areas the distance between 2 signalized intersections should be at a minimum ¼ mile (1,320 ft.) - ½ mile (2,640 ft.). The intersection will create addition traffic and congestion along the 826, as well as inadequate space when vehicles queue up at the new 36th avenue signal.

I believe that the new proposed 36th avenue signalized interchange will also create a conflict for traffic heading east on the 826 from 35th avenue. Currently traffic has dedication lane separated by plastic delineators creating a safe merge and acceleration area from vehicles heading east on 826. The proposed design would eliminate the safety feature and push east bound vehicles close to the new 36th avenue left turn lane. If the left turn lane is over capacity a high probability for a collision could occur.

The plans denote the construction of a third turn lane from 826 east onto 35th avenue. It is my understanding that Triple turn lanes are usually utilized for ingress onto limited access roadways (highways, causeways, etc.) that allow for quick acceleration and limited decision points.

The proposed 35th avenue configuration appears to have 8 decision points, the first decision point only 200 feet from the end of the turn. This would cause numerous dangerous weave patterns for many vehicular users that are unfamiliar with the configuration. This would cause congestion from the 826 triple turn lane through 35th avenue. Normally, "triple left-turn lanes are appropriate at intersections with high left-turn volumes that cannot be adequately served in a single lane". FHWA states that a double turn lane should be used for left-turn volumes exceeding 300 vehicles per hour, and a triple turn lane when demand exceeds 600 vehicles per hour. Based on this logic, a triple turn lane would double the amount of traffic being loaded onto 35th avenue.

For these reasons, the Developer should modify the Master Plan to accommodate multiple access points with direct east and west access as required, reduce the number of access points along 35th avenue, and remove the proposed triple left turn lane. This would de-incentivize users from using 35th avenue and creating a traffic burden for residents of Eastern Shores.

Saul Smukler

Saul Smukler, P.E.
3207 NE 168 Street
North Miami Beach, FL 33160

(305) 525-9191 (mobile)

att: City of NMB-P&Z Board Duties (pdf); Eastern MU/WF City Ordinance 24.58.7 (pdf)

cc.: Jim Wolfe, FDOT-D6 Secretary



City of North Miami Beach, Florida
Community Development Department

TO: Pamela Latimore, City Clerk
Municipal Code Corporation

FROM: Richard G. Lorber, Community Development Director

DATE: August 24, 2018

RE: Request for Correction of Scrivener's Error

It has come to our attention that one of our adopted ordinances was not adopted exactly as it was adopted by the City Commission. This involves Ordinance No. 2015-5, which was adopted by the City on March 17, 2015.

Specifically, Section 24-58.7 (O)(2)(e), involving the Eastern Mixed-Use Waterfront District, was amended to add additional language. Apparently this language was inadvertently not included in the version of the ordinance that was eventually codified. I have personally re-watched the video of the Commission meeting, and confirm that at approximately 9:52pm, there was a motion, 2nd and majority vote to amend the language. The amendment necessary to correct is shown below.

(2) *Public Services.*

- * * *
- e. The developer shall be required to provide for multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden NE 35th Avenue.

We are requesting that the codifier make the necessary change as shown above. Please let me know when this is corrected. Thank you very much.

Sec. 24-58.7 - Eastern Mixed-Use Waterfront District (MU/EWF).

(A) *Purpose and Intent.* The purpose of these regulations is to implement policies that guide the design of development within the Eastern Mixed-Use Waterfront District (EASTERN MU/WF). The intent of the EASTERN MU/WF district is to establish a Mixed-use area that serves as the center of activity for the entire Eastern Shores neighborhood. The district shall provide for multi-family housing that enables residents to live on the waterfront. Providing new publically accessible open spaces as well as public access to and beautification of the waterfront are primary principals of the EASTERN MU/WF district. The district shall also improve the fire rescue station and provide a police sub-station to enhance the public services in the Eastern Shores neighborhood. Development patterns shall generally reflect planning and design principles that reduce traffic by designing a walkable neighborhood oriented around the five-minute walk. Additionally, there shall be primary orientation towards the waterfront, integration of housing, employment, shopping and recreation at the neighborhood level. This purpose will be fulfilled by:

- (1) Ensuring high quality, architecturally compatible, consistently landscaped development throughout the District;
- (2) Ensuring that new development or redevelopment projects enhance the visual character of the District and does not create incompatibility with the adjacent single family properties in terms of massing and scale;
- (3) Encouraging the development of a neighborhood main street with pleasant shopping areas and attractive pedestrian spaces;
- (4) Stimulating neighborhood commercial and retail activities;
- (5) Encouraging people to reside in the District;
- (6) Ensuring the mitigation of traffic issues such as providing additional access points into the site, where feasible;
- (7) Ensuring public access to and the beautification of the waterfront;
- (8) Ensuring the development and maintenance of new publically accessible open space; and
- (9) Retaining and enhancing the existing rescue station and addition of a police substation.

* * *

(O) *Development Approval Conditions.*

- (1) *Public Infrastructure and Streetscape Assessment and Fund.*
 - a. All new residential development, or renovation or remodeling of residential units within the EASTERN MU/WF, where total vertical construction costs of the development, renovation or remodeling is equal to or greater than five hundred thousand (\$500,000.00) dollars shall pay a public infrastructure and streetscape assessment per dwelling unit. Such public infrastructure and streetscape assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public infrastructure and streetscape assessments shall be deposited into the public infrastructure and streetscape fund.
 - b. Ordinary property maintenance is exempt from the public infrastructure and streetscape assessment. Repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official, are exempt from the public infrastructure and streetscape assessment.
 - c. The amount of the public infrastructure and streetscape assessment shall be established by resolution of the City Council and may be adjusted from time to time.
 - d. A separate public infrastructure and streetscape fund shall be established by the City. All public infrastructure and streetscape assessment payments from residential development,

or renovation or remodeling of residential units within the EASTERN MU/WF shall be deposited into this fund and the funds shall be kept separate from any other City funds. The public infrastructure and streetscape fund shall be used by the City for improvement to and maintenance of the public infrastructure and streets in the EASTERN Shores Neighborhood. Use of such funds shall be determined by the City Council. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund.

(2) **Public Services.**

- a. The developer shall be required to relocate, rebuild, improve, enhance or otherwise address per the direction of the City/County, the existing fire rescue station onsite.
- b. The developer shall be required to provide, or otherwise address per City direction, a police substation onsite.
- c. The developer shall be required to develop and maintain in perpetuity a minimum of six (6) acres of publically accessible open space in the District. Part of this six (6) acres shall be a new publically accessible neighborhood park, conveniently located for access by residents of the Eastern Shores Neighborhood, a minimum of sixty-five thousand (65,000) square feet in size.
- d. The developer shall be required to develop and maintain in perpetuity a publically accessible waterfront promenade, the general location of which is approximately shown in the Designated Publically Accessible Open Spaces and Urban Greenway Systems Regulating Plan (Figure MU/EWF-3). The new publically accessible waterfront promenade shall generally extend along the entire northern and eastern site boundary edges adjacent to the water.
- e. **The developer shall be required to provide** for multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden NE 35th Avenue.
- f. The developer shall be required to provide streetscape improvements within the MU/EWF property generally in accordance with the Street Network Connectivity Regulating Plan and Street Standards.

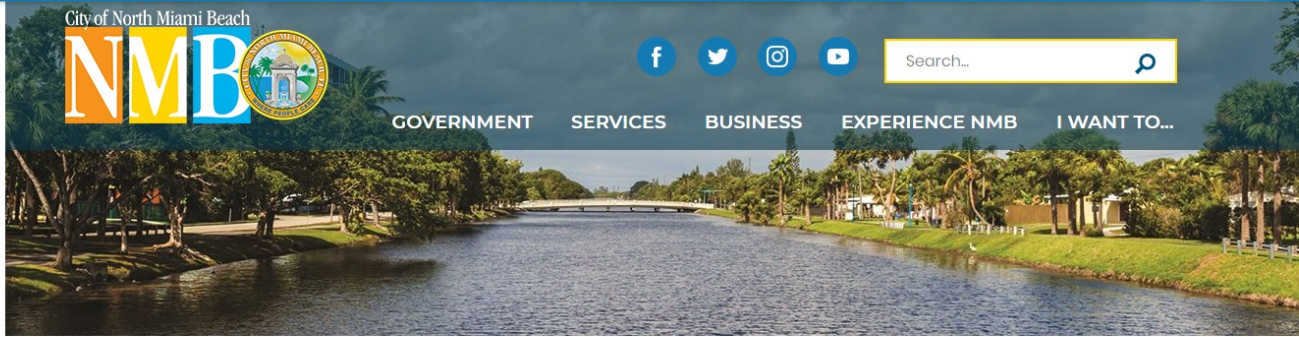
(P) *Development Permit Review Procedures.* The following development permit review procedure will apply to this district:

- (1) The review procedures set out in Article XV and Section 24-171 (Concurrency) will apply within this district.
- (2) Preapplication Conference: For those development permit requests that require a Pre-Application Conference, the specific issues identified below must be reviewed by the Applicant and addressed with staff at the Preapplication Conference:
 - (a) Provide a traffic study that shows multiple access points with direct east and west access to and from SR 826 and traffic mitigation such that the development does not over burden NE 35th Avenue. Show plans to provide public access to the waterfront; improve, enhance, relocate, rebuild or otherwise address per City/County direction the Miami-Dade Rescue Station; address, per City direction, the addition of a police substation; and address the long term maintenance of designated publically accessible open spaces.
 - (b) In addition to the submittal requirements in Article XV and Section 24-171 (Concurrency), the required plans submitted for review for the Pre-Application conference shall demonstrate the Applicant's general approach to comply with the requirements noted above and shown on the MU/EWF District's:
 - (1) Sub-Areas Regulating Plan.
 - (2) Street Network and Connectivity Regulating Plan.

- (3) Designated Publically Accessible Open Spaces and Urban Greenways Regulating Plan.
- (4) Building Heights Regulating Plan.
- (5) Building Typology.

(Ord. No. 2015-5, § 2(Exh. A), 3-17-15; Ord. No. 2016-6, § 2, 7-5-16)

- Police
- NMB Water
- Commission
- City Manager
- CodeRED
- NMB Radio
- Police
- NMB Water
- Commission
- City Manager
- Police
- NMB Water
- Commission
- City Manager
- CodeRED
- NMB Radio



- Advisory Committee for Disabled Individuals
- Beautification Committee
- Budget Review Commission
- Charter Review

- Code Enforcement Board
- Commission on Aging/Senior Citizens Advisory Board
- Commission on the Status of Women
- Community Redevelopment Agency (CRA) Board
- E. Shores First Add. Secur. Guard Spec. Taxing Bd.

- E. Shores Security Guard Special Taxing Dist. Bd.
- Education Committee
- General Employees Retirement Board
- Police & Fire Retirement Board
- Management Pension Board
- Multi-Cultural Committee
- Planning & Zoning Board
- Public Utilities Commission
- Recreation Committee
- Redevelopment Advisory Board

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Planning & Zoning Board

Meetings

- Generally the 2nd Monday of each month at 6:00 p.m.
- City Hall Commission Chambers: 17011 NE 19th Avenue, 2nd Floor

Overview

The Planning and Zoning Board was established under the provisions of Ordinance 79-20, and is comprised of seven (7) members, each serving two year terms.

Board Members

- Julian Kreisberg, Chair
- Larry Thompson, Vice Chair
- Joseph Litowich
- Norman Edwards
- Marc St. Vil
- Larry Shinbaum
- Donard St. Jean

Duties

- Governed by the Zoning and Land Development Code and the Comprehensive Plan
- Acts in the statutory capacity of Local Planning Agency
- **The Board shall review and make advisory recommendations to the City Commission on all applications for the following:**
 - Rezoning;
 - Conditional uses;
 - Plats of subdivisions;
 - Changes to the Comprehensive Plan;
 - Changes to the Zoning and Land Development Code;
 - Variance;
 - Site plan;
 - Special Limited Conditional use.

Voting

Variances may be allowed, by the affirmative vote of two-thirds (2/3) of the members present (must be a quorum), for the purpose of preventing hardship or inequities not self-imposed, or for the purpose of preserving the constitutional rights of the applicant, subject to the approval of the City Commission. On all other matters, a majority vote is required.

Agendas & Minutes

Contact Us



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 Mayor - Group 1
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Planning & Zoning

[Email Planning & Zoning](#)

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 North Miami Beach, FL 33162
 Phone: 305-948-2966

Hours

Monday - Friday
8:00 A.M. - 5:00 P.M.

Calendar

July 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	30	01	02	03	04
05	06	07	08	09	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	01

Mon Jul. 13
[Virtual Planning & Zoning Board](#)

Tue Jul. 21
[Virtual City Commission Meeting](#)

[View All](#)