

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: July 27, 2020

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB20-0360. 1575 Alton Road – Firestone Miami Beach**

An application has been filed requesting a conditional use permit for a Neighborhood Impact Establishment with Entertainment with an occupant content in excess of 200 persons, pursuant to Chapter 118, Article IV and Chapter 142, Article V of the City Code.

RECOMMENDATION

Approval with conditions

ZONING/SITE DATA

Legal Description:

LOTS 11 AND 12, BLOCK 65, COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 5 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Zoning District:

CD-2 (Commercial Medium District)

Future Land Use Designation:

CD-3 (Medium Intensity Commercial Category)

Surrounding Uses:

North: Commercial Establishments

South: Commercial Establishments

West: Commercial Establishments

East: Commercial / Residential

(See Zoning/Site map at the end of the report)

THE PROJECT

The applicant, Groot Firestone Diner, LLC, has submitted plans entitled "1575 Alton RD". The proposal is for two restaurants and a bakery that occupies the existing one-story commercial building at 1575 Alton Road.

Page A-6.0 of the plans, prepared by NR Architect, provides the proposed ground floor plan with two restaurants and a bakery. Restaurant A with 62 interior seats and 40 outdoor seats for a total of 102 seats and an occupancy load of 216. Restaurant B with 173 interior seats and 34 outdoor seats for a total of 207 seats and an occupancy load of 294. The Bakery Space has no seats as shown in the drawings and occupancy load of 15.

These three spaces have their own kitchen preparation and back of house areas, they share an enclosed A/C trash room that faces the alley (Lenox CT).

The total occupancy load projected is 525, with alcohol service, and indoor entertainment in the form of a DJ. Per Section 142-1361 of the Land Development Regulations, an alcoholic beverage establishment or restaurant, which is also operating as an entertainment establishment or dance hall, with an occupant content of 200 or more persons constitutes a Neighborhood Impact Establishment (NIE).

The proposal was considered by the Design Review Board on August 2, 2016 (DRB0616-0033). Depending on the changes to the exterior now proposed, modifications to the previously issued Design Review Board approval may be required.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:

Conditional Uses may be approved in accordance with the procedures and standards set forth in the City Code Art. 4, Sec. 118-191 and Sec. 118-192:

1. **The Use is consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.**

Consistent – The request is consistent with the permissible uses in the Medium Intensity Commercial Category (CD-2) as designated on the Future Land Use Map within the Comprehensive Plan.

2. **The intended Use or construction would not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan**

Consistent – The proposal should not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan.

3. **Structures and uses associated with the request are consistent with these Land Development Regulations.**

Consistent – Neighborhood Impact Establishments are permitted as conditional uses in this zoning district. This comment shall not be considered final zoning review or approval. This and all zoning matters shall require final review and verification prior to the issuance of a Building Permit.

4. **Public health, safety, morals and general welfare would not be adversely affected.**

Consistent – The proposed establishment may adversely affect the general welfare of nearby residents if noise and other issues are not controlled. The facility would have to comply with all applicable laws and regulations for licensure.

5. **Adequate off-street parking facilities would be provided.**

Partially Consistent – The site is located in parking district No. 6 and restaurant uses have no parking requirement. There are no parking spaces on site and the applicant will utilize valet parking services. Additionally, there are public parking facilities and street parking adjacent to the site. See the detailed traffic Assessment prepared by Kimley Horn, Inc.

6. **Necessary safeguards would be provided for the protection of surrounding property, persons, and neighborhood values.**

Consistent – Staff is recommending conditions to mitigate any adverse impacts from noise and other issues on the surrounding neighbors.

7. **The concentration of similar types of uses would not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.**

Partially Consistent – There are other restaurants within the vicinity, neighborhood impact establishments are permitted in the CD-2 Zoning District as a conditional use. If not carefully controlled, such concentration could negatively impact the surrounding neighborhood.

NEIGHBORHOOD IMPACT ESTABLISHMENT REVIEW GUIDELINES

In accordance with Sec. 142-1362 of the Miami Beach City Code, in reviewing an application for an outdoor entertainment establishment, open air entertainment establishment or a neighborhood impact establishment, the Planning Board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines for conditional uses pursuant to chapter 118, article IV:

1. **An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.**

The operational plan was submitted with the application and details hours for deliveries, hours of operation, number of employees, and other procedures.

2. **A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, self-park, shared parking, after-hour metered spaces and the manner in which it is to be managed.**

The site is located in parking district No. 6 and restaurant uses have no parking requirement. There are no parking spaces on site and the applicant will utilize valet parking services. Additionally, there are adequate public parking facilities and street parking adjacent to the site. See the detailed traffic Assessment prepared by Kimley Horn, Inc.

3. **An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises would be controlled.**

A crowd control plan was included with the application. Staff is proposing conditions to mitigate any potential issues with crowd control and queuing in the outdoor areas and sidewalk.

4. **A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.**

The applicant has indicated that there will be security personnel during evening and late night hours. There will be cameras to monitor the facility and alcohol patronage age restrictions will be performed by reception and wait staff.

5. A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.

A traffic assessment was provided.

6. A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.

Staff has included recommended conditions to mitigate any potential issues related sanitation operations.

7. A noise attenuation plan which addresses how noise would be controlled to meet the requirements of the noise ordinance.

A sound study was not required, as no outdoor or open air entertainment is proposed.

8. Proximity of proposed establishment to residential uses.

The project is surrounded primarily by commercial uses. "Industry Lofts" located to the east of the subject structure, is the closest building with residential uses.

9. Cumulative effect of proposed establishment and adjacent pre-existing uses.

There are other restaurants within the vicinity in this commercial district. If not carefully controlled, such concentration could negatively impact the surrounding neighborhood.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

1. A recycling or salvage plan for partial or total demolition shall be provided.
Satisfied. The applicant shall provide a recycling or salvage plan as part of any building permit.
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Satisfied. Windows will be replaced with impact windows.
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Satisfied. Some operable windows have been provided.
4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Not Satisfied. This information has not been substantiated by the applicant.
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.
Satisfied.

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.
Not Applicable.
7. Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Satisfied. All critical mechanical and electrical systems will be located above BFE.
8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
Satisfied. It is not reasonably appropriate to elevate the single story commercial building at this time.
9. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.
Not Applicable.
10. Where feasible and appropriate, water retention systems shall be provided.
Not Satisfied. This information has not been provided.

ANALYSIS

Project Description and Operations

The proposal is for the renovation of the existing building to operate two (2) restaurants with indoor entertainment on the ground floor. The total projected occupancy load is 525, with alcohol service and indoor entertainment. Per Section 142-1361 of the Land Development Regulations, an alcoholic beverage establishment or restaurant, which is also operating as an entertainment establishment or dance hall, with an occupant content of 200 or more persons constitutes a Neighborhood Impact Establishment (NIE).

As per the plans, letter of intent and operational plan, the breakdown of the areas, the occupancy, the proposed hours, and whether or not entertainment is proposed are as follows:

LOCATION	SEATING	OCCUPANCY	PROPOSED HOURS	ENTERTAINMENT
Restaurant A Sushi Fly Chicken	Bar: 13 Dining area: 49 Outdoor area: 40 102	216	Sunday - Tuesday: 12:00 PM to 2:00 AM Wednesday - Saturday: 12:00 PM to 5:00 AM Entertainment: (DJ) Wednesday - Saturday: 11:00 PM to 5:00 AM	Indoor: YES Outdoor: NO
Restaurant B Winker's Diner	Bar: 22 Dining area: 151 Outdoor area: 34 207	294	Sunday - Tuesday: 8:00 AM to 11:00 PM Wednesday - Thursday: 8:00 AM to 2:00 AM Friday - Saturday: 8:00 AM to 6:00 AM Entertainment: (DJ) Wednesday - Saturday: 8:00 PM to 1:00 AM	Indoor: YES Outdoor: NO
Bakery	0	15	Monday to Friday: 7:00 AM to 9:00 PM Saturday to Sunday: 9:00 AM to 9:00 PM	NO
TOTAL:	309	525		

The CD-2 zoning district has additional regulations for alcoholic beverage establishments located on the west side of Alton Road in the immediate vicinity, however those regulations do not apply to the east side of Alton Road. Nevertheless, as there are residential uses in close proximity to the subject property, staff is recommending that the exterior portions of the restaurants close by Midnight and that ambient background music cease by 11:00 PM nightly.

Operation

The only type of entertainment proposed is a DJ for each of the two restaurants, located within the interior of the building. Doors and windows will be closed during times the times the DJ is operating on the site.

The operations plan indicates that all deliveries will be made on Lenox Court and will occur daily between 6:00 AM and 2:00 PM. The establishment will be accessible to tenants and patrons between hours of 7 am and 5 am (see chart above).

Staff has recommended conditions in the attached draft order to ensure that the impacts of the operations are minimized.

Sound

A sound study was not required for this proposal, as no outdoor or open/air entertainment is proposed. There is an operable storefront associated with one of the restaurants which will be closed during any time that a DJ is performing on the site.

Security and Crowd Control

The applicant is proposing to have security personnel during evening and overnight operating hours. There will be cameras to monitor the facilities and alcohol patronage age restriction will be

performed by reception and wait staff. Any queuing will take place internally to prevent any queueing on the sidewalk which may interrupt the pedestrian flow on Alton Road or 16th Street. Staff has recommended conditions in the attached draft order to address this.

STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

ZONING/SITE MAP



0 25 50 100 150 200 250
Feet



**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1575 Alton Road. - Restaurants and bakery

FILE NO. PB20-0360

IN RE: A conditional use permit for a Neighborhood Impact Establishment with Entertainment with an occupant content in excess of 200 persons, pursuant to Chapter 118, Article IV and Chapter 142, Article V of the City Code..

LEGAL DESCRIPTION: LOTS 11 AND 12, BLOCK 65, COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 5 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

MEETING DATE: July 27, 2020

CONDITIONAL USE PERMIT

The applicant, Groot Firestone Diner, LLC, requested a Conditional Use Permit, pursuant to Chapter 118, Articles IV and V, for a Neighborhood Impact Establishment (NIE) with a combined maximum occupant content in excess of 200 persons with entertainment, pursuant to Section 142, Article V. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach 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 of the record for this matter:

That the property in question is located in the CD-2, Commercial High Intensity District zoning district; and

That the use is consistent with the Comprehensive Plan for the area in which the property is located; and

That the intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan; and
That structures and uses associated with the request are consistent with the Land Development Regulations; and

That the public health, safety, morals, and general welfare will not be adversely affected; and

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE 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 is adopted herein, including the staff recommendations, as approved by the Planning Board, and accepted by the applicant, that a Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions:

1. This Conditional Use Permit is issued to Groot Firestone Diner, LLC, as owner/operator of the subject Neighborhood Impact Establishment, with an occupancy load exceeding 199 and including indoor entertainment. Any change of operator or fifty percent (50%) or more stock ownership shall require the new owners or operators to submit an affidavit, approved by City, to the City of Miami Beach Planning Department transferring approval to the new owners and/or operators and acknowledging acceptance of all conditions established herein, prior to the issuance of a new Business Tax Receipt.
2. The Board hereby imposes and the Applicant agrees to the following operational conditions for all permitted and accessory uses, and the applicant shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
 - a. The project authorized by this Conditional Use Permit includes the creation and operation of the proposed restaurants, with the criteria listed below:
 - i. Resturant 'A' shall be limited to the following hours of operation:
 - a. Sunday – Tuesday: 10:00 AM to 2:00 AM
 - b. Wednesday – Saturday: 10:00 AM to 5:00 AMThe outdoor areas shall be closed no later than 12:00 AM, with allowable background music ceasing by 11:00PM.
 - ii. Resturant 'B' shall be limited to the following hours of operation:
 - a. Sunday – Tuesday: 8:00 AM to 11:00 PM
 - b. Wednesday – Thursday: 8:00 AM to 2:00 AM
 - c. Friday – Saturday: 8:00 AM to 6:00 AMThe outdoor areas shall be closed by 12:00 AM (11:00 PM Sunday-Tuesday), with allowable background music ceasing by 11:00PM nightly.
 - iii. Up to 75 seats may be located on the exterior of the premises, on private property, as proposed.
 - iv. The maximum occupancy load of the combined restaurants shall not exceed

525, or such lesser number as approved by the Fire Marshall.

- v. Entertainment, as defined in City Code Section 114-1, shall be strictly prohibited in all outdoor areas.
- vi. The only entertainment permitted on the property shall consist of one DJ in each of the two restaurants, who shall only be permitted to operate within the interior of the building. Days/hours of operation for the DJ shall be limited to the following:
 - a. Restaurant 'A', Wednesday – Saturday, 11:00 PM to 5:00 AM
 - b. Restaurant 'B', Wednesday – Saturday, 8:00 PM to 1:00 AM.

Only the house sound system for each restaurant shall utilized. The use of a third party/portable speakers shall not be permitted at any time.

- vii. A full menu shall be made available for each restaurant during all hours of operation.
 - viii. The house sound system shall be installed and set in such a manner as to limit the acoustical output of the system and have password protected security on all controls at all times. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls shall be submitted for the review and approval of the Planning Department. Before entertainment is approved and added to the Business Tax Receipt (BTR), a field visit with the applicants and Planning staff shall be required to verify the sound system operations.
 - ix. All operable windows, including but not limited to the proposed folding glazing system facing Alton Road of 'Restaurant A', shall be closed at all times that entertainment is occurring. Ingress and egress for patrons and staff shall be limited to the existing swing doors during this time.
 - x. Televisions, and projectors shall not be located anywhere in the exterior areas of the property.
 - xi. After normal operating hours the establishment shall remain closed and no patrons or other persons, other than those employed by the establishment, shall remain therein between the establishment's closing time and 8:00 AM.
 - xii. No alcohol shall be offered for sale or consumed on the premises between the hours of 5:00 AM and 8:00 AM.
- b. Deliveries may only occur between 6:00 AM and 2:00 PM, daily.
 - c. Delivery trucks shall only be permitted to load and unload within the alley or other city designated freight loading zones.
 - d. Delivery trucks shall not be allowed to idle in loading zones, including the alley.
 - e. Delivery trucks shall not block other vehicles from fully traversing through the abutting alley at any time.

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- f. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.
 - g. Trash collections may occur daily between 6:00 AM and 2:00 PM.
 - h. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Sufficient interior space must be provided so that doors can remain closed while trash and trash bags are being deposited in dumpsters. Doors shall remain closed and secured when not in active use.
 - i. Trash room(s)/garbage room(s) shall be large enough, or sufficient in number to accommodate enough dumpsters so that more than one pick-up of garbage per day will not be necessary.
 - j. Garbage dumpster covers shall be closed at all times except when in active use.
 - k. Outdoor cooking anywhere on the premises is prohibited. Kitchen and other cooking odors shall be contained within the premises. Owner agrees to install an exhaust system, if required by code, for the kitchens on the premise that will substantially reduce grease and smoke that would otherwise escape to the surrounding area. This may include the installation of a fan in connection with kitchen exhaust systems within the footprint of the building in order to reduce noise levels at the exhaust outlet substantially in compliance with the plans as approved.
 - l. Exterior speakers may only be permitted for fire or life safety purposes, and/or for background music played at a volume that does not interfere with normal conversation (i.e. at an ambient volume level).
 - m. Street flyers and handouts shall not be permitted, including handbills from third-party promotions.
 - n. As proposed by the applicant, security staff shall be onsite between 9:00 PM to closing. Security staff shall monitor patron circulation and occupancy levels in order to adjust crowds according to occupant loads.
 - o. Patrons shall not be allowed to queue on any public rights-of-way or on the exterior of the premises. Security staff shall monitor the crowds to ensure that they do not interfere with the free-flow of pedestrians on the public sidewalk.
 - p. The Operators shall be responsible for maintaining the areas adjacent to the facility, such as the sidewalks, curb and gutter and around the perimeter of the property in excellent condition, keeping these areas in a clean condition, free of all refuse, at all times.
- 3. The applicant shall coordinate with the Parking Department to designate a minimum of two (2) spaces for passenger loading along 16th Street.
 - 4. The Applicant shall coordinate with the Parking Department and Transportation Department to submit a comprehensive Transportation Demand Management (TDM) Plan

- to the Transportation Department for review and approval prior to receiving a Temporary Certificate of Occupancy
5. The Applicant shall assign personnel to manage loading operations to reduce potential conflicts with pedestrians in crosswalks, and ensure that blocking of the alley to for the passage of vehicles does not occur at any time.
 6. The Planning Board shall retain the right to call the owner or operator, both now and in the future, back before the Board and modify this Conditional Use Permit, including the hours of operation and/or the occupant load of the restaurant, as well as modifications to the parking operations, should there be valid complaints or violations (as determined by Code Compliance) about valet operations and loud, excessive, unnecessary, or unusual noise.
 7. The applicant shall address the following Concurrency and Parking requirements, as applicable:
 - a. A Method of Transportation (MOT) shall be submitted to Public Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.
 - b. Prior to the issuance of a building permit, the applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as may be determined as determined by the Concurrency Management Division.
 - c. A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs, if required, shall be paid prior to the issuance of any Building Permit.
 - d. Prior to the issuance of a Building Permit, calculations for required parking for the project shall be determined by the Planning Department. A final determination for the required parking shall be conducted prior to the issuance of a Certificate of Occupancy or Business Tax Receipt, whichever comes first. If required, a one-time fee in lieu of providing the required parking on site, as determined by staff, shall be paid prior to the issuance of the Certificate of Occupancy.
 8. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 118-194, Code of the City of Miami Beach, Florida.
 9. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 90 days from the issuance of the BTR for the first restaurant to obtain such. Details of the loading operations, including size and frequency of vehicles, as well as full utilization details of the valet operation, shall be submitted for review as part of this progress report. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).

10. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
11. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval.
12. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
13. This 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.
14. The executed Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant and returned to the Planning Department. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.
15. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
16. 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.
17. The applicant agrees and shall be required to provide access to areas subject to this Conditional Use Permit (not private residences or hotel rooms) for inspection by the City (i.e. Planning Department, Code Compliance Department, Building Department, and Fire Department staff), to ensure compliance with the terms and conditions of this Conditional Use Permit. Failure to provide access may result in revocation of the Conditional Use Permit.

Dated _____

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, AICP
Chief of Planning and Zoning
for Chairman

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by Michael Belush, Chief of Planning & Zoning for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]

Notary:

Print Name:

Notary Public, State of Florida

My Commission Expires:

Commission Number:

Approved As To Form:

Legal Department _____ ()

Filed with the Clerk of the Planning Board on _____ ()