

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

BOARD APPLICATION CHECKLIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.

Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five (5) business days prior to CAP First submittal.

Applications requiring a traffic study must meet with the Transportation Department and peer reviewer thirty (30) calendar days prior to the CAP First Submittal deadline to determine the methodology for the traffic impact study and obtain the Transportation Department's checklist. Fifteen (15) days prior to the First submittal the applicant must submit the traffic study via CAP. Seven (7) days prior to First submittal the Transportation Department/Peer Reviewer will provide first round of comments to the applicant. The applicant must address the comments and submit revised traffic study/plans by the CAP First Submittal deadline including a narrative responding to Transportation/Peer Reviewer comments.

Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

Property address: 1759 Purdy Avenue Board DRB Date: 04/14/20

ITEM #	ITEM DESCRIPTION	REQUIRED
CAP FIRST SUBMITTAL To be uploaded online (CAP) by the applicant before 12:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.		
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. Letter must outline application details and identify hardships if Variances are requested. (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	✓
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	Architectural Plans and Exhibits (must be 11"x 17")	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. Include copies of previous recorded board orders, if applicable.	✓

Property address: 1759 Purdy Avenue

Board: DRB

Date: 04/14/20

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	
g *	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable. DRB approved and Modifications	✓
h *	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths). DRB approved and Modifications	✓
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	✓
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	✓
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	
m	Demolition Plans (Floor Plans & Elevations with dimensions)	
n *	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks. DRB approved and Modifications	✓
o *	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable) DRB approved and Modifications	✓
p *	Proposed Section Drawings DRB approved and Modifications	✓
q	Color Renderings (elevations and three dimensional perspective drawings).	✓
10	Landscape Plans and Exhibits (must be 11"x 17")	
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required. Existing	✓
b	Hardscape Plan, i.e. paving materials, pattern, etc.	✓
11	Copy of original Building Permit Card, & Microfilm, if available.	✓
12	Copy of previously approved building permits (provide building permit number) and/or Board Orders.	✓
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	

Property address: 1759 Purdy Avenue

Board: DRB

Date: 04/14/20

ITEM #	ITEM DESCRIPTION	REQUIRED
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	
23	Required yards section drawings.	
24	Variance and/or Waiver Diagram	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
40	Site Plan (Identify streets and alleys)	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

Property address: 1759 Purdy Avenue Board: DRB Date: 04/14/20

ITEM #	ITEM DESCRIPTION	REQUIRED
b	# parking spaces & dimensions_____ Loading spaces locations & dimensions_____	
c	# of bicycle parking spaces_____	
d	Interior and loading area location & dimensions_____	
e	Street level trash room location and dimensions_____	
f	Delivery route_____ Sanitation operation_____ Valet drop-off & pick-up_____ Valet route in and out_____	
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles_____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
41	Floor Plan (dimensioned)	
a	Total floor area	
b	Identify # seats indoors_____ outdoors_____ seating in public right of way _____ Total_____	
c	Occupancy load indoors and outdoors per venue_____ Total when applicable_____	
42	The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.	✓
43	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:	
a	Section 118-53 (d) of the City Code for each Variance.	✓
44	The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A	
Other	Height Variance Diagram	
Other	*Site plan, floorplans, elevations and sections; include DRB Approved AND proposed modifications	✓
Other		

****ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**



Property address: 1759 Purdy Avenue

Board: DRB

Date: 04/14/20

ITEM #	ITEM DESCRIPTION	REQUIRED
FINAL SUBMITTAL (CAP & PAPER) Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final submittal deadline. Staff will review and issue a notice to proceed or to continue submittal to a future meeting if the application is found incomplete.		
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	✓
	PAPER FINAL SUBMITTAL:	
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)

Tracy Slavens

Applicant or Designee's Name



Applicant or Designee's Signature

4/13/2020

Date

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER DRB20-0549			
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input checked="" type="radio"/> Design Review Board <input type="checkbox"/> Design review approval <input checked="" type="checkbox"/> Variance	
<input type="radio"/> Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<input type="radio"/> Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 1752 Bay Road, 1738 Bay Road, 1730 Bay Road, 1724 Bay Road, 1759 Purdy Avenue, 1747 Purdy Avenue, 1743 Purdy Avenue, and 1733 Purdy Avenue, Miami Beach, FL			
FOLIO NUMBER(S) 02-3233-012-0550, -0530, -0540, -0520, -0510, -0500, -0490, and -0480			
Property Owner Information			
PROPERTY OWNER NAME Sunset Land Associates LLC and SH Owner LLC			
ADDRESS 1691 Michigan Ave, Ste 510	CITY Miami Beach	STATE FL	ZIPCODE 33139
BUSINESS PHONE 305-749-0921	CELL PHONE	EMAIL ADDRESS bradley.colmer@decocapital.com	
Applicant Information (if different than owner)			
APPLICANT NAME Same			
ADDRESS	CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Request for Design Review Board approval of a variance to permit a 3 ft height increase for the approved development. For further information, please refer to the letter of intent.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		66,995	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		132,764	SQ. FT.
Party responsible for project design			
NAME Bermello Ajamil & Partners		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 2601 S Bayshore Dr #1000		CITY Miami	STATE FL ZIPCODE 33133
BUSINESS PHONE 954-248-3844	CELL PHONE	EMAIL ADDRESS ajenkins@bermelloajamil.com	
Authorized Representative(s) Information (if applicable)			
NAME Tracy R. Slavens		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS Holland & Knight, 701 Brickell Ave, Suite 3300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-789-7642	CELL PHONE	EMAIL ADDRESS tracy.slavens@hklaw.com	
NAME Vanessa Madrid		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS Holland & Knight, 701 Brickell Ave, Suite 3300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-789-7453	CELL PHONE	EMAIL ADDRESS vanessa.madrid@hklaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

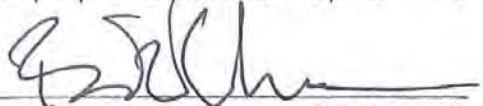
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

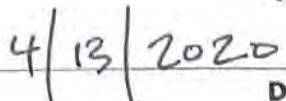
The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative


SIGNATURE

Bradley Colmer, Manager, Sunset Land Associates LLC

PRINT NAME


DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNERSTATE OF FL

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

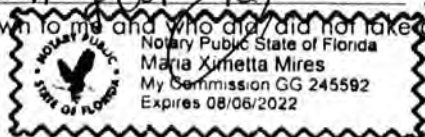
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Bradley Colmer, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Sunset Land Associates LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 13 day of April, 2020. The foregoing instrument was acknowledged before me by Bradley Colmer, who has produced PJ as identification and/or is personally known to me and who did/did not take an oath.

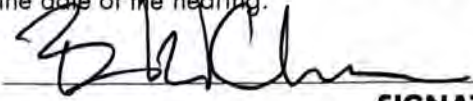
NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 8/6/2022**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami-Dade

I, Bradley Colmer, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Tracy Slavens & Vanessa Madrid to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Bradley Colmer, Manager, Sunset Land Associates LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 13 day of April, 2020. The foregoing instrument was acknowledged before me by Bradley Colmer, who has produced DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC
My Commission Expires: 8/6/2022
MARIA X MIRE
PRINT NAME
CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Sunset Land Associates LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Please see attached Exhibit "B."

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

<hr/>	
TRUST NAME	
NAME AND ADDRESS	% INTEREST
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COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Tracy Slavens	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7642
Vanessa Madrid	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7453
See also Exhibit "C."		

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

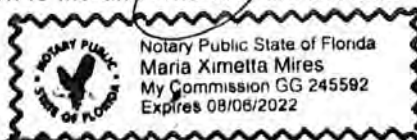
COUNTY OF Miami-Dade

I, Bradley Colmer, Manager, Sunset Land Associates LLC, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 13 day of April, 2020. The foregoing instrument was acknowledged before me by Bradley Colmer, who has produced DL as identification and/or is personally known to me and who did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 8/6/2022

[Signature]
NOTARY PUBLIC
MARIA X MIRES
PRINT NAME

Please read the following and acknowledge below:

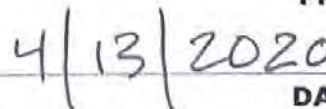
- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application from said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
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☐ Owner of the subject property ☒ Authorized representative


SIGNATURE

Bradley Colmer, Manager, SH Owner LLC

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

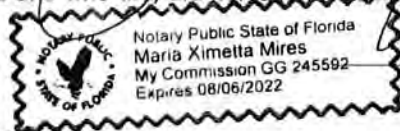
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Bradley Colmer, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of SH Owner LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

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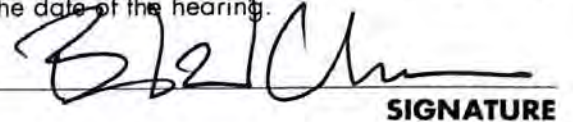
NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 8/6/2022**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami-Dade

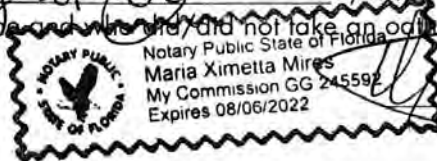
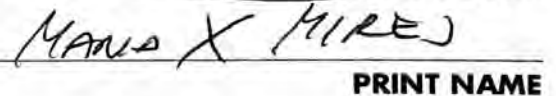
I, Bradley Colmer, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Tracy Slavens & Vanessa Madrid to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Bradley Colmer, Manager, SH Owner LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

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NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 8/6/2022

PRINT NAME
CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME	DATE OF CONTRACT
-------------	-------------------------

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

SH Owner LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Please see attached Exhibit "B."

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Tracy Slavens	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7642
Vanessa Madrid	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7453
See also Exhibit "C."		

Additional names can be placed on a separate page attached to this application.

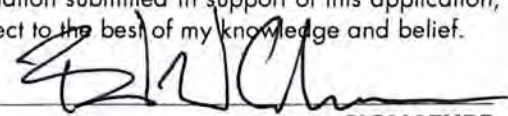
APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Bradley Colmer, Manager, SH Owner LLC, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.


SIGNATURE

Sworn to and subscribed before me this 13 day of April, 2020. The foregoing instrument was acknowledged before me by Bradley Colmer, who has produced 7C as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 8/6/2022

Notary Public State of Florida
Maria Ximetta Mires
My Commission GG 245592
Expires 08/06/2022


NOTARY PUBLIC

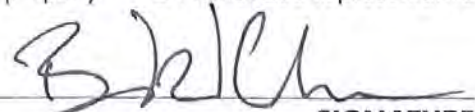
MARIA XIMETTA MIRE
PRINT NAME

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
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The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative


SIGNATURE

Bradley Colmer, Manager, Sunset Land Associates LLC

PRINT NAME

4/13/2020
DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by means of _____ physical presence or _____ online notarization by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

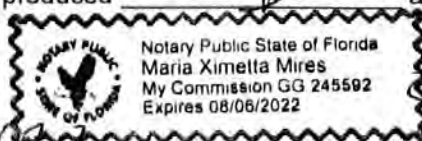
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Bradley Colmer, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Sunset Land Associates LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE


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NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 8/6/2022**PRINT NAME**

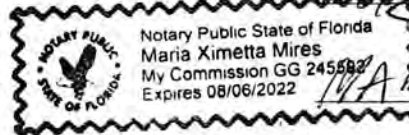
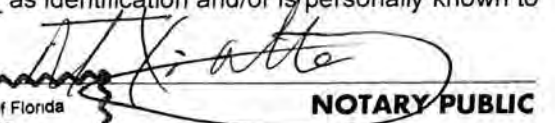
POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami-Dade

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Bradley Colmer, Manager, Sunset Land Associates LLC**PRINT NAME (and Title, if applicable)**

SIGNATURE

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NOTARY SEAL OR STAMP

My Commission Expires: 8/6/2022

NOTARY PUBLIC
MARIA X MIRES
PRINT NAME
CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

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Sunset Land Associates LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See attached Exhibit "B"

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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TRUSTEE

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TRUST NAME	
NAME AND ADDRESS	% INTEREST

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See also Exhibit "C"		

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APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

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[Signature]
SIGNATURE

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NOTARY SEAL OR STAMP

My Commission Expires: 8/6/2022



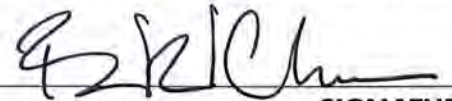
[Signature]
NOTARY PUBLIC
X MIRE
PRINT NAME

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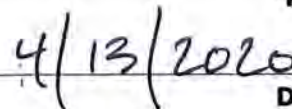
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The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative


SIGNATURE

Bradley Colmer, Manager, SH Owner LLC

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

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NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

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NOTARY SEAL OR STAMP

Notary Public State of Florida
Maria Ximella Mires
My Commission GQ 245592
Expires 08/06/2022

NOTARY PUBLICMy Commission Expires: 8/6/22**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami-Dade

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Bradley Colmer, Manager, SH Owner LLC

PRINT NAME (and Title, if applicable)**SIGNATURE**

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NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 8/6/2022**PRINT NAME****CONTRACT FOR PURCHASE**

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NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

SH Owner LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Please see attached Exhibit "B."

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Tracy Slavens	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7642
Vanessa Madrid	Holland and Knight, 701 Brickell Ave, Suite 3300 Miami, FL 33131	305-789-7453
See also Exhibit "C."		

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

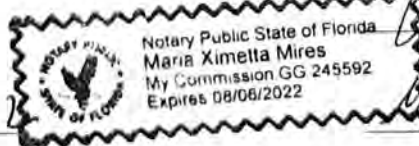
COUNTY OF Miami-Dade

I, Bradley Colmer, Manager, SH Owner LLC, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

[Signature]
SIGNATURE

Sworn to and subscribed before me this 13 day of April, 2020. The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Bradley Colmer, who has produced [Signature] as identification and/or is personally known to me and who did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 8/6/2022

[Signature]
NOTARY PUBLIC
MARIA X MIRES
PRINT NAME

EXHIBIT "A"

LEGAL DESCRIPTION

The West 1/2 of Lot 3, Lot 4 Lot 5, Lot 6 and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

EXHIBIT “A”

DISCLOSURE OF INTEREST

Interests in Sunset Land Associates, LLC

Percentage of Interest

Sunset Harbor Holdings, LLC	100%
c/o Deco Capital Group	
1691 Michigan Ave., Suite 510	
Miami Beach, FL 33139	

Interests in SH Owner, LLC

Percentage of Interest

Sunset Harbor Holdings, LLC	100%
c/o Deco Capital Group	
1691 Michigan Ave., Suite 510	
Miami Beach, FL 33139	

Interests in Sunset Harbor Holdings, LLC

Percentage of Interest

Deco Capital Investments, LLC	10%
c/o Deco Capital Group	
1691 Michigan Ave., Suite 510	
Miami Beach, FL 33139	

RWNIH-REP Sunset Harbor, LLC	90%
c/o Deco Capital Group	
1691 Michigan Ave., Suite 510	
Miami Beach, FL 33139	

Interests in Deco Capital Investments, LLC

	Percentage of Interest
Bradley W. Colmer c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	5.41%
Dan Marinberg c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	9.90%
M-1752 Deco Investor, LLC c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	5.01%
Michael Beattie c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	4.84%
Frederic Khalil c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	8.87%
David Neithardt Beaumont c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	12.19%
Douglas Silverman c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	10.19%
Boris Marinberg c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	1.70%

Deco Capital Group, LLC c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	4.69%
Ralph Bekkevold c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	19.32%
Joseph Furst c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	1.7%
Max and Roger Leifer, 50/50 ownership ¹ c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	5.82%
Christopher Roe c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	1.46%
Gloria Canasi c/o Deco Capital Group 1691 Michigan Ave., Suite 510	5.54%
GJ Togel Holdings LLC c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	3.12%
DCP Sunset Harbour LLC c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	0.24%

¹ Each of Max Leifer and Roger Leifer own 50% of the 5.82% interest (2.91% each).

Interests in RWNH-REP Sunset Harbor LLC

	Percentage of Interest
RWNH-REP, LLC c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	95.9588%
Ari Shalam c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	0.4822%
Joshua Shapiro c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	0.0698%
Barry Kringstein c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	3.4892%

Interests in RWNH-REP LLC

	Percentage of Interest
Marc Rowan and Carolyn Rowan, as Husband and Wife c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	98.5603%
Ken Glassman c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	1.2972%
Mary Harada c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	0.1299%

Ari Shalam c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	0.0126%
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M-1752 Deco Investor, LLC

Percentage of Interest

Camilo Miguel c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	100%
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Deco Capital Group, LLC

Percentage of Interest

Bradley W. Colmer c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	100%
---	------

GJ Togel Holdings LLC

Percentage of Interest

Greg Togel c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	100%
--	------

DCP Sunset Harbour LLC

Percentage of Interest

Bradley W. Colmer c/o Deco Capital Group 1691 Michigan Ave., Suite 510 Miami Beach, FL 33139	100%
---	------

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Tracy R. Slavens, Esq.
305 789 7642
tracy.slavens@hklaw.com

May 11, 2020

VIA HAND DELIVERY

Mr. James Murphy
Chief of Urban Design, Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

**Re: Sunset Land Associates LLC and SH Owner LLC –Response to Staff
First Submittal Comments/Application to Design Review Board
(DRB20-0549, the “Application”)**

Dear Mr. Murphy:

Please accept this letter on behalf of Sunset Land Associates LLC and SH Owner LLC (the “Applicants”), in response to Staff’s first submittal review comments issued May 1, 2020 for Application DRB20-0549 in connection with approval of the proposed mixed used development. The subject property consists of ± 0.77 acres and is located at 1752, 1738, and 1724 Bay Road, and 1759, 1747, 1743, and 1733 Purdy Avenue, in Miami Beach, Florida, and is identified by Folio Nos. 02-3233-012-0550, -0530, -0540, -0520, -0500, -0490, and -0480 (collectively, the “Property”). The Property is zoned Medium Intensity Commercial Category (CD-2), has a land use designation of CD-2, and is located within the Sunset Harbor neighborhood.

The Applicants responses to the comments are as follows:

Planning Department Comments:

DRB Zoning Review Comments Issued by Irina Villegas, Senior Planner

1. Backflow preventor located at the front shall be relocated internal to the building.

RESPONSE: Backflow preventers will be relocated accordingly. This change will be reflected in the building permit submittal.

2. Covered commercial corridor at the 4th level counts in FAR.

RESPONSE: Noted. The covered commercial corridor has been counted as FAR. Please refer to FAR diagrams on Sheet A-1.2_P.

3. Diagrams showing calculations for residential use vs. commercial use to show that the residential use is a minimum of 25% of the total area of the building shall be provided at the time of the building permit.

RESPONSE: Acknowledged.

DRB Admin Review Comments Issued by Monique Fons, Office Associate V

1. The following are missing Disclosures:

- Max and Roger Leifer (Percentage must be specified for each)
- GJ Toggle Holdings LLC
- DCP Sunset Harbour LLC

RESPONSE: Disclosure of interests have been updated accordingly.

2. The following fees are outstanding and will be invoiced prior to the Notice to Proceed deadline 5/18/2020:

1. Advertisement - \$1,544
2. Posting - \$103
3. Mail Label Fee (\$5 per mailing label)
4. Courier - \$ 70
5. Board Order Recording - \$ 103
6. Variance(s) - \$772 p/variance
7. Sq. Ft Fee - \$.31 cents p/ Sq. Ft

Total Outstanding Balance = \$ ALL FEES MUST BE PAID BY 5/20/2020

In addition to the fees, the following shall be provided to the Department no later than the Final submittal deadline 5/11/2020, before 12 p.m. (Tardiness may affect being placed on the agenda):

RESPONSE: Acknowledged.

DRB Plan Review Comments Issued by Fernanda Sotelo-Chotel, Principal Planner

1. DEFICIENCIES IN ARCHITECTURAL PRESENTATION

- a. Generally, edit package to focus on the variance and modifications. Limit set to modifications, i.e. floor plan modifications and height modifications: DRB approved and proposed.
 - i. Include: Cover, Index (One index for proposed) Survey, Zoning Data (1 for proposed) highlight modifications, Building Area Sheet, Site Plan: proposed with administrative changes noted; Floor Plans: Ground Floor Proposed w/ administrative changes noted; Elevations: Approved and proposed w/ highlighted modifications; Building Sections: Approved and proposed w/ highlighted modifications; Variance Diagram (only diagram, unless changes to others) and renderings: approved and proposed.

RESPONSE: Enclosed plans have been revised accordingly.

b. SURVEY: Shall be updated dated within 6 mos.

RESPONSE: Applicant complies with this requirement. Enclosed survey was last updated on February 27, 2020.

c. Index – Include only for this set. Remove the DRB approved

RESPONSE: This comment has been addressed accordingly.

d. A1 ZONING LEGEND Include only for this application, highlight changes from approved (note in red the change)

RESPONSE: This comment has been addressed accordingly.

e. Retain Building Area Sheets approved and proposed

RESPONSE: Noted.

f. Remove FAR drawings

RESPONSE: As per communications dated May 6, 2020, , all approved FAR drawings have been removed, and replaced with one page including the proposed FAR miniature drawings. Please refer to Sheet A-1.2_P.

g. Axonometric – update with proposed

RESPONSE: The enclosed revised plans include axonometric sheets for proposed plan. Please refer to Sheet A-1.8_p.

h. Site Plan – Approved and Proposed, graphically notes changes approved administratively

RESPONSE: Please refer to Sheet A-2.0 for approved site plan, and Sheet A-2.0_P for proposed site plan, where the bubbled areas denote the location of changes approved administratively.

i. Floor Plans – Ground Floor plan: Approved and Proposed, graphically note changes approved administratively

RESPONSE: Approved ground floor plan is shown on Sheet A-2.1. Please refer to Sheet A-2.2 for miniature approved floor plans (floors 2-5, roof deck, and trellis). Proposed ground floor plan is shown on Sheet A-2.1_P, while Sheet A-2.2_P includes the miniature proposed floor plans (floors 2-5, roof deck, and trellis).

j. Floor Plans – Rood Deck Plan: Approved and Proposed, graphically note changes approved administratively

RESPONSE: Please refer to Sheet A-2.2 for miniature approved floor plans (floors 2-5, roof deck, and trellis), and Sheet A-2.2_P for miniature proposed floor plans (floors 2-5, roof deck, and trellis).

k. Remove Diagram Sheets: A2.8A, B, C; A2.9. A2,10, A2,11, A2.12, A2.13, A2.14 (only include those that may have changed due to modifications)

RESPONSE: This comment has been addressed accordingly

l. A2.14 Line of Sight Diagram Update with proposed

RESPONSE: Updated line of sight diagram is shown on Sheet A-2.14_p.

m. Include Variance Diagram

RESPONSE: Variance Diagram A-2.15_P.

n. Elevations – Remove enlarged elevations

RESPONSE: Noted. Per comment “k” below, plans have been revised to provide 1 page per elevation showing approved and proposed elevations (including measurements and proposed height variance). Please refer to Sheets A-3.5_P, A-3.6_P, A-3.7_P, and A-3.8_P.

o. Contextual Elevation – update with proposed

RESPONSE: Contextual elevation on Sheet A-3.9_P has been updated.

p. Sections – Include Proposed noting changes to height

RESPONSE: Updated Sections are shown on Sheets A-4.2_P and A-4.3_P.

q. Remove A5.0, 5.1, 5.2, 5.3 and 5.4

RESPONSE: This comment has been addressed accordingly.

r. Renderings – Include rendering of Proposed facade – remove renderings of breezeway

RESPONSE: Noted. Updated rendering is shown A-6.0_P.

s. Include Landscape drawings set – no changes

RESPONSE: Updated landscape plans have been provided to provide consistency with the proposed plans.

2. ZONING/VARIANCE COMMENTS

a. Variance #1: 3’-0” Height Variance

RESPONSE: Confirmed. Please refer to Letter of Intent.

DRB Plan Review Comments Issued by James G. Murphy, Chief of Urban Design

1. DEFICIENCIES IN ARCHITECTURAL PRESENTATION

a. Generally, edit package to focus on the variance and modifications. Limit set to modifications, i.e. floor plan modifications and height modifications: DRB approved and proposed.

i. Include: Cover, Index (One index for proposed) Survey, Zoning Data (1 for proposed) highlight modifications, Building Area Sheet, Site Plan: proposed with administrative changes noted; Floor Plans: Ground Floor Proposed w/ administrative changes noted; Elevations: Approved and proposed w/ highlighted modifications; Building Sections: Approved and proposed w/ highlighted modifications; Variance Diagram (only diagram, unless changes to others) and renderings: approved and proposed.

RESPONSE: As noted above, enclosed plans have been revised accordingly.

b. A1 ZONING LEGEND Include only for this application, highlight changes from approved (note in red the change)

RESPONSE: This comment has been addressed accordingly.

c. Retain Building Area Sheets approved and proposed

RESPONSE: Noted.

d. Remove FAR drawings

RESPONSE: As per communications dated May 6, 2020, all approved FAR drawings have been removed, and replaced with one page including the proposed FAR miniature drawings. Please refer to Sheet A-1.2_P.

e. Axonometric – update with proposed

RESPONSE: The enclosed revised plans include axonometric sheets for proposed plan. Please refer to Sheet A-1.8_p.

f. A1- page series Remove FAR to proposed plans reduce to one page Remove

RESPONSE: As noted above, As per communications dated May 6, 2020, all approved FAR drawings have been removed, and replaced with one page including the proposed FAR miniature drawings. Please refer to Sheet A-1.2_P.

g. A2- page series Ground floor Site Plan – Proposed, graphically notes changes approved administratively

RESPONSE: Approved ground floor plan is shown on Sheet A-2.1. Please refer to Sheet A-2.2 for miniature approved floor plans (floors 2-5, roof deck, and trellis). Proposed ground floor plan is shown on Sheet A-2.1_P, while Sheet A-2.2_P includes the miniature proposed floor plans (floors 2-5, roof deck, and trellis).

h. A2- page series CONSOLIDATE one sheet: UPPER Floor Plans Reduced on one page—Proposed plans graphically note changes approved administratively > reduce plans as mini plans to fit on one page

RESPONSE: A-2 page series has been consolidated. Please refer to Sheet A-2.2 for miniature approved floor plans (floors 2-5, roof deck, and trellis), and Sheet A-2.2_P for miniature proposed floor plans (floors 2-5, roof deck, and trellis).

i. Remove Diagram Sheets: A2.8A, B, C; A2.9, A2.10, A2.11, A2.12, A2.13, A2.14 (only include those that may have changed due to modifications)

RESPONSE: This comment has been addressed accordingly.

j. A2.14 Existing Line of Sight Diagram and Add/Update with proposed

RESPONSE: As noted above,

k. 4 pages of Elevations – Remove enlarged elevations. 1 page per elevation of existing and proposed on same sheet graphically showing measurements and proposed height variance. Existing and proposed.

RESPONSE: Plans have been revised to provide 1 page per elevation showing approved and proposed elevation (including measurements and proposed height variance). Please refer to Sheets A-3.5_P, A-3.6_P, A-3.7_P, and A-3.8_P.

l. Contextual Elevation – update with proposed

RESPONSE: Contextual elevation on Sheet A-3.9_P has been updated.

m. Remove 3-page series. Remove make 2-page series legible so that these are not necessary

RESPONSE: Per comment “k” above, plans have been revised to provide 1 page per elevation showing approved and proposed (including measurements and proposed height variance). Please refer to Sheets A-3.5_P, A-3.6_P, A-3.7_P, and A-3.8_P.

n. Sections – Include Proposed noting changes to height

RESPONSE: Updated Sections are shown on Sheets A-4.2_P and A-4.3_P.

o. Remove A5.0, 5.1, 5.2, 5.3 and 5.4

RESPONSE: This comment has been addressed accordingly.

p. Renderings 6- – Include rendering of Proposed facade – remove renderings of breezeway

RESPONSE: Noted. Updated rendering is shown A-6.0_P.

q. Include Landscape drawings set – no changes

RESPONSE: Updated landscape plans have been provided to provide consistency with the proposed plans.

2. ZONING/VARIANCE COMMENTS

a. Variance #1: 3'-0" Height Variance

RESPONSE: Confirmed. Please refer to Letter of Intent.

Based on the above, we respectfully seek your favorable review, issuance of notice to proceed to the July meeting of the Design Review Board, and recommendation of approval for this Application. Thank you in advance for your considerate attention to this request.

If you should have any questions or require additional information, please feel free to call me directly at 305-789-7642.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

A handwritten signature in blue ink, reading "Tracy Slavens", with a stylized flourish at the end.

Tracy R. Slavens, Esq.

Enclosures

Holland & Knight

315 South Calhoun Street, Suite 600 | Tallahassee, FL 32301 | T 850.224.7000 | F 850.224.8832
Holland & Knight LLP | www.hklaw.com

Tracy R. Slavens, Esq.
305 789 7642
tracy.slavens@hklaw.com

April 17, 2020

VIA HAND DELIVERY

Mr. Thomas Mooney, AICP
Director, Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, FL 33139

**Re: Sunset Land Associates LLC, and SH Owner LLC – Letter of Intent for
Design Review Board Application No. DRB 20-0549 (the “Application”)**

Dear Mr. Mooney:

Please accept this Letter of Intent on behalf of Sunset Land Associates LLC and SH Owner LLC (the “Applicants”), in support of their Application to the Design Review Board for approval of a variance from the maximum building height under Section 142-306(a) of the Land Development Regulations. The property subject to this Application consists of those certain parcels of land located at 1752, 1738, 1730, and 1724 Bay Road, and 1759, 1747, 1743, and 1733 Purdy Avenue, in Miami Beach, Florida, and is identified by Folio Nos. 02-3233-012-0550, -0530, -0540, -0520, -0510, -0500, -0490, and -0480 (collectively, the “Property”).

I. Background

The Property consists of approximately 0.77 acres, composed of six vacant lots and two lots developed with existing buildings (located at 1752 Bay Road and 1730 Bay Road, both to be demolished), located within the Sunset Harbor neighborhood, and has a land use designation of Medium Intensity Commercial Category (CD-2) and is zoned CD-2. In 2018, the Property received approval for a new five (5) story mixed-use project with ground floor retail uses pursuant to the Design Review Board Order under File No. PB 17-0198 (the “2018 DRB Board Order”).¹ A copy of the recorded 2018 DRB Board Order is attached hereto as Exhibit “A” for your reference.

¹ The project was also approved pursuant to Conditional Use Permit under File No. PB 17-0168 (aka PB 18-0168, the “2018 CUP”).

Recently, the Applicants filed a Planning Board application, identified under File No. PB 20-0344 (“PB 20-0344”), seeking approval of a minor modification of the 2018 CUP to include office use as part of the Project’s development Program. This resulted in a simultaneous decrease of six (6) residential units (two (2) units proposed, where eight (8) units were previously contemplated), and an increase of 29,728 square feet of office use. This Application is intended to be a companion application to PB 20-0344.¹

II. Variance Request

The Applicants are seeking approval of a three (3) foot height variance for the project, which was previously approved with a height of 55 feet in accordance with Section 142-306 of the Land Development Regulations. Thus, with the additional three feet, the proposed total building height is 58 feet. The purpose of this Application is to provide for a structurally sound building in light of the engineering challenges resulting from the irregular shape of the subject Property and the raising of the Property in satisfaction of the sea-level rise criteria, which resulted in dissimilar elevations on the front and rear sides of the Property. As a result of these unique and unusual conditions, column transfers and thicker slabs are required to preserve the building’s functionality and stability, thus requiring additional height. The requested three (3) feet is the minimum needed to achieve this. The proposed building height variance complies with the maximum allowable building height variance of three (3) feet pursuant to Section 118-353(a) of the Land Development Regulations. Overall, the requested variance will result in an indiscernible height difference and will have no negative impact on its surroundings.

As a point of clarification, the project significantly exceeds the minimum required front, side, and rear setbacks, as shown on Sheet A-1.0_P of the enclosed plans. In addition, the project provides a green roof element with substantial landscaping as well as additional landscaping and setback on the south side of the second level to create a buffer between the garage and the residential units to the south. It is also important to note that the residential density will be reduced and, as a result, the activity on the roof deck will be substantially reduced with the change in the development program contemplated by PB 20-0344.

This Application satisfies Article 1, Section 2 of the Related Special Acts, and meets the criteria established under Section 118-353(d) of the Land Development Regulations, as follows:

(1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The Property is uniquely burdened by 1) its irregular shape, and 2) the elevation conditions resulting from the raising of the Property in compliance with the City’s sea-level rise criteria. Therefore, atypical structural engineering considerations must

¹ The Planning Board is scheduled to review the application for Conditional Use Permit approval of the addition of office use within the project on May 19, 2020 under PB 20-0344. Note that changes to the ground floor façade have been determined to be subject to administrative approval.

be made in the building design. Without evenly spaced, symmetrical corners, additional slab width is needed to achieve structural integrity of the building.

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

The Applicants did not create the special conditions inflicted on the Property, including its shape and dissimilar elevations on its front and rear sides.

(3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

The approval of the requested variance will not confer on the Applicants any special privilege—it would only serve to bring the Property into parity with similarly situated sites, which have not been burdened with the special conditions described above.

(4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;

This Property is so uniquely impacted by its L-shape, and inconsistent elevations on the front and rear sides that it would cause unnecessary hardship on the Applicant if the variance was not approved. Without the approval of this variance, it would be unfeasible to design a building that is functional, safe, structurally sound, in compliance with the City's Land Development Regulations, and architecturally interesting (as approved).

(5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

The requested variance is the minimum needed to develop a high-quality project on this site while allowing for a viable, and structurally sound structure in accordance with the City's Land Development Regulations and Florida Building Code. As noted above, the additional height being proposed will be imperceptible.

(6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

The approval of the requested variance would permit the development of an innovative and compatible mixed-use development on this Property. The City's regulations are intended to promote compatible development throughout the City, and this project is wholly compatible with nearby structures as well as the character of the neighborhood. The instant application seeks approval of a 3-foot height variance to allow for the appropriate structural components of the building, including the minimum thickness of the concrete slabs. Approval of this variance would result in a total building height of 58 feet (where a total building height of 55 feet has been approved). Overall, the requested three (3) feet of height will result in a nominal height difference that will not be discernable to the eye, and will have no negative

impact on its surroundings. Note that no change is proposed to the number of stories (5 stories) or to the overall design aesthetic of the building. As proposed, the project would be in harmony with the general intent and purpose of the City’s land development regulations, and will not be injurious to the area. In fact, the development immediately adjacent to the Property—the Lofts—consists of eight (8) stories with a building height of 75’-7”. Also, within two blocks from the Property are: the Sunset Harbour Towers (North and South) consisting of 25 stories, each with a building height of 228’-9”, and the Sunset Harbour Garage and Retail, consisting of four (4) stories and a building height of 58’-6”. Please see images below for the neighborhood contextual reference:



The Lofts



Sunset Harbour Towers



Sunset Harbour Garage and Retail

Copies of the approved elevation sheets for the above referenced developments are also attached as Composite Exhibit “B” hereto.

(7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may

require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board voting on the applicant's request.

The requested variance will keep the development consistent with the Comprehensive Plan and will not intensify the development of the land in a manner inconsistent with established levels of service. In fact, there will be no intensification of development with the approval of this variance.

(8) The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

The granting of the proposed height variance will ensure that the Property is developed with a structurally sound building while remaining in compliance with the sea level rise and resiliency review criteria in the City's Code.

III. Compliance with Design Review Criteria

With the approval of the 2018 Board Order, the project was deemed to satisfy the design review criteria set forth in Section 118-251 of the Land Development Regulations. The proposed variance request does not affect the project's compliance with Section 118-251. As such, the project continues to meet the design review criteria, as follows:

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

Satisfied.

(2) The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.

Satisfied.

(3) The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

Satisfied.

(4) The color, design, selection of landscape materials and architectural elements of exterior building surfaces and primary public interior areas for developments requiring a building permit in areas of the city identified in Section 118-252.

Satisfied.

(5) The proposed site plan, and the location, appearance and design of new and existing buildings and structures are in conformity with the standards of this article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.

Satisfied.

(6) The proposed structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent structures, and enhances the appearance of the surrounding properties.

Satisfied.

(7) The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

Satisfied.

(8) Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safety and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the site.

Satisfied.

(9) Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

A lighting plan has not been submitted at this time; the Applicant shall comply with the Land Development Regulations for lighting and ensure that the design is both safe and minimally intrusive.

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

Satisfied.

(11) Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

Satisfied.

(12) The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

Satisfied.

(13) The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.

Satisfied.

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

Satisfied.

(15) An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).

Not Applicable; all existing improvements are to be demolished.

(16) All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.

Satisfied.

(17) The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

Satisfied.

(18) In addition to the foregoing criteria, subsection 118-104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.

Not Applicable; none proposed.

IV. Compliance with Sea-Level Rise and Resiliency Criteria

Similarly, with the approval of the 2018 Board Order, the project was deemed to satisfy the sea-level rise and resiliency criteria set forth in Section 133-50(a) of the Land Development Regulations. The proposed variance request does not affect the project's compliance with said criteria. As such, the project continues to meet the design review criteria, as follows:

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

A recycling or salvage plan for partial or total demolition will be provided under separate cover at the appropriate time in the development process.

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

All proposed windows will be hurricane proof impact windows.

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

Passive Cooling systems, including, but not limited to, operable windows, will be provided.

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

Resilient landscaping has been incorporated into landscape design.

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

Adopted Sea level rise projections in the Southeast Florida Regional Climate Action Plan, including a study of land elevation and elevation of surrounding properties, were considered and the appropriate principles were incorporated into the building design.

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

The ground floor, driveways, and garage ramping are adaptable to the raising of public rights-of-ways and adjacent land.

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

All critical mechanical and electrical systems are located above base flood elevation.

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

Not applicable.

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

Wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the City Code for habitable space located below the base flood elevation plus City of Miami Beach Freeboard.

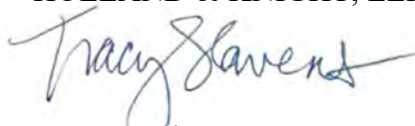
(10) Where feasible and appropriate, water retention systems shall be provided.

As noted above, wet or dry flood-proofing systems will be provided in accordance with Chapter 54 of the City Code for habitable space located below the base flood elevation plus City of Miami Beach Freeboard.

Based on the above, we respectfully seek your favorable review and recommendation of approval for this application. Thank you in advance for your considerate attention to this request. If you have any questions or require additional information, please feel free to call me directly at 305-789-7642.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

A handwritten signature in blue ink, reading "Tracy Slavens".

Tracy R. Slavens, Esq.

Enclosures

EXHIBIT “A”

2018 DRB BOARD ORDER

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 - 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - w. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- d. A minimum of 50% of the combined total of all roof levels which are open to the sky, shall be designed in a "green manner" to accommodate a true green roof system. Portions of the green roof shall, have sufficient depth of soil planting beds to accommodate rooting depths for larger trees while satisfying minimum canopy shade tree requirements.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The backflow prevention device shall not be permitted within any area fronting a street or sidewalk, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order,



have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

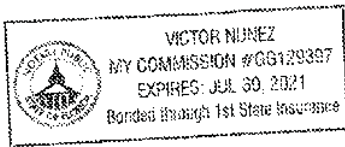
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 - 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - w. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- d. A minimum of 50% of the combined total of all roof levels which are open to the sky, shall be designed in a "green manner" to accommodate a true green roof system. Portions of the green roof shall, have sufficient depth of soil planting beds to accommodate rooting depths for larger trees while satisfying minimum canopy shade tree requirements.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The backflow prevention device shall not be permitted within any area fronting a street or sidewalk, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order,



have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

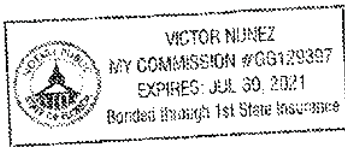
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:


I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 - 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
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- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
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 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
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- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
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- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
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vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

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- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

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have been met.

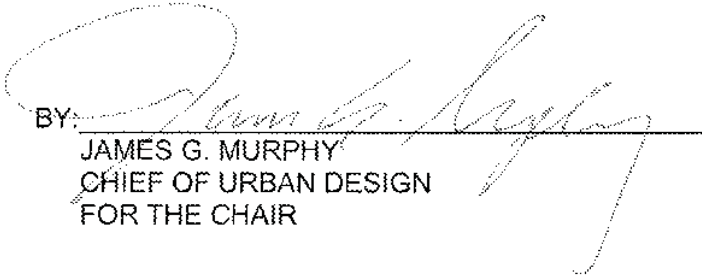
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If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

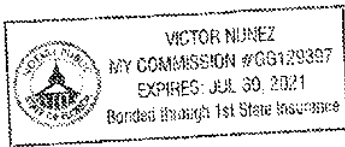
DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

BY: 
 JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - w. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- d. A minimum of 50% of the combined total of all roof levels which are open to the sky, shall be designed in a "green manner" to accommodate a true green roof system. Portions of the green roof shall, have sufficient depth of soil planting beds to accommodate rooting depths for larger trees while satisfying minimum canopy shade tree requirements.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The backflow prevention device shall not be permitted within any area fronting a street or sidewalk, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order,



have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

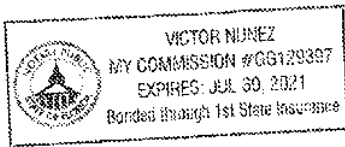
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

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vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order,



have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

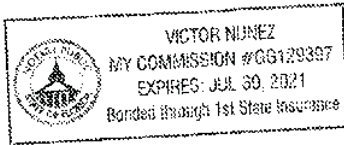
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:


I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 - 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 - 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - w. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- d. A minimum of 50% of the combined total of all roof levels which are open to the sky, shall be designed in a "green manner" to accommodate a true green roof system. Portions of the green roof shall, have sufficient depth of soil planting beds to accommodate rooting depths for larger trees while satisfying minimum canopy shade tree requirements.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The backflow prevention device shall not be permitted within any area fronting a street or sidewalk, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
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- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

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have been met.

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If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

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Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

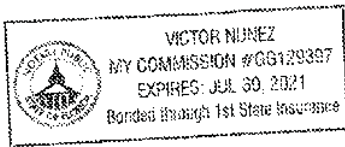
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

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- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
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- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
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- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



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 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
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 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
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 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - z. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- c. Any tree identified to be in good overall condition shall be retained, and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- d. A minimum of 50% of the combined total of all roof levels which are open to the sky, shall be designed in a "green manner" to accommodate a true green roof system. Portions of the green roof shall, have sufficient depth of soil planting beds to accommodate rooting depths for larger trees while satisfying minimum canopy shade tree requirements.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The backflow prevention device shall not be permitted within any area fronting a street or sidewalk, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- i. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- j. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.



- k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right of wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.
- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



vehicle or other instrumentality due to the proximity of the new building to the public right-of way.

- D. In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- F. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order,



have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

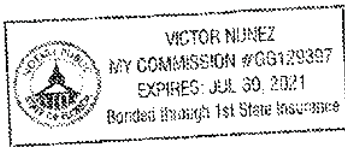
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Vito
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: Nick Kallergis (12/6/2018)
Filed with the Clerk of the Design Review Board on Janine Givens (12/7/18)

[Signature]

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: December 04, 2018

FILE NO: DRB17-0198

PROPERTY: **1733-1759 Purdy Avenue and 1724-1752 Bay Road**

APPLICANT: Sunset Land Associates LLC

LEGAL: The West ½ of Lot 3, Lot 4, Lot 5, Lot 6, and Lot 7, Block 16, ISLAND VIEW SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6 at Page 115 of the Public Records of Miami-Dade County, Florida.

IN RE: The Application for Design Review Approval for the construction of a new five-story multifamily building with ground floor retail uses with one or more waivers, to replace six vacant lots and two buildings. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

ORDER

The City of Miami Beach Design Review Board makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the record for this matter:


I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not a individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 1, 2, 3, 4, 5, 6, 9, 12, 13, 14, 16, and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 5, and 10 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 1. The project shall comply with all the conditions imposed by the Planning Board Order dated November 27, 2018 for File No. PB 17-0168 aka PB18-0168.
 2. Revised elevation, site plan and floor plan drawings for the proposed mixed-use development at 1733-1759 Purdy Avenue and 1724-1752 Bay Road shall be



submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:

- a. The additional 5'-0" height at the ground level shall be permitted as proposed.
- b. The central breezeway at the ground level of the project shall be further refined. The width of the corridor shall accommodate two, minimum 6'-0" wide pedestrian zones flanking a central vehicle aisle, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. The garage level parking (second floor), shall be setback a minimum of ten (10') feet from the south property line. The entirety of such setback area (the roof of the ground floor) shall be open to the sky from this level upwards, and shall be re-designed to include a decorative wall, hardscape, landscape planter or landscape features in order to create a buffer between the garage and the residential units of the building to the south, in a manner to be reviewed and approved by staff.
- d. The garage level parking (second floor), shall be internally redesigned to comply with all of the underlying programmatic parking requirements and zoning design and dimensioning standards.
- e. At the garage level on the south side, a floor to ceiling wall that must be at least 75% solid shall be provided, in a manner to be reviewed and approved by staff.
- f. The floor of the garage shall be designed and constructed to minimize tire noise, in a manner to be approved and certified by a qualified acoustic engineer, subject to the review and approval of staff.
- g. All existing overhead utilities and poles abutting the subject site shall be placed underground at the sole expense of the applicant.
- h. Additional material finishes shall be introduced along the front elevation at the underside and side walls of the breezeway as depicted on rendering sheet A-6.3, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. The final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from the exterior walls of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving,



- partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the exterior walls of the building facing any right-of-way.
- k. The final design and details of all exterior and interior lighting for the ground floor commercial components shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - l. Any future kitchen ventilation or mechanical venting shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
 - m. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. All rooftop lighting shall consist of a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff.
 - p. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - q. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - r. The entire ground level exterior paving system, and its design and detailing, shall be clearly identified with all colors, textures and materials clearly differentiating the areas as identified as pedestrian-only regions from those portions accessible to vehicular traffic, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.



- s. The design and detailing of the proposed planters within the breezeway shall be further developed and detailed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - t. The final design and details, including materials, colors, finishes, of any security fence, shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - u. The final design and details, including materials, colors, finishes, of all roof top elements, including any canopies, and stairwell or elevator bulkheads, shall be further developed and detailed and submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - v. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - w. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - x. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
 - y. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
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3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be



limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

- b. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
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- m. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

II. Variance(s)

- A. No variance(s) were filed as part of this application.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Design Review Approval and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
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- C. The applicant shall submit a Hold Harmless Covenant Running with the Land to the City Attorney's Office in a form acceptable to the City Attorney indemnifying and holding harmless the city against any claim or loss in the event of an accident involving a motor



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- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
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- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended and adopted by the Board, that the **application** is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II, III of the Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Sunset Park", as prepared by **Domo Architecture + Design**, dated September 07, 2018, and dated August 03, 2018, and as approved by the Design Review Board, as determined by staff.

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have been met.

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If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this 06 day of December, 2018.

DESIGN REVIEW BOARD
 THE CITY OF MIAMI BEACH, FLORIDA

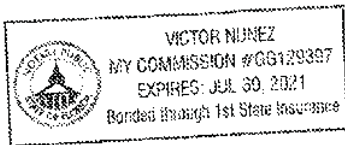
BY: 

JAMES G. MURPHY
 CHIEF OF URBAN DESIGN
 FOR THE CHAIR

STATE OF FLORIDA)
)SS
 COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 7 day of December, 2018 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Victor Nunez
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: July 30, 2021

Approved As To Form: _____
City Attorney's Office: *Nick Kallergis* (12/6/2018)
Filed with the Clerk of the Design Review Board on *Janine Givens* (12/7/18)

[Handwritten mark]

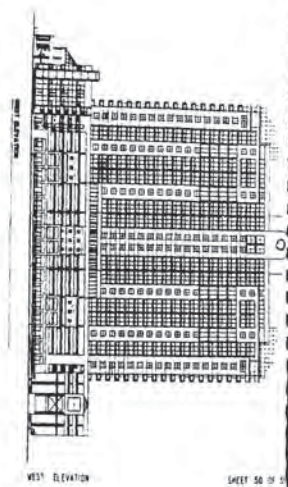
COMPOSITE EXHIBIT “B”

APPROVED ELEVATIONS FOR SURROUNDING STRUCTURES

5555-2

PERMIT #
B 9900168

ADDRESS
1900 Purdy Av.

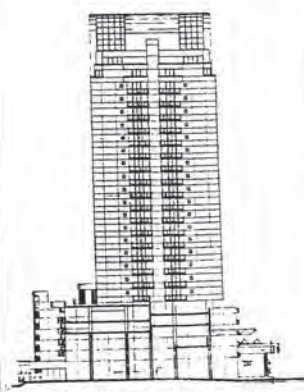


WEST ELEVATION

SHEET 50 OF 51



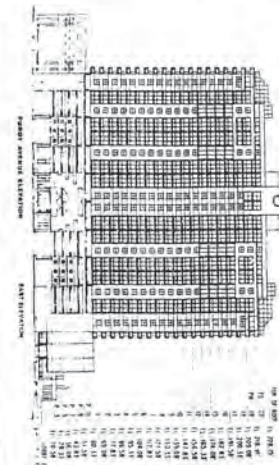
UNIT TYPE '1' FLOOR PLAN (2.14 COMBINED) SHEET 28 OF 31



SOUTH ELEVATION

SOUTH ELEVATION

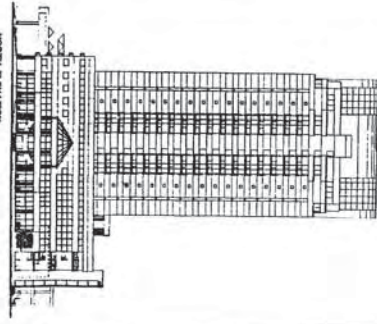
SHEET 51 OF 51



EAST ELEVATION (PURDY AVE. SIDE)

SHEET 49 OF 51

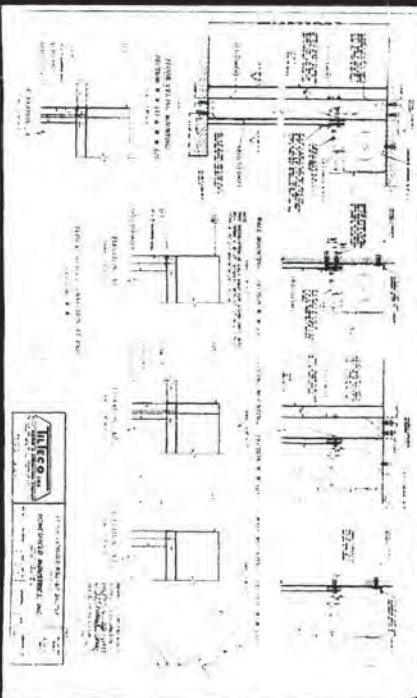
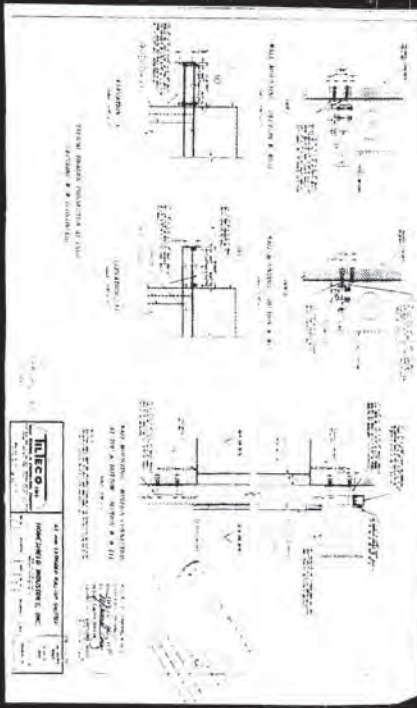
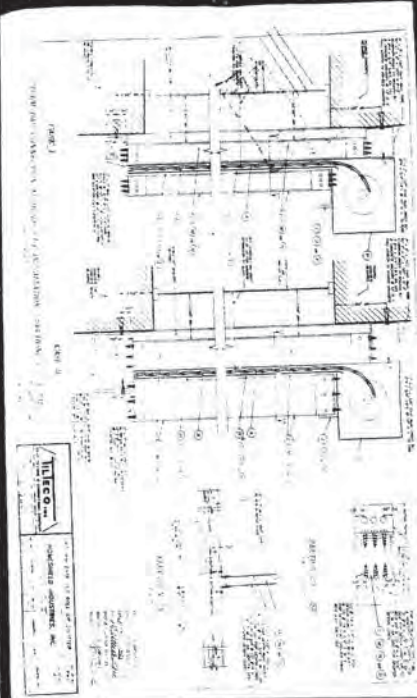
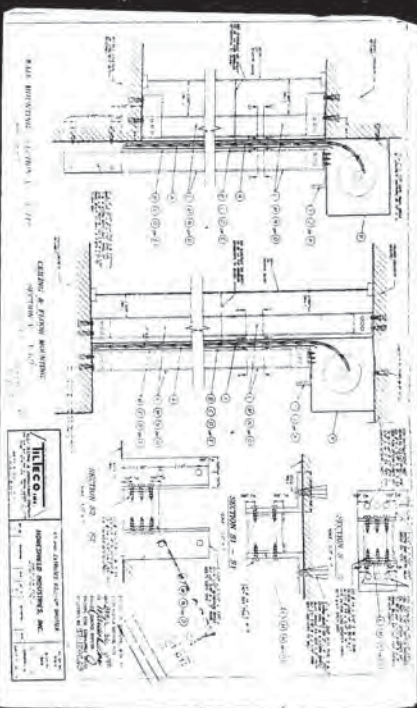
W-00000



NORTH ELEVATION

SHEET 10 OF 15

1-0000



10000

The image shows a large, multi-page document, possibly a ledger or record book, with a grid of columns and rows. The document is heavily stained and discolored, particularly with a large brown stain in the center. The top of the document features a header section with various fields and a date stamp. The main body consists of numerous columns, some of which are labeled with numbers and text. The document is placed on a light-colored surface.

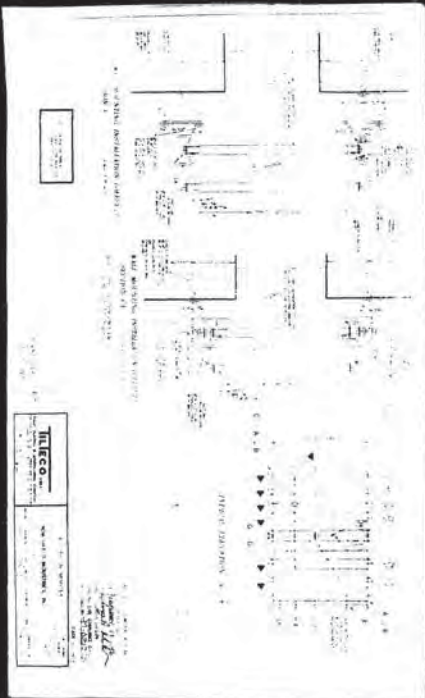
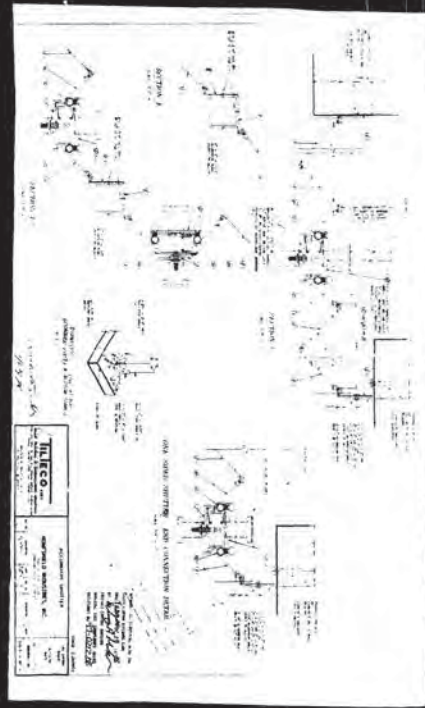
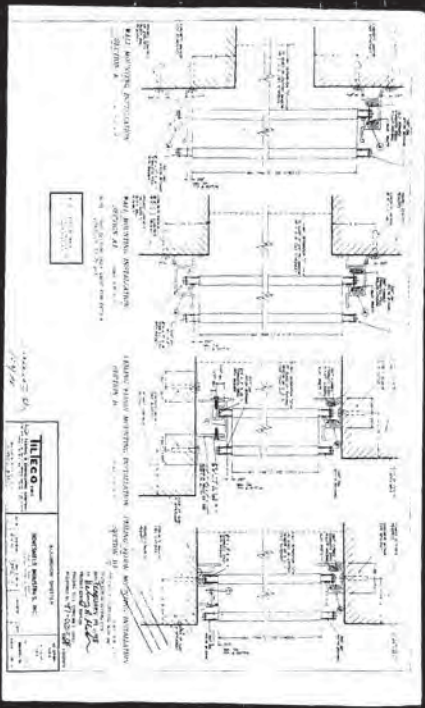
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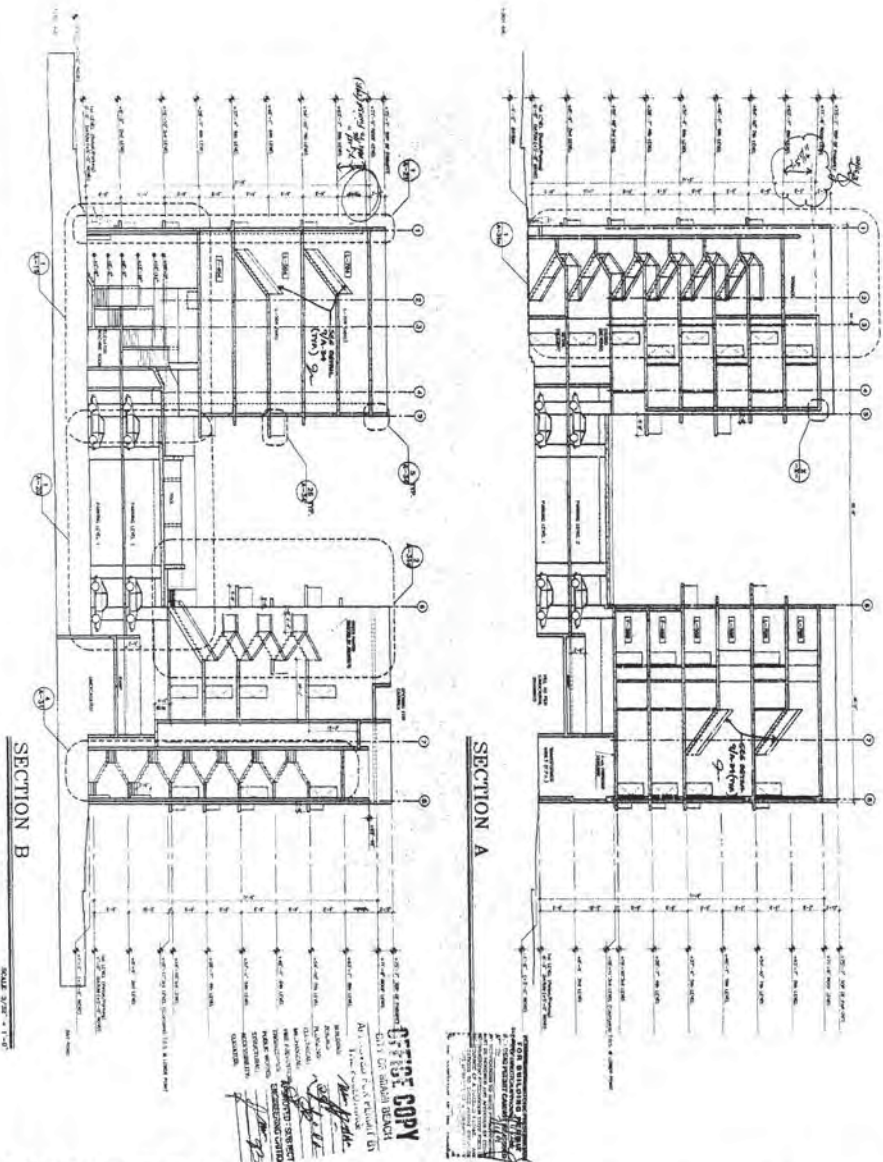
6-0000

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6	10/10/19	15:00	16:00	10/10/19	15:00	16:00	10/10/19
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39	10/10/19	00:00	01:00	10/10/19	00:00	01:00	10/10/19
40	10/10/19	01:00	02:00	10/10/19	01:00	02:00	10/10/19

[illegible]



000021



SECTION B

SECTION A

SCALE 3/8" = 1'-0"

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION MAY 15, 2000

A-12

THE LOFTS AT SOUTH BEACH
 DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE, 1423 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208
RUSSELL MACKENZIE & ASSOCIATES P.A.
 ARCHITECTURE & DESIGN
 404 West Miami Ave., 12th Floor, Miami, FL 33130 (305) 531-4444 FAX: (305) 531-4441

DATE	5/15/00
BY	RM
CHECKED	RM
APPROVED	RM
SCALE	3/8" = 1'-0"
SHEET	A-12
TOTAL SHEETS	12

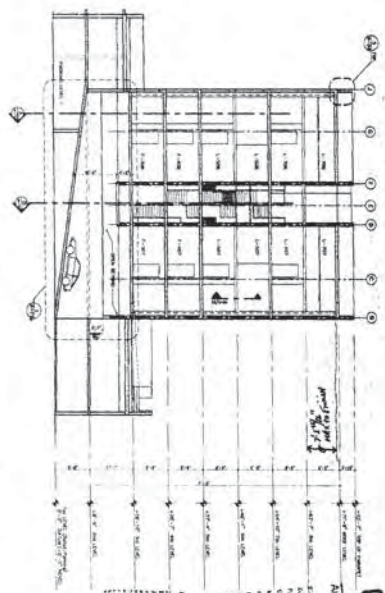
1:\mrmack\p001\1001\1001.dwg The Rev 05/15/00 09:20:00 PAGES 017 1817

000033



SECTION C

SCALE: 3/8" = 1'-0"



SECTION D

SCALE: 3/8" = 1'-0"

OFFICE COPY

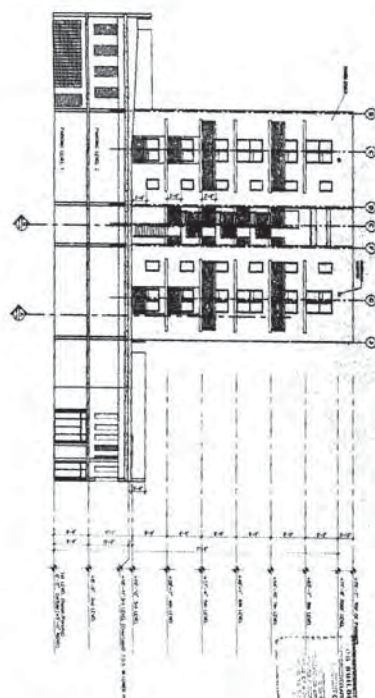
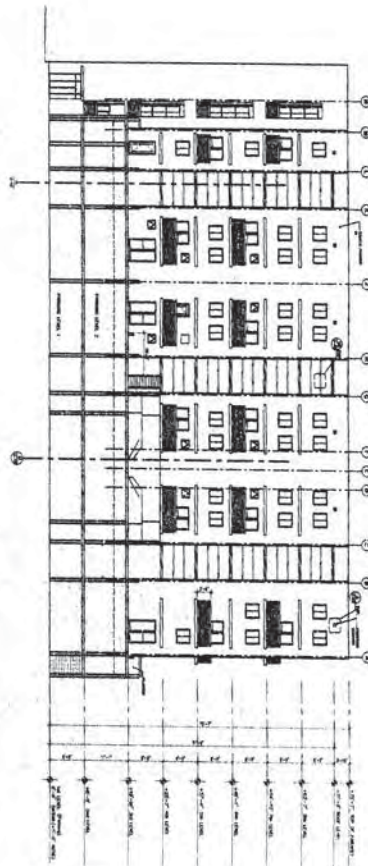
APPROVED FOR THE CITY OF MIAMI BEACH
 BY: [Signature]
 DATE: 10/15/2000

A-13

THE LOFTS AT SOUTH BEACH
 DEVELOPED BY: SCHE LOFTS, A FLORIDA JOINT VENTURE, 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-334-8008
RUSSELL MACKENZIE & ASSOCIATES P.A.
 ARCHITECTURE
 1403 DADE BOULEVARD, SUITE 200, MIAMI BEACH, FL 33139 PHONE: 305-334-8008

ISSUED FOR PERMIT AND BIDDING ONLY - NOT FOR CONSTRUCTION - 10/15/2000

1000031



OFFICE COPY
CITY OF MIAMI BEACH

RECORDED FROM FIELD BY
THE FOLLOWING:

NAME	Mr. [Signature]
ADDRESS	[Signature]
CITY	[Signature]
STATE	[Signature]
DATE	[Signature]
TIME	[Signature]
PLACE	[Signature]
REMARKS	[Signature]
REMARKS	[Signature]
REMARKS	[Signature]

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION - MAY 15, 2000

A-14

THE LOFTS AT SOUTH BEACH
DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE, 1403 BADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

RUSSELL MACKENZIE & ASSOCIATES P.A.
ARCHITECTS * DESIGN

THE LOFTS AT SOUTH BEACH
DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE. 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

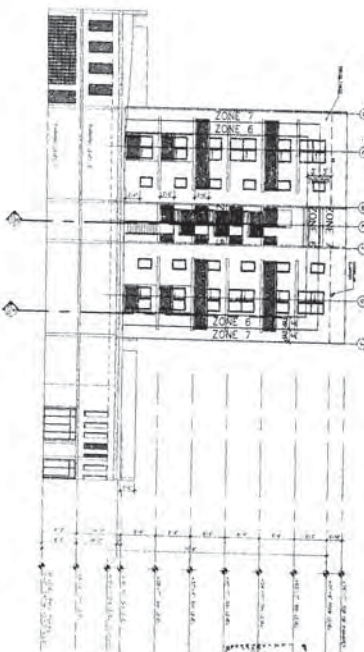
RUSSELL MACKENZIE & ASSOCIATES P.A.
ARCHITECTURE & DESIGN

MACKENZIE & ASSOCIATES
ARCHITECTURE & DESIGN
4124 One Apple 324 375 West Beach, P. 2140 (202) 82-0410 Faxline (202) 326-1411

	Suction	Positive
Zone 5	-58	+57
Zone 6	-86	+57
Zone 7	-118	+57



SECTION E



SECTION F

SCALE 3/10" = 1'-0"

[illegible]

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION - MAY 15, 2000

A-148

THE LOFTS AT SOUTH BEACH

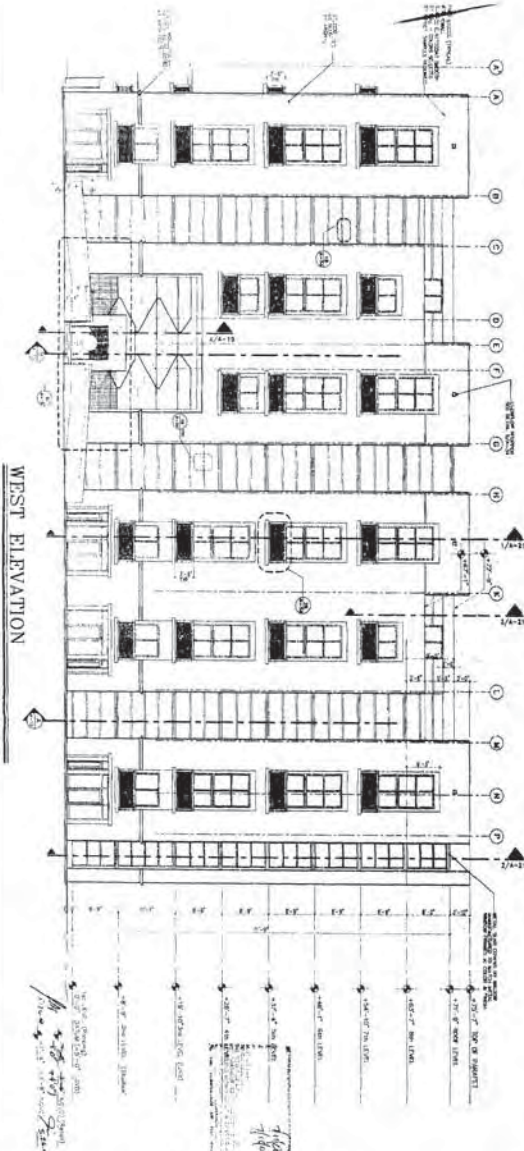
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RUSSELL MACKENZIE & ASSOCIATES P.A.
ARCHITECTS

4024 Chem. Assoc. Bldg. 100 West 26th St., P. 2140 (204) 426-1410. Faxline (204) 426-1410.

Manuscript received 12 February 2000; accepted 12 May 2000

כא כב כג כד



WEST ELEVATION

SCALE 1/8" = 1'-0"

DETAIL-B

SCALE 1" = 1'-0"



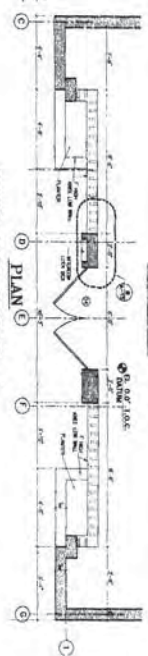
DETAIL-C

SCALE 1" = 1'-0"

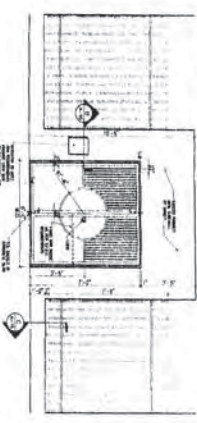


ENTRANCE DETAIL-A

SCALE 3/8" = 1'-0"



ELEVATION



OFFICE COPY
 ATTACHED TO PERMIT APPLICATION
 PROJECT: THE LOFTS AT SOUTH BEACH
 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139
 ARCHITECT: RUSSELL MACKENZIE & ASSOCIATES, P.A.
 DATE: 05/15/2000
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]

ISSUED FOR PERMIT AND BIDDING ONLY. NOT FOR CONSTRUCTION - MAY 15, 2000

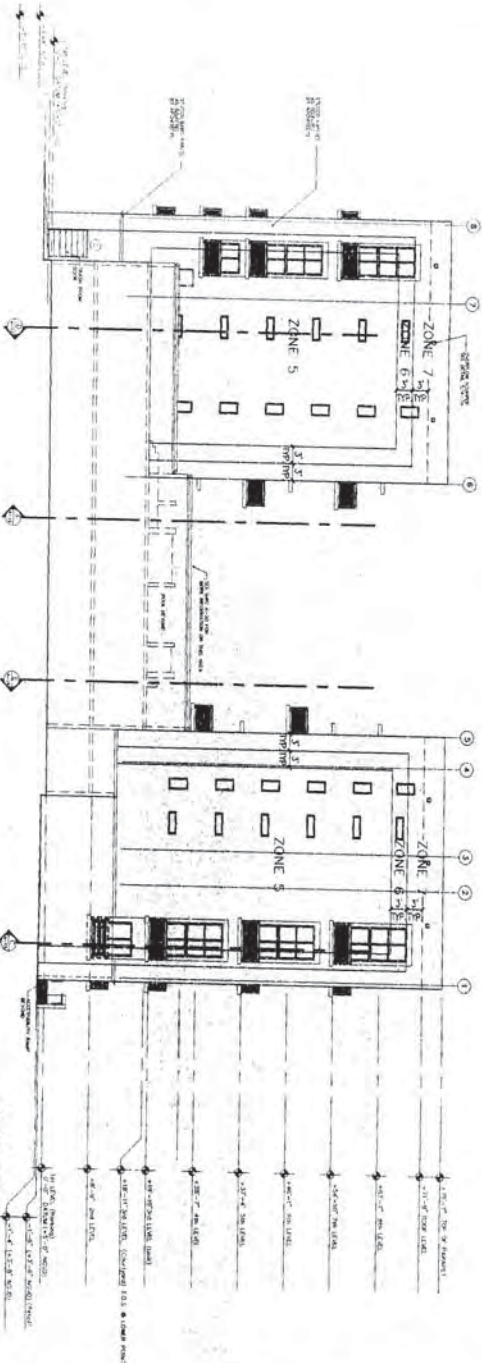
A-15

THE LOFTS AT SOUTH BEACH
 DEVELOPED BY: SOME LOFTS, A FLORIDA JOINT VENTURE 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-334-8706
RUSSELL MACKENZIE & ASSOCIATES, P.A.
 ARCHITECTURE DESIGN
 4001 N.W. 12TH AVENUE, SUITE 200, MIAMI, FL 33150 TEL: 305-441-1100 FAX: 305-441-1101

DATE	05/15/2000
BY	[Signature]
CHECKED	[Signature]
APPROVED	[Signature]
SCALE	1/8" = 1'-0"
PROJECT	THE LOFTS AT SOUTH BEACH
LOCATION	1403 DADE BOULEVARD, MIAMI BEACH, FL 33139
ARCHITECT	RUSSELL MACKENZIE & ASSOCIATES, P.A.
DATE	05/15/2000

000000


THE LOFTS AT SOUTH BEACH
 DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE, 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-554-8208
RUSSELL MACKENZIE & ASSOCIATES PA
 ARCHITECTURE DESIGN
 4575 CORAL WAY, SUITE 200, MIAMI, FL 33146 TEL: 305-554-8208



NORTH ELEVATION

WALL COMPONENT PRESSURES

ZONE	POSITIVE	NEGATIVE
ZONE 5	+50	+50
ZONE 6	+50	+50
ZONE 7	+50	+50

OFFICE COPY

APPROVED FOR CONSTRUCTION BY
 RUSSELL WACKENHUIS & ASSOCIATES P.A.
 ARCHITECTS
 1403 DADE BOULEVARD, SUITE 100
 MIAMI, FL 33139
 PHONE: 305-534-8208
 FAX: 305-534-8209
 WWW: WWW.RWA-PA.COM

DATE: 7/1/00

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION - MAY 15, 2000

A-16a

DATE: 7/1/00

THE LOFTS AT SOUTH BEACH

DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

RUSSELL WACKENHUIS & ASSOCIATES P.A.

ARCHITECTS

REVISIONS

NO.	DATE	DESCRIPTION
1	7/1/00	ISSUED FOR PERMIT AND BIDDING ONLY

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SCALE 1/8" = 1'-0"

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION - MAY 15, 2000

A-17

THE LOFTS AT SOUTH BEACH

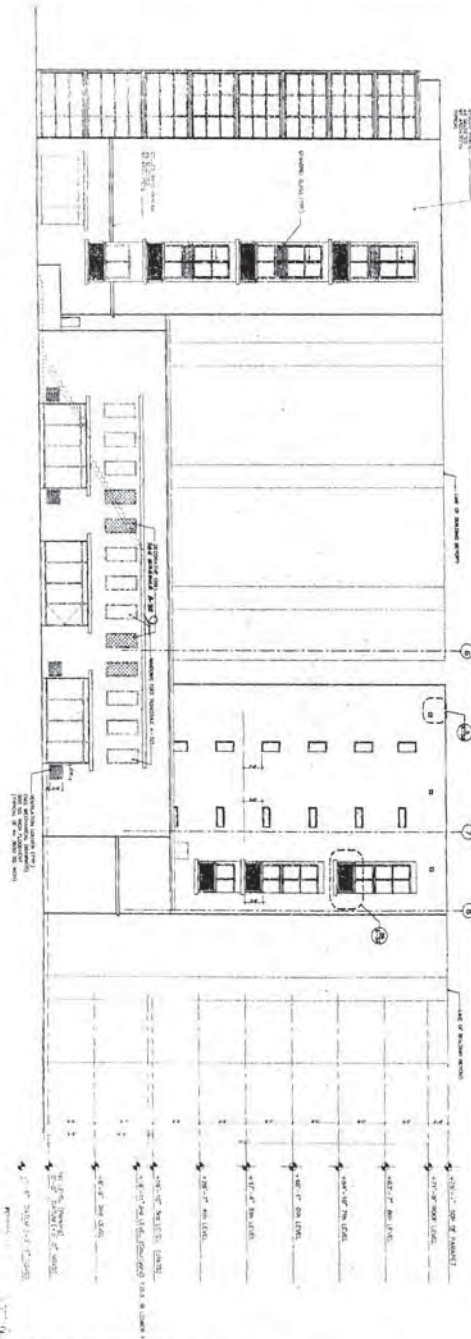
DEVELOPED BY: SOBE LOFTS, A FLORIDA JOINT VENTURE, 1403 DADE BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

RUSSELL MACKENZIE & ASSOCIATES PA

4014 Case Study Site 22 West Beach, S. 33145 (205) 635-1110. Features (06) 625-1411.

[illegible]

כא כב כג כד כה



SOUTH ELEVATION

0.00' 1" 0" 0"

ISSUED FOR PERMIT AND BIDDING ONLY NOT FOR CONSTRUCTION - MAY 15, 2000

A-18

Signature

THE LOFTS AT SOUTH BEACH
 DEVELOPED BY: SOBE LOFTS, A FISHKA LOFT VENTURE, 1453 OCEA BOULEVARD, MIAMI BEACH, FL 33139 PHONE: 305-534-8208
RUSSELL MACKENZIE & ASSOCIATES P.A.
 ARCHITECTS & DESIGN
 1000 BAY DRIVE, SUITE 200, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

FOR CITY
 I, *Signature*,
 of the City of Miami Beach,
 do hereby certify that the
 above is a true and correct
 copy of the original as
 filed in the Office of the
 City Engineer.
 City Engineer
 Date: *5/15/00*

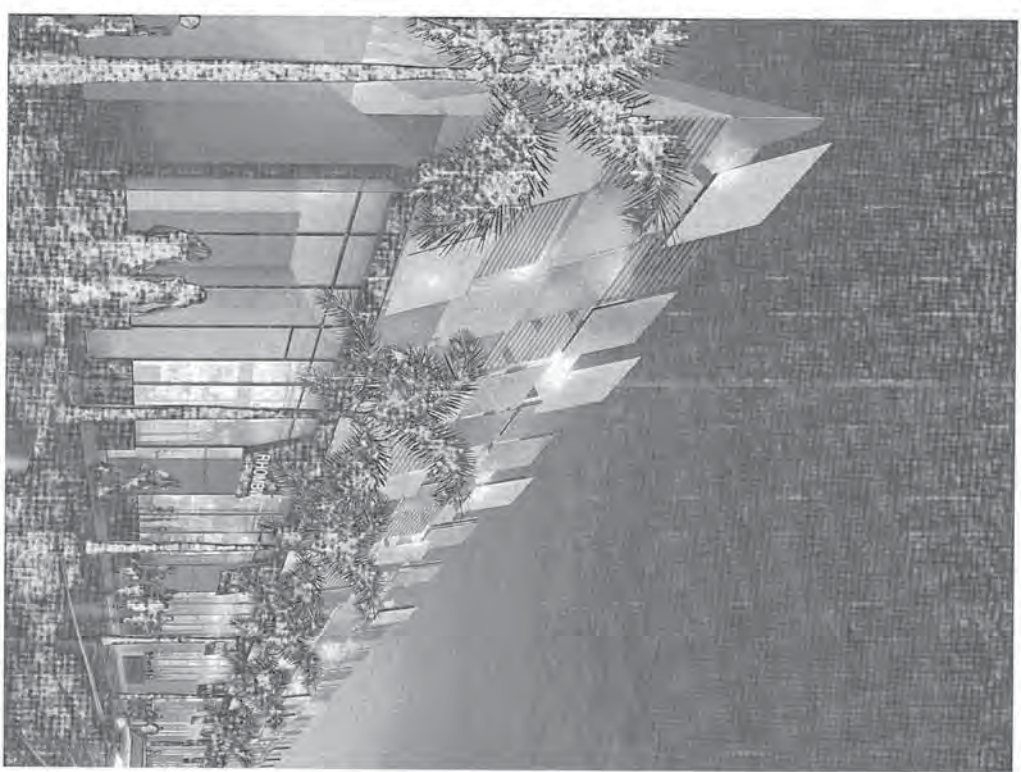
PRINTED BY: 1000 BAY DRIVE, SUITE 200, MIAMI BEACH, FL 33139 PHONE: 305-534-8208

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B1503176

CITY OF MIAMI BEACH, FLORIDA CAPITAL IMPROVEMENTS PROGRAM

SUNSET HARBOR PARKING GARAGE 1900 BAY ROAD



Architectural rendering of the Sunset Harbor Parking Garage, a modern multi-story structure with a glass facade and a parking ramp, surrounded by landscaping and palm trees.

MIAMI BEACH

Mayor: Philip Levine
Commissioner: Michael S. Levine
Commissioner: Michael S. Levine
Commissioner: Michael S. Levine
Commissioner: Michael S. Levine
Commissioner: Michael S. Levine

PlannedProgress

RESOLUTION NO. 2008-26868

OWNERS:
CITY OF MIAMI BEACH
1700 Convention Center Drive
Miami Beach, FL 33139
305.675.7776
www.miamibeachfl.gov
BAY ROAD PARTNERS LLC
1911 Bay Road
Miami Beach, FL 33139
305.364.4400 TEL.

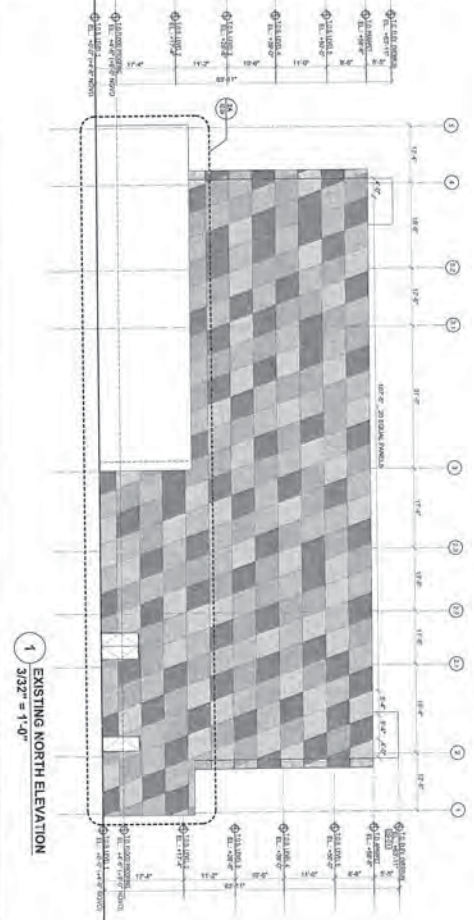
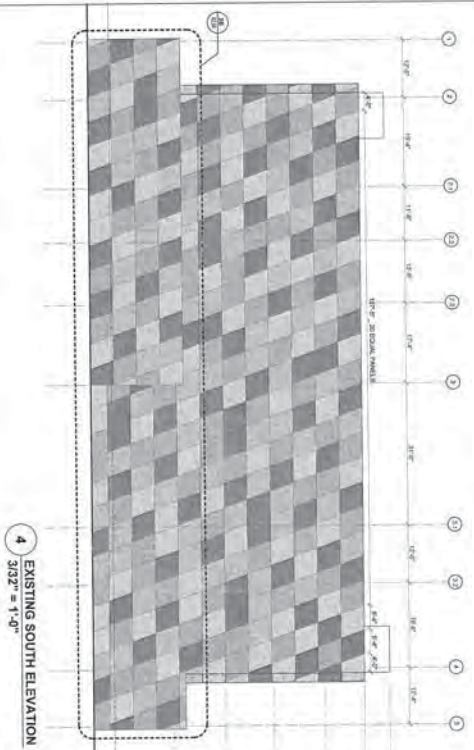
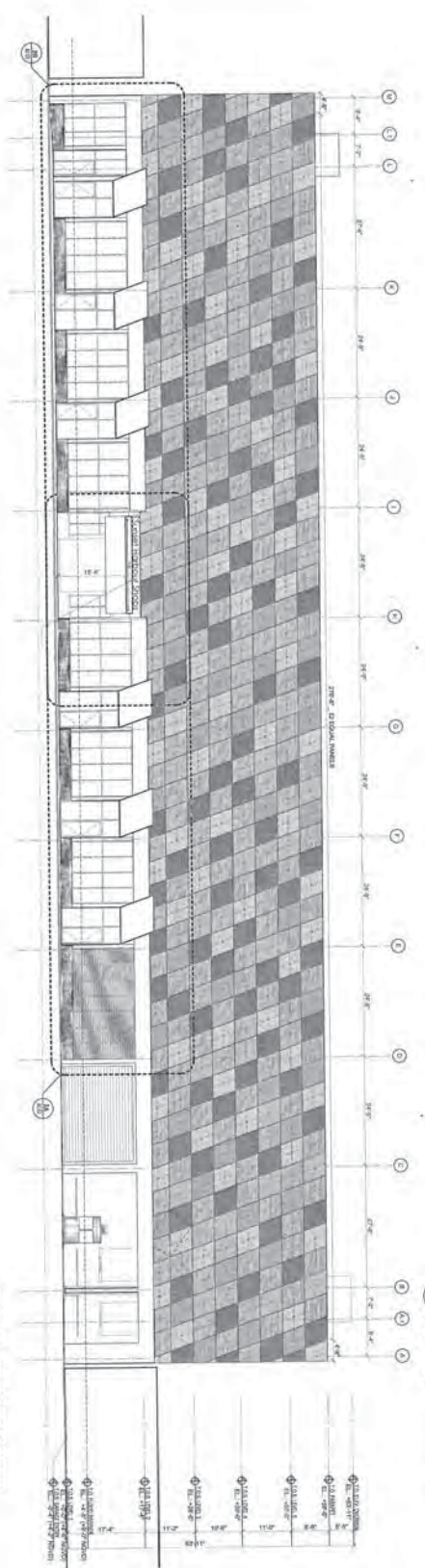
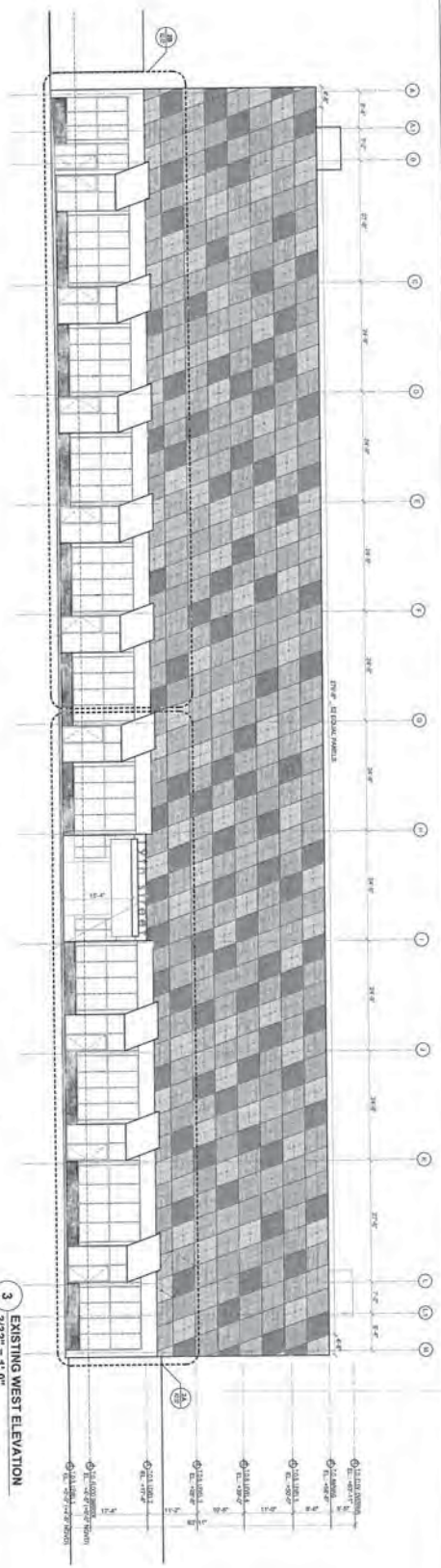
ARCHITECT OF RECORD:
ARQUITECTONICA
2000 OIA Avenue
Miami Beach, FL 33139
305.772.1932 TEL.
www.arquitonica.com
CONSULTANT ENGINEER:
NVS
200 South Palm Road, Ste. 300
Hollywood, FL 33021
954.699.2717 TEL.
www.nvs.com

REVIEW COMMENTS:
The City of Miami Beach has reviewed the proposed project and has approved the project for construction. The project is located at 1900 Bay Road, Miami Beach, FL 33139. The project is a parking garage for the Sunset Harbor Park. The project is a multi-story structure with a glass facade and a parking ramp. The project is surrounded by landscaping and palm trees.

OFFICE COPY
CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139
305.675.7776
www.miamibeachfl.gov
APPROVED:
DATE:
BY:
FOR:

City of Miami Beach
Fire Prevention Division
F.A.N. APPROVED

FEBRUARY 18, 2015



City of Miami Beach
 Permit Review Division
 PLANS APPROVED

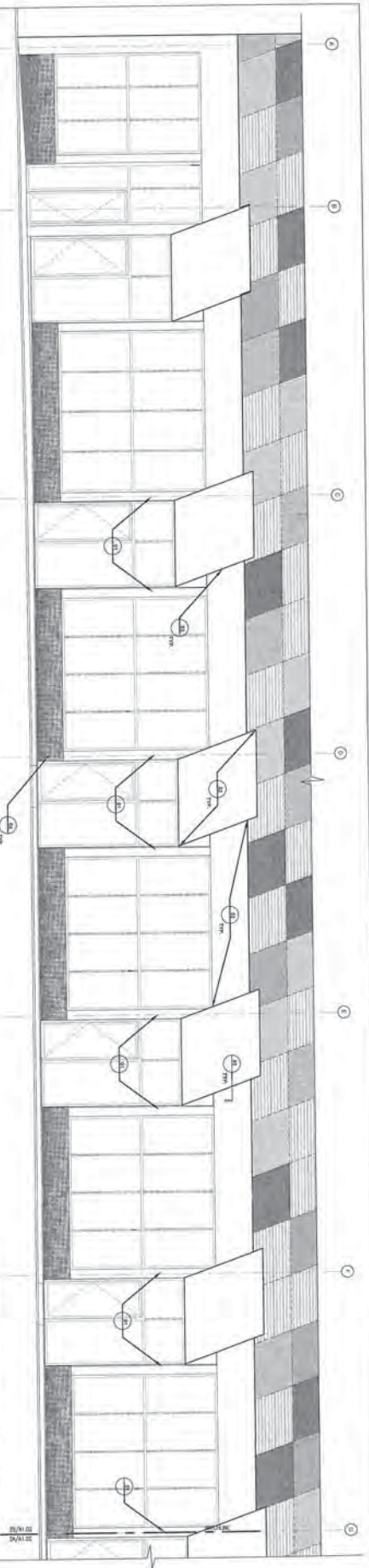
OVERALL
 ELEVATIONS
 A2.01

NO.	DATE	DESCRIPTION	BY	CHECKED
1	08/22/14	Project Set	AK	AK
2	08/22/14	Revised Set	AK	AK

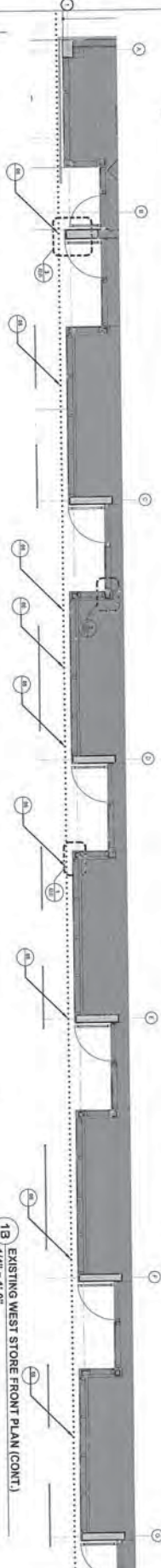


ARQUITECTONICA
 ARCHITECTS
 1000 BROADWAY
 SUITE 200
 MIAMI, FL 33139
 TEL: 305.375.1111
 FAX: 305.375.1112
 WWW.ARQUITECTONICA.COM

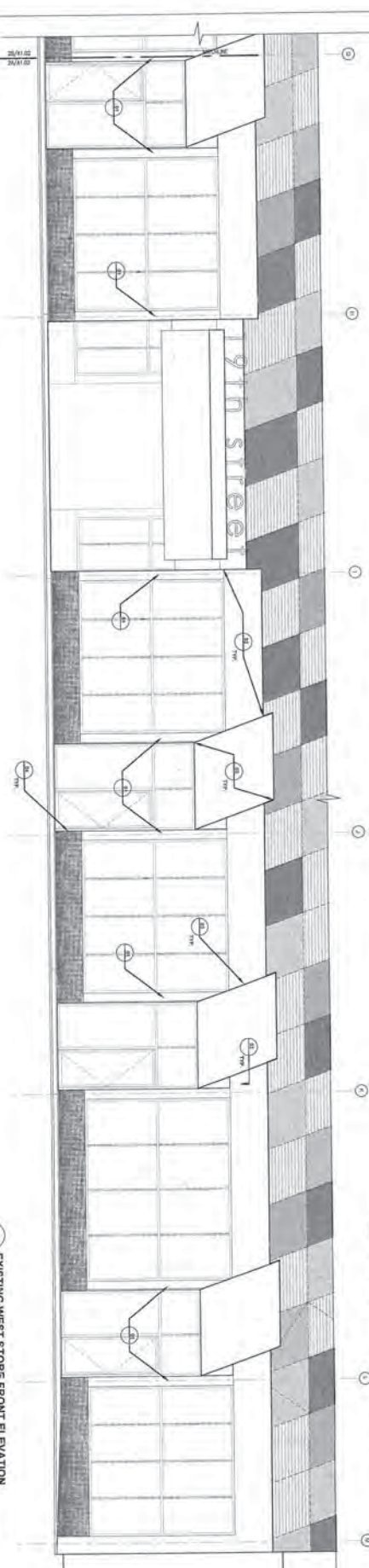
PROJECT: MIAMI BEACH CITY HALL
OWNER: MIAMI BEACH CITY
ARCHITECT: ARQUITECTONICA
DATE: 08/22/14
SCALE: 3/32\"/>



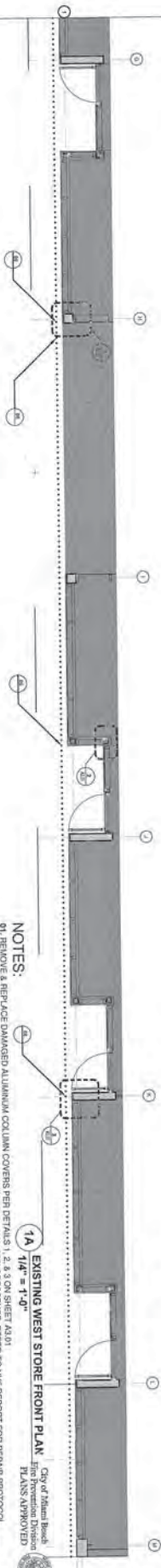
28) EXISTING WEST STORE FRONT ELEVATION (CONT.)
1/4" = 1'-0"



13) EXISTING WEST STORE FRONT PLAN (CONT.)
1/4" = 1'-0"



2A) EXISTING WEST STORE FRONT ELEVATION
1/4" = 1'-0"



1A) EXISTING WEST STORE FRONT PLAN
1/4" = 1'-0"

NOTES:

01. REMOVE & REPLACE DAMAGED ALUMINUM COLLUMN COVERS PER DETAILS 1, 2 & 3 ON SHEET A2.01
02. SIGN & PARAPET STUCCO HAS CRACKS, LOCALIZED DELAMINATION, AND EFFLORESCENCE. REFER TO PHOTO 1 ON SHEET A2.01 FOR REPORT FOR REPAIR PROTOCOL.
03. CLEAN EXCESS STUCCO INSIDE OF WINDOWS, REPAIR CRACKS, AND REPAIR STUCCO. SEE DETAIL A2.01 FOR REPORT FOR REPAIR PROTOCOL.
04. TILE CORNERS ARE TO BE REPAIRED IF TILE IS POORLY INSTALLED. REFER TO PHOTO 3 ON SHEET A2.01. CONTRACTOR TO FIELD VERIFY EXTENT OF TILE REPAIRING REPAIR.
05. REPAIR CRACKED SIGNAGE AND GROUND PANEL. REFER TO PHOTO 4 ON SHEET A2.01. CONTRACTOR TO FIELD VERIFY EXTENT OF REPAIRS. SEE DETAIL A2.01.
06. REPAIR CRACKED SIGNAGE AND GROUND PANEL. REFER TO PHOTO 4 ON SHEET A2.01. CONTRACTOR TO FIELD VERIFY EXTENT OF REPAIRS. SEE DETAIL A2.01.

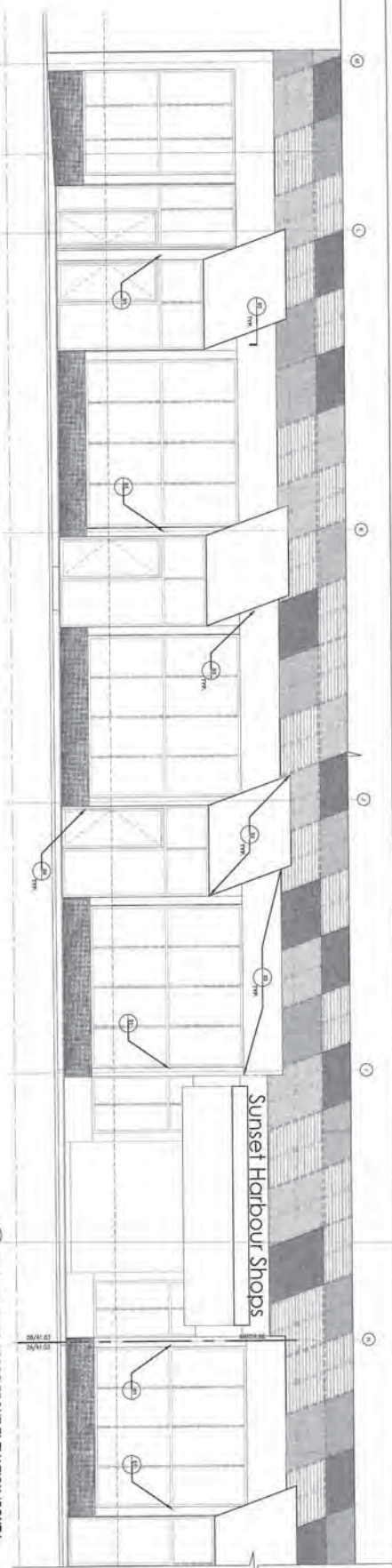
City of Miami Beach
Fire Protection Division
PLANS APPROVED

PROJECT INFORMATION
PROJECT: 100% DESIGN DRAWINGS & PERMITS
OWNER: City of Miami Beach
DESIGNER: ARQUITECTONICA
DATE: 08/12/2024
SCALE: 1/4" = 1'-0"

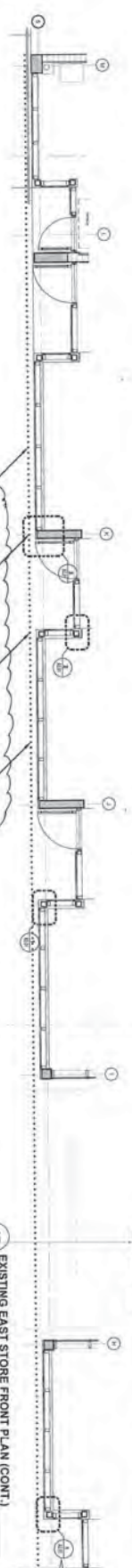
ARQUITECTONICA
ARCHITECTS
100% DESIGN DRAWINGS & PERMITS
100% DESIGN DRAWINGS & PERMITS
100% DESIGN DRAWINGS & PERMITS
100% DESIGN DRAWINGS & PERMITS



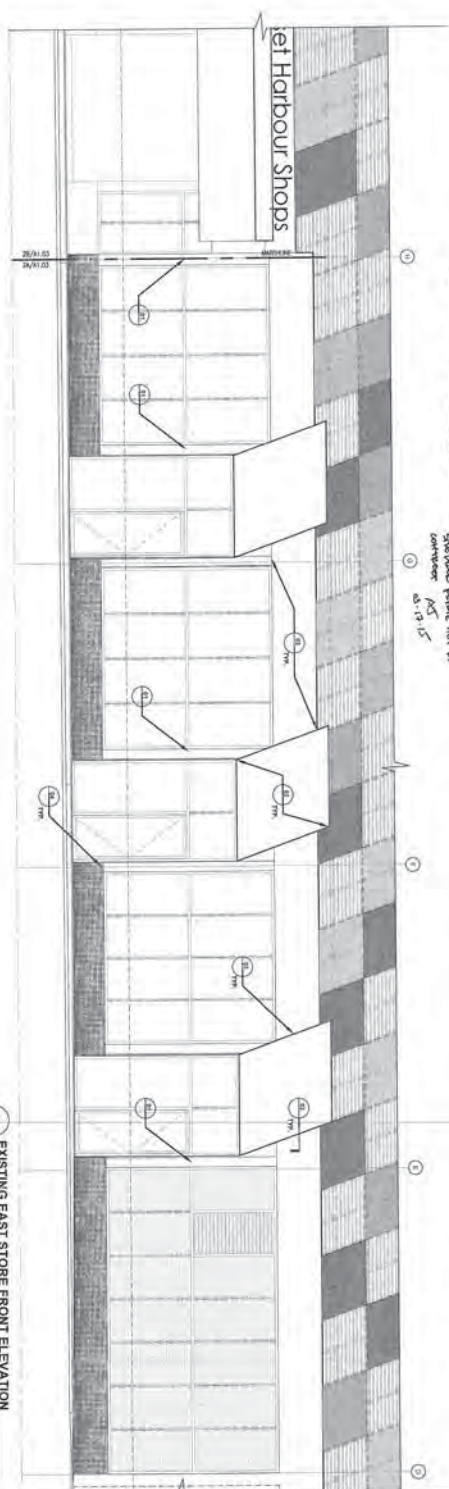
100% DESIGN DRAWINGS
PROJECT: 100% DESIGN DRAWINGS & PERMITS
OWNER: City of Miami Beach
DESIGNER: ARQUITECTONICA
DATE: 08/12/2024
SCALE: 1/4" = 1'-0"
PROJECT: 100% DESIGN DRAWINGS & PERMITS
OWNER: City of Miami Beach
DESIGNER: ARQUITECTONICA
DATE: 08/12/2024
SCALE: 1/4" = 1'-0"



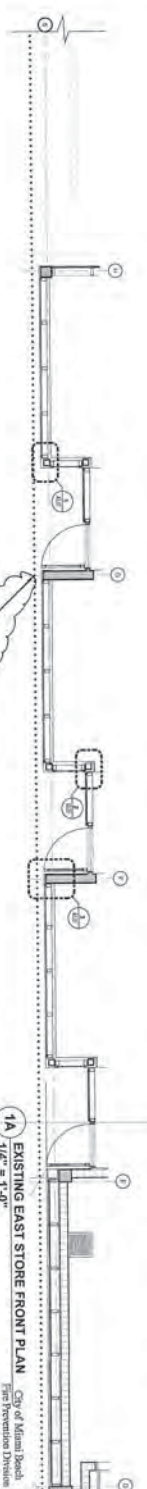
2B EXISTING EAST STORE FRONT ELEVATION (CONT.)
1/4" = 1'-0"



1B EXISTING EAST STORE FRONT PLAN (CONT.)
1/4" = 1'-0"



2A EXISTING EAST STORE FRONT ELEVATION
1/4" = 1'-0"



1A EXISTING EAST STORE FRONT PLAN
1/4" = 1'-0"

NOTES:

- 01. REMOVE & REPLACE DAMAGED ALUMINUM COLUMN COVERS PER DETAILS 1, 2 & 3 ON SHEET A2.01
- 02. SIGN & PARAPET: STUCCO HAS CRACKS, LOCALIZED DELAMINATION, AND EFFLORESCENCE. REFER TO NIS REPORT FOR REPAIR PROTOCOL.
- 03. CLEAN EXCESS STUCCO INSIDE SIGN PANEL, REPAIRS REFER TO PHOTO ON SHEET A2.01. SEAL & PAINT INSIDE REPAIRS AS NECESSARY TO CREATE A WEATHER-TIGHT JOINT.
- 04. TILE CORNERS ARE TO BE REPAIRED IF TILE IS POORLY INSTALLED. REFER TO PHOTO 3 ON SHEET A2.01. CONTRACTOR TO FIELD VERIFY EXTENT OF TILE REPAIRING REPAIR.
- 05. REPAIR CRACKED SIDEWALK AROUND FLOOR PANEL. DO NOT USE ANY SPALLING GROUT COORDINATED TO EXISTING SIDEWALK. REFER TO PHOTO 1 ON SHEET A2.01 FOR TYPICAL CORNER JOINT CONNECTION TO FIELD VERIFY EXTENT OF REPAIR. SEE DETAIL 2A.01.

City of Miami Beach
Department of Public Works
PLANS APPROVED

STORE FRONT
GLAZING ELEV.
1/4" = 1'-0"

A2.03

ARQUETECTONICA
ARCHITECTS
100% DESIGN DRAWINGS
Project No: 2023-04
Owner: City of Miami Beach
Architect: Arquitectonica
Scale: 1/4" = 1'-0"

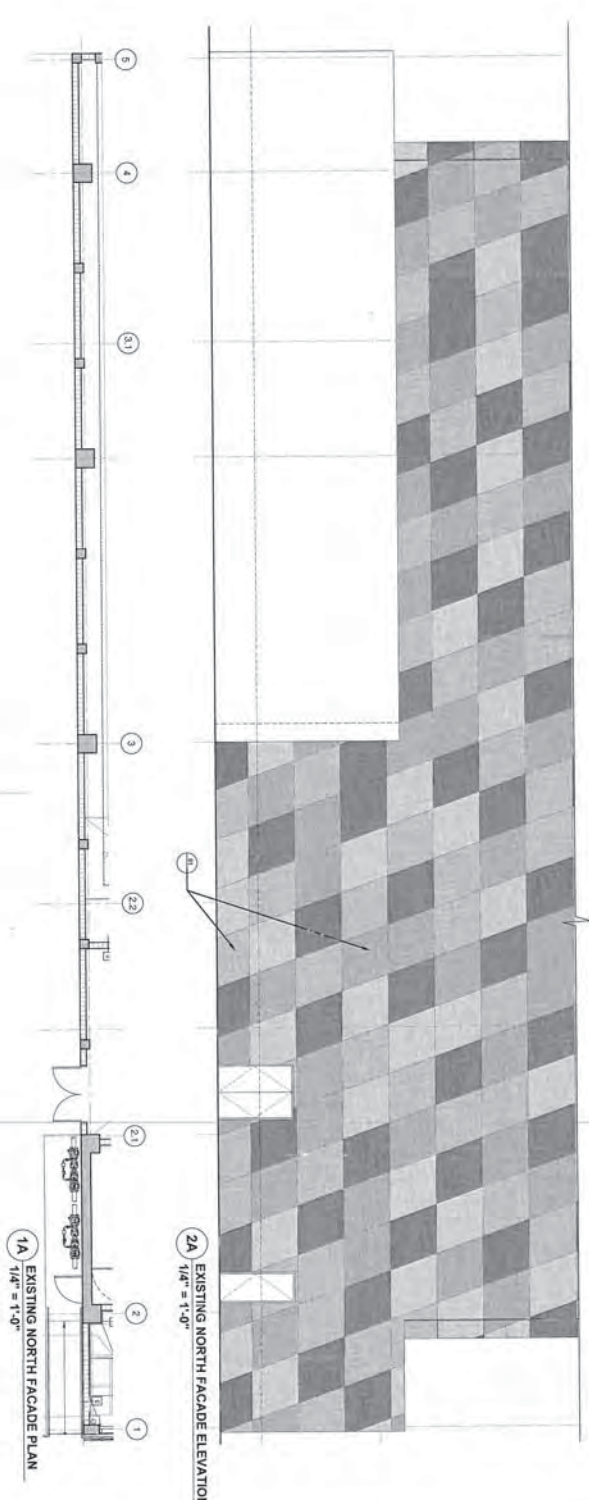
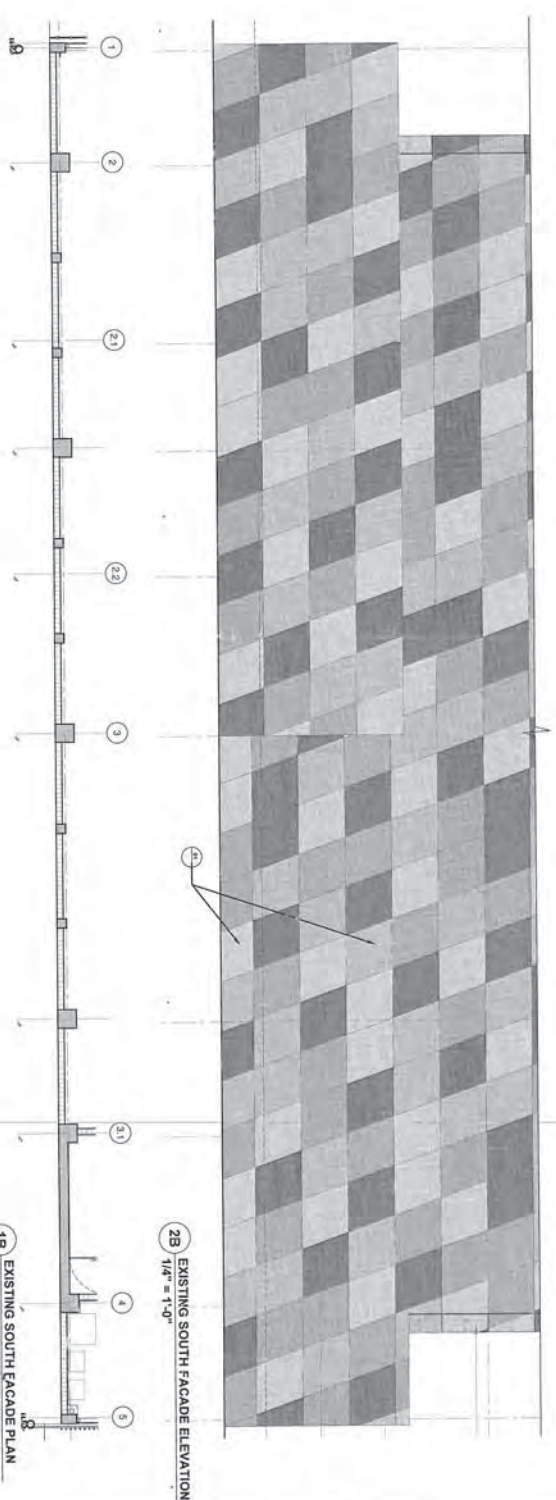
100% DESIGN DRAWINGS
City of Miami Beach
Department of Public Works
PLANS APPROVED

PROJECT: HARBOR GLAZING & REPAIR
City of Miami Beach
1000 Biscayne Blvd., Suite 1000
Miami, FL 33132
Tel: 305.375.1111
Fax: 305.375.1112
www.miamibeach.gov

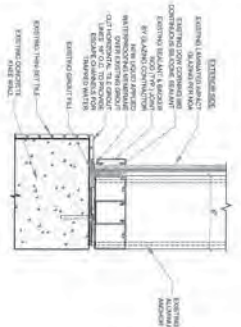
ARCHITECT: ARQUITECTONICA
1000 Biscayne Blvd., Suite 1000
Miami, FL 33132
Tel: 305.375.1111
Fax: 305.375.1112
www.arquitectonica.com

100% DESIGN DRAWINGS
City of Miami Beach
1000 Biscayne Blvd., Suite 1000
Miami, FL 33132
Tel: 305.375.1111
Fax: 305.375.1112
www.miamibeach.gov

PROJECT: STORE FRONT GLAZING ELEV.
City of Miami Beach
1000 Biscayne Blvd., Suite 1000
Miami, FL 33132
Tel: 305.375.1111
Fax: 305.375.1112
www.miamibeach.gov



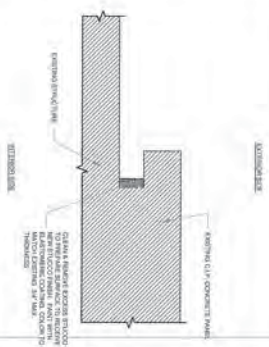
NOTES:
1. STUDIO HAS CRACKS, LOCALIZED DELAMINATION, AND EFT CORROSION AT COLUMN TO CHAD CONNECTION. REFER TO NIS REPORT & REPAIR PHOTOLOG.



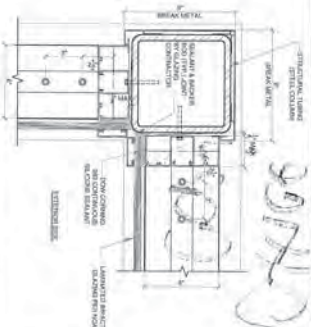
4



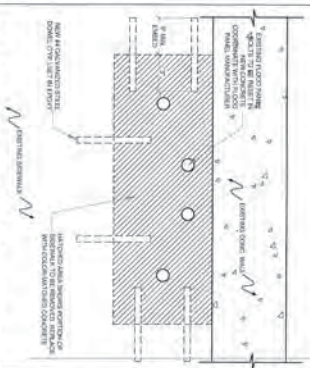
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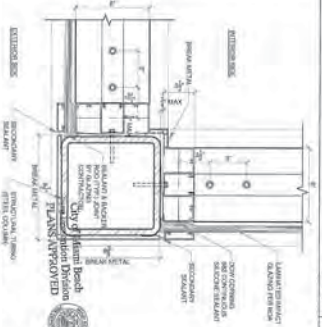
RETAIL
N.T.S.



N



DETAIL
3"=1'-0"



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1900 BAY RD



Office
Copy

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BAY
RD

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SAN FRANCISCO
CALIF 94111