

MIAMI BEACH

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		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
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="checkbox"/> Other:		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	
Property Information - Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 959 West Avenue			
FOLIO NUMBER(S) 02-4203-001-0420			
Property Owner Information			
PROPERTY OWNER NAME Gumenick Family Investments No 2			
ADDRESS 4901 Libbie Mill East Blvd.#200		CITY Richmond	STATE VA
BUSINESS PHONE		CELL PHONE	ZIP CODE 23230
EMAIL ADDRESS snash@gumprop.com			
Applicant Information (if different than owner)			
APPLICANT NAME Same as owner			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	ZIP CODE
EMAIL ADDRESS			
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design review approval			

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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.			SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).			SQ. FT.
Party responsible for project design			
NAME Urban Robot		<input checked="" type="checkbox"/> Architect	<input type="checkbox"/> Contractor
		<input type="checkbox"/> Engineer	<input type="checkbox"/> Tenant
		<input type="checkbox"/> Landscape Architect	<input type="checkbox"/> Other _____
ADDRESS 420 Lincoln Road, Ste 406		CITY Miami Beach	STATE FL
		ZIPCODE 33139	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS jj@urbanrobot.net	
Authorized Representative(s) Information (if applicable)			
NAME Jeffrey Bercow, Esq.		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 S. Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS jbercow@brzoninglaw.com	
NAME Michael Larkin, Esq.		<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Contact
		<input type="checkbox"/> Agent	<input type="checkbox"/> Other _____
ADDRESS 200 S. Biscayne Blvd., Suite 850		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.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:

We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community.

- 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".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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

Jeffery Genczak
PRINT NAME

2/28/2020
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 _____, 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 Florida

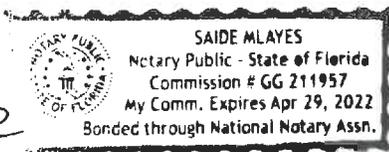
COUNTY OF Miami-Dade

I, Jeffrey Gumenick, being first duly sworn, depose and certify as follows: (1) I am the President (print title) of Gumenick Family Investments No 2 (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 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 4/29/22

Saïde Mlayes
NOTARY PUBLIC

Saïde Mlayes

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Jeffrey Gumenick, 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 Bercow Radell Fernandez Larkin & Tapanes 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.

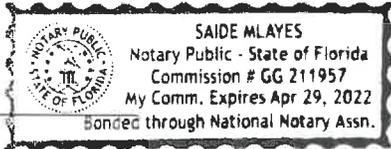
Jeffrey Gumenick
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 4/29/22



Saide Mlayes
NOTARY PUBLIC
Saide Mlayes
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 if

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.

See Exhibit B

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

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
<u>Jeffrey Bercow, Esq.</u>	<u>200 S. Biscayne Blvd., Suite 850</u>	<u>305-374-5300</u>
<u>Michael Larkin, Esq.</u>	<u>200 S. Biscayne Blvd., Suite 850</u>	<u>305-374-5300</u>
<u>J.J. Wood</u>	<u>420 Lincoln Road, Ste 406</u>	<u>305-766-0071</u>

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

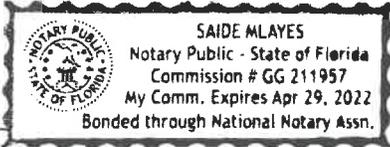
COUNTY OF Miami-Dade

I, Jeffrey Gumenick, 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.

Jeffrey Gumenick
SIGNATURE

Sworn to and subscribed before me this 28 day of February, 2020. The foregoing instrument was acknowledged before me by Jeffrey Gumenick, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 4/29/22

Saide Mlayes
NOTARY PUBLIC

Saide Mlayes
PRINT NAME

EXHIBIT A

DESCRIPTION:

LOTS 8, 9, 10, 11, 12, 13, 14 AND 15, OF BLOCK 3, OF AMENDED PLAT FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 28, AT PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA AND CONTAINING 58,565 SQUARE FEET (1.344 ACRES) MORE OR LESS.

EXHIBIT B

SAWA

**Gumenick Family Investments #2, Ltd.,
a Florida limited partnership**

Limites Partners:

- JRG Investments, LLC (44.550%)
- Jeffrey H. Gumenick (22.275%)
- Randolph S. Gumenick (22.275%)
- Wayne A. Chasen (10.000%)

General Partner:

Gumenick Investment #2, LLC (0.900%)

0.900%

**Gumenick Investment #2, LLC, a
Florida limited liability
company**

Sole Member:

J & R Holdings, LLC (100%)

Co-Managers:

- Jeffrey H. Gumenick
- Randolph S. Gumenick

5/2/50

22.275%

Jeffrey H. Gumenick

22.275%

Randolph S. Gumenick

44.550%

**JRG Investments, LLC, a Florida
limited liability company**

Members:

Jeffrey H. Gumenick, Randolph S. Gumenick
and Walter F. Witt, Jr., as Trustees under the
Jeffrey H. Gumenick Family Trust Agreement
dtd 6/20/07

And

Jeffrey H. Gumenick, Randolph S. Gumenick
and Walter F. Witt, Jr., As Trustees under the
Randolph S. Gumenick Family Trust
Agreement dtd 6/20/07

Management Committee:

- Jeffrey H Gumenick
- Randolph S. Gumenick
- Walter F. Witt, Jr.
- Wayne Chasen

5/2/50

10.000%

**Wayne A.
Chasen**

Legal Address

Lots 8 through 15 inclusive, Block 3,
amended plat of Fleetwood, Subdivision
as recorded in PB 28-24



DIRECT LINE: (305) 305-374-5300
E-Mail: GFontela@brzoninglaw.com

November 9, 2020

VIA HAND DELIVERY

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Request for Design Review Approval for Property Located at 959 West Avenue
in Miami Beach, Florida

Dear Tom:

This law firm represents Gumenick Family Investments No. 2 (the "Applicant"), the owner of the captioned property (the "Property"). The Applicant previously obtained approval from the Board of Adjustments in 2001 (BOA File No. 2792) and the Design Review Board in 2001 (DRB File No. 14084) and 2003 (DRB File No. 17198) for development of a five (5) story commercial parking garage with 751 spaces and 21,400 square feet of ground floor commercial uses. See Exhibit A, Approval History. Please consider this letter the Applicant's letter of intent to request design review approval and modifications to conditions of DRB Order #14084 and #17198 to provide for façade improvements and an updated signage plan for the existing structure on the Property, known as the Shoppes at West Avenue, with associated variance requests.

Property Background. The Property is located on the east side of West Avenue spanning from 9th Street to 10th Street. The Property is identified by Miami-Dade County Folio No. 02-4203-001-0420 and is located within the RM-2 Multi-Family Residential zoning district. See Exhibit B, Property Appraiser Profile. The five (5) story commercial garage was built in 2002. The building provides ground level retail all along the street frontages of the structure, currently divided into fourteen (14) retail bays.

Project. The façade improvements will consist largely of an updated paint job and finishes to modernize and accentuate the retail component of the structure. The

improvements include a replace of the awnings and a redesign of the primary garage entrance along West Avenue framed by a green wall surrounding the recessed vestibule and awning. The improvements also provide for new hardscape and landscape features abutting the retail frontage on the Property providing for attractive paver design to delineate a pedestrian corridor immediately adjacent to the retail fronts with a flex zone of 15 feet in width next to the pedestrian corridor. The flex zone will be programmed to serve as a café seating space, planting area, and area for urban furniture.

The updated signage plan will include two (2) detached signs—one at the corner of West Avenue and 9th Street and one at the corner of West Avenue and 10th Street as allowed under Section 138-19 of the Code. The signage plan will also provide for three (3) projecting signs to identify parking for the garage. The projecting parking signs will each be on a distinct frontage (9th Street, West Avenue, and 10th Street). The wall signs on the Property will be consistent with the requirements of Section 138-16. The main entrance vestibule to the garage will have a wall sign of 30 square feet in size identifying the structure as The Shoppes at West Avenue. Additionally, there will be a wall sign assigned to each accessory retail use on the ground level of the structure. The accessory retail signage will include the wall sign as provided in Section 138-16 of the Code, as well as the additional signage located on the valance of each canopy. Lastly, the signage plan will include one directory sign next to the entrance of the garage vestibule.

Requests. The Applicant is seeking a design review approval for the façade improvements, landscape and hardscape improvements, and updated signage plan including signage above the ground level for the existing structure on the Property. Additionally, the Applicant requests a modification of DRB Order #14084 and #17198 to reflect the updated site plan and signage plan proposed. In order to allow for the proposed design, the Applicant requests the removal of the following conditions from DRB File No. 14084:

B1(d). All awnings shall consist of a woven fabric and shall incorporate a simple, rectangular pitch, with no side panels or valences.

B1(g). The center feature of the east and west elevations shall be increased to three (3) bays and the book-ends shall be increased to two (2) bays in order to better break down the scale and mass of the structure as it relates to the entire City block, in a manner consistent with Exhibit "A" submitted at the meeting, subject to the review and approval of staff.

B1(h). The six (6) remaining intermediate bays, flanking the new three (3) bay center feature on the east and west elevations, shall be in an alternating A, B format; alternatively, an AA, BB format, or variations thereof, may be utilized, in a manner consistent with Exhibit "A" submitted at the meeting, subject to the review and approval of staff.

B2(a). All exterior walkways shall consist of decorative pavers, set in sand or other semi-pervious material, subject to the review and approval of staff.

B3. All building signage shall be consistent in type, composed of flush mounted, non plastic individual letters and shall require a separate permit.

Variances. In order to accommodate the new signage plan and improvements to the façade, landscape, and hardscape, the Applicant is requesting the following variances:

1. Variance to allow for encroachments within the required front yard ("Front Yard Variance");
2. Variances to permit one parking projecting sign on each of the three street frontages ("Parking Signs Variances").
3. Variance to allow two detached monument signs where one detached sign is permitted ("Monument Sign Variance").
4. Variances to allow for the three distinct signs per frontage where one is permitted ("Frontage Signage Variances")

Practical Difficulty. The Front Yard Variance is needed in order to make the improvements to the existing commercial parking garage structure with ground level retail. The Applicant faces a practical difficulty for the Front Yard Variance as the existing structure and property is nonconforming with regards to the front yard requirements. The proposed improvements will serve to lessen the degree of nonconformity by increasing the green space and landscaping and reducing the impervious area in the front yard. The improvements increase the green space in the front yard by 60%. The Front Yard Variance will allow for these improvements to the front yard as well as the aesthetics of the structure.

Mr. Thomas Mooney

November 9, 2020

Page 4 of 4

The Parking Signs Variances will allow for needed visibility for access and use of the commercial parking garage, which is the main use of the existing structure. The proposed parking signs will serve to improve wayfinding and parking access in the area. The Applicant faces a practical difficulty in that the commercial parking garage is an existing nonconforming structure within the RM-2 District. The Applicant is simply seeking to provide signage to better serve the functioning of the existing structure in line with that which would typically be allowed for the structure in other districts.

The Monument Sign Variance is needed to allow for monument signage located at both ends of the property and existing structure. The square footage for the two monument signs does not exceed the maximum 15 square feet allowed. The proposed signage area is split as each of the two proposed monument signs are 7.5 square feet in size. This allows for monument signage consistent with the intent of the Code while accommodating the reality that this is an existing nonconforming structure on a property that spans an entire block. The splitting of the allowable 15 square feet in signage into two distinct locations on the site is needed in order to adequately account for wayfinding for the large property and existing structure.

The Frontage Signage Variances reflect the fact that the proposal is seeking to provide wall sign, detached sign, and blade sign for each frontage where technically the Code only allows for one signage per frontage. The Applicant faces a practical difficulty in that the commercial parking garage is an existing nonconforming structure within the RM-2 District. The Applicant is simply seeking to provide signage to better serve the functioning of the existing structure in line with that which would typically be allowed for the structure in other districts. The signage is necessary to accommodate the wayfinding and practical operation of the existing mixed-use commercial parking garage with multiple retail tenants serving the neighborhood.

Conclusion. These requests will allow for the exterior improvements and updates for the Shoppes at West Avenue that are needed to keep the site attractive and in good shape. These improvements will benefit each of the retail tenants and will enhance the pedestrian experience for the surrounding West Avenue community. If you have any questions or comments in the interim, please give me a call at 305-374-5300

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Fontela', written in a cursive style.

Greg Fontela

EXHIBIT A

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: February 22, 2001

IN RE: The Application for Design Review Approval for the construction of a 5 story parking structure with accessory retail space.

PROPERTY: 901-963 West Avenue

FILE NO: 14084

ORDER

The applicant, Gumenick Family Investments #2, Ltd., filed an application with the City of Miami Beach Planning Department for Design Review approval.

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:

- A. 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 not consistent with the Design Review Criteria Nos. 2, 3, 4, 6, 7 & 8 in Section 118-251 of the Miami Beach Code.
- B. The project would be consistent with the above criteria and requirements if the following conditions are met:
 - 1. Revised elevation, site plan and floor plan drawings, in accordance with Exhibit "A" submitted at the meeting, shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. The proposed parking/ramp system shall be inverted so that the entrance to the speed ramp is from Tenth (10th) Street and the grade level parking area fronts Ninth (9th) Street. Access to the

relocated grade level parking area shall be from the alley, and not from the street along Ninth Street; retail space shall be extended eastward at the first level, along the south property line, to the stairwell, in a manner to be approved by staff.

- b. The elevations of the subject structure shall be further refined and developed, in a manner to be approved by staff.
- c. The proposed arches at the top part of the center of the west and east elevations shall be eliminated.
- d. All awnings shall consist of a woven fabric and shall incorporate a simple, rectangular pitch, with no side panels or valences.
- e. All garage entrance gates and service areas, fronting Tenth Street, shall be substantially opaque and the final details and design shall be subject to the review and approval of staff.
- f. All garage openings, on all elevations, shall incorporate screening panels, the design, details and dimensions of which shall be subject to the review and approval of staff.
- g. The center feature of the east and west elevations shall be increased to three (3) bays and the book-ends shall be increased to two (2) bays in order to better break down the scale and mass of the structure as it relates to the entire City block, in a manner consistent with Exhibit "A" submitted at the meeting, subject to the review and approval of staff.
- h. The six (6) remaining intermediate bays, flanking the new three (3) bay center feature on the east and west elevations, shall be in an alternating A, B format; alternatively an AA, BB format, or variations

thereof, may be utilized, in a manner consistent with Exhibit "A" submitted at the meeting, subject to the review and approval of staff.

- i. All molding throughout the proposed structure shall consist of pre-cast concrete or plaster; foam molding shall not be permitted.
 - j. Bike racks and other pedestrian furniture, as applicable, shall be required.
 - k. Clearly defined and developed entrance doors and stair doors shall be required at the center of the west elevation, in a manner to be approved by staff.
2. 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. All exterior walkways shall consist of decorative pavers, set in sand or other semi-pervious material, subject to the review and approval of staff.
 - b. 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.

- c. The Royal Palms on the west side of the site shall be replaced with shade trees, in a manner to be approved by staff.
3. All building signage shall be consistent in type, composed of flush mounted, non-plastic individual letters and shall require a separate permit.
4. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.
5. A traffic mitigation plan, which addresses all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, if required, shall be submitted prior to the issuance of a Building Permit and the final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
6. Manufacturers drawings and Dade County product approval numbers for all new windows, doors and glass shall be required, prior to the issuance of a building permit.
7. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view, in a manner to be approved by staff.
8. All new and altered elements, spaces and areas shall meet the requirements of the Florida Accessibility Code (FAC).
9. The project shall comply with any landscaping or other sidewalk/street

improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.

10. The applicant shall be required to obtain any and all variances from the Board of Adjustment, prior to the issuance of a Building Permit.

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 by the Board, that the Application for Design Review approval is granted for the above-referenced project subject to those certain conditions specified in paragraph B of the Findings of Fact hereof (conditions #1-10, inclusive), to which the applicant has agreed.

No building permit may be issued unless and until all conditions of approval as set forth herein have been met. The issuance of Design Review approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including zoning approval. If adequate handicapped access is not provided, this approval does not mean that such handicapped access is not required or that the Board supports an applicant's effort to seek waivers relating to handicapped accessibility requirements.

When requesting a building permit, three (3) sets of plans approved by the Board, modified in accordance with the above conditions, as well as annotated floor plans which clearly delineate the Floor Area Ratio (FAR) calculations for the project, shall be submitted to the Planning Department. If all of the above-specified conditions are satisfactorily addressed, the plans will be reviewed for building permit approval. Two (2) sets will be returned to you for submission for a building permit and one (1) set will be retained for the Design Review Board's file. If the Full Building Permit is not issued within one (1) year of the meeting date at which Design Review Approval was granted and construction does not commence and continue in accordance with the requirements of the

Page 6

Meeting Date: February 22, 2001

DRB File No. 14084

applicable Building Code, the Design Review approval will expire and become null and void.

Dated this _____ day of _____, 20_____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
THOMAS R. MOONEY, AICP
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

Approved As To Form:

Legal Department: _____ (_____)

Filed with the Clerk of the Design Review Board on _____ (_____)

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BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MIAMI BEACH, FLORIDA

MEETING DATE: MARCH 2, 2001
FILE NO. 2792

IN RE: The application of
GFI #2, LTD.
959 WEST AVENUE
LOTS 8 THROUGH 15 INCLUSIVE; BLOCK 3
AMENDED PLAT OF FLEETWOOD SUB., PB 28 - 24
MIAMI-DADE COUNTY, FLORIDA

ORDER

The applicant, GFI #2, Ltd., filed an application with the Planning Department for variances in order to construct a five story, 751 space commercial garage, with 21,400 sq. ft. of ground floor commercial spaces facing West Avenue, as follows:

1. A variance to waive 23.28' of the minimum required 31.28' side yard setbacks in order to construct the above garage 8' from the property line along 9th and 10th streets.
2. A variance to waive 7' of the minimum required 15' rear yard setback in order to construct the above garage 8' from the rear property line facing the alley.
3. A variance to exceed by 10' the maximum allowable depth of 40' for commercial spaces located in garages permitted as main uses in a residential zoning district, in order to provide commercial spaces 50' deep facing West Avenue.

Notice of the request for variances was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the RM-2 Zoning District.

AT THE HEARING, Variance Request No. 1 was modified as follows:

1. A variance to waive ~~23.28'~~ 15.28' of the minimum required 31.28' side yard setbacks in order to construct the above garage 8' from the property line along 9th Street and 8' 16' from the property line along 10th Street.

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File No. 2792

GFI #2, Ltd.

959 West Avenue

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variances:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variances requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure;

That the granting of the variances will be in harmony with the general intent and purpose of this Ordinance and that such variances will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

IT IS THEREFORE ORDERED, by the Board, that the Variance Nos. 2 and 3, as requested and set forth above, and Variance No. 1, as modified above, be APPROVED with the following conditions to which the applicant has agreed:

1. The applicant shall comply with all of the conditions imposed by the Design Review Board.
2. The applicant shall comply with all of the conditions imposed by the Planning Board.

File No. 2792
GFI #2, Ltd.
959 West Avenue

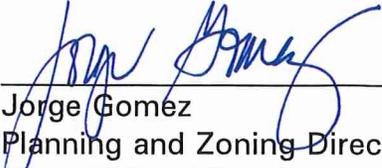
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3. The applicant shall resolve any outstanding City Liens or violations prior to obtaining a Building Permit.
4. The parking garage shall serve only residential uses with the exception of any commercial space within the garage.
5. Retail space on the ground floor shall be limited to a depth of 50 ft.
6. The applicant shall comply with all conditions imposed by the Public Works Department.
7. The applicant shall obtain a building permit within one (1) year of the date of this hearing. If the building permit is not issued within one year of the date of this hearing or the building permit lapses after the one-year period, this variance shall become null and void.

PROVIDED, the applicant shall build in accordance with the plans submitted as part of this file and as approved by the Board of Adjustment with any applicable modifications. The applicant shall have a building permit for the work contemplated herein issued by the Building Department on or before March 2, 2002 (within one year of the date of this hearing), otherwise this Order shall become null and void, unless the issuance of such permit is stayed by an appeal of this Order to a court of competent jurisdiction. This Order does not constitute a building permit, but upon presentation of a recorded copy of this Order to the Planning Department, a permit shall be processed and approved (subject to compliance with the conditions hereof) in accordance with and pursuant to the ordinances of the City of Miami Beach.

Board of Adjustment of
The City of Miami Beach, Florida

By: _____


Jorge Gomez
Planning and Zoning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

File No. 2792
GFI #2, Ltd.
959 West Avenue

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20TH day of APRIL, 2001, by Jorge Gomez, Planning and Zoning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[Handwritten Signature]

Notary:
Print Name: CHARLES A. TAFT
Notary Public, State of Florida
My Commission Expires:
Commission Number:



Approved As To Form:
Legal Department (gfd/4-17-01)

Filed with the Clerk of the Board of Adjustment on 4/24/01 (AT)

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RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
RECORD VERIFIED
HARVEY RUVIN
CLERK CIRCUIT COURT

**BEFORE THE
BOARD OF ADJUSTMENT
OF THE CITY OF MIAMI BEACH, FLORIDA**

IN RE: The application of
GUMENICK FAMILY INVESTMENTS #2, LTD.
a/k/a THE SHOPPES AT WEST AVENUE
959 WEST AVENUE
LOTS 8 THRU 15 INCLUSIVE; BLOCK 3
AMENDED PLAT OF FLEETWOOD SUBDIVISION
PLAT BOOK 28-34; MIAMI-DADE COUNTY, FLORIDA



CFN 2004R1064159
DR Bk 22843 Pgs 3770 - 3772; (3pgs)
RECORDED 12/01/2004 13:20:35
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

**MEETING DATE: NOVEMBER 5, 2004
FILE NO. 3051**

ORDER

The applicant, Gumenick Family Investments #2, Ltd., filed an application with the Planning Department for a variance in order to illuminate and exceed the maximum permitted size of non-illuminated signs for each of the allowed accessory uses of an existing parking garage, as follows:

1. A variance to exceed the maximum permitted accessory use non-illuminated sign area of 10 square feet by 10 square feet in order to permit a maximum of 20 square feet illuminated signs (backlit only) for each of the permitted accessory uses in the garage.

Notice of the request for variance was given as required by law and mailed to owners of property within a distance of 375 feet of the exterior limits of the property on which application was made.

THE BOARD FINDS that the property in question is located in the RM-2 Zoning District.

THE BOARD FURTHER FINDS, based upon evidence, testimony, information and documentation presented to the Board, and portions of the staff report and recommendations, as applicable, which are incorporated herein by this reference, that with regard to the requested variance when conditioned as provided for in this Order:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;



Board of Adjustment Order
Meeting of November 5, 2004
File No. 3051: Gumenick Family Investments #2, Ltd.
959 West Avenue Miami Beach, Florida

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

IT IS THEREFORE ORDERED, by the Board, that the variance as requested and set forth above be APPROVED with the following conditions to which the applicant has agreed:

1. The signage design and layout shall be consistent with the Design Review Board Approval for the project. Only individual reverse illuminated channel letters shall be permitted and all accessory use signage pertaining to this application shall be equipped with an automatic timer set to shut off by 11:00 pm 7 days a week.
2. A landscape plan for the entire site shall be submitted to and approved by staff before a building permit is issued for construction of the addition.
3. The applicant shall comply with all conditions imposed by the Public Works Department.
4. The applicant shall obtain a building permit within one (1) year of the date of this hearing and complete the project within two (2) years of the date of the hearing. If the building permit is not obtained or construction is not completed within the specified time limits, the applicant shall, prior to expiration of such period, apply to the Board for an extension of time. At the hearing on such application, the Board may deny or approve the request and modify the above conditions or impose additional conditions. Failure to comply with this order shall subject the variance to Section 118-356, City Code, for revocation or modification of the variance.
5. 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.



Board of Adjustment Order
Meeting of November 5, 2004
File No. 3051: Gumenick Family Investments #2, Ltd.
959 West Avenue Miami Beach, Florida

PROVIDED, the applicant shall build in accordance with the plans submitted as part of this file and as approved by the Board of Adjustment with any applicable modifications. The applicant shall have a building permit for the work contemplated herein issued by the Building Department on or before November 5, 2005 (within one year of the date of this hearing), otherwise this Order shall become null and void, unless the issuance of such permit is stayed by an appeal of this Order to a court of competent jurisdiction. This Order does not constitute a building permit, but upon presentation of a recorded copy of this Order to the Planning Department, a permit shall be processed and approved (subject to compliance with the conditions hereof) in accordance with and pursuant to the ordinances of the City of Miami Beach.

Board of Adjustment of
The City of Miami Beach, Florida

STATE OF FLORIDA, COUNTY OF DADE
HEREBY CERTIFY that this is a true copy of the
original filed in this office on 1st day of
Dec, A.D. 2004
WITNESS my hand and Official Seal
HARVEY RUVIN, CLERK, of Circuit and County Courts
By [Signature] D.C.



By:

[Signature]
Jorge G. Gomez, AICP
Planning and Zoning Director
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 18th day of NOVEMBER, 2004, by Jorge Gomez, Planning and Zoning Director of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

Expires July 17, 2007
My Commission DD233174
Charles A. Tarr



[Signature]
Notary:
Print Name: CHARLES A. TARR
Notary Public, State of Florida

[NOTARIAL SEAL]
My Commission Expires:

Approved As To Form:
Legal Department (Filed 11-24-04)

Filed with the Clerk of the Board of Adjustment on 11/29/04 (AT)

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**DESIGN REVIEW BOARD
City of Miami Beach, Florida**

MEETING DATE: August 19, 2003
IN RE: The Application for Design Review Approval for new signage.
FILE NO: 17198
PROPERTY: 959 West Avenue

ORDER

The applicant, Gumenick Family Investments #2, Ltd., filed an application with the City of Miami Beach Planning Department for Design Review Approval.

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:

- A. 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 not consistent with Design Review Criteria 2, 4, and 6 in Section 118-251 of the Miami Beach Code.
- B. The project would be consistent with the criteria and requirements of section 118-251 if the following conditions are met:
 - 1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. All tenant signage shall be uniform throughout the building , in a manner to be reviewed and approved by staff.
 - b. The ends of each word on each sign shall be closed, subject to the review and approval of staff.
 - c. The raceway shall be painted to match the color of the wall, subject to the review and approval of staff.
 - 2. The project shall comply with any landscaping or other sidewalk/street improvement standards as may be prescribed by a relevant Urban Design Master Plan approved prior to the completion of the project and the issuance of a Certificate of Occupancy.
 - 3. 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.

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 by the Board, that the Application for Design Review approval is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph B of the Findings of Fact (Condition Nos. 1-3, inclusive) hereof, to which the applicant has agreed.

No building permit may be issued unless and until all conditions of approval as set forth herein have been met. The issuance of Design Review approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including zoning approval. If adequate handicapped access is not provided, this approval does not mean that such handicapped access is not required or that the Board supports an applicant's effort to seek waivers relating to handicapped accessibility requirements.

When requesting a building permit, three (3) sets of plans approved by the Board, modified in accordance with the above conditions, shall be submitted to the Planning Department. If all of the above-specified conditions are satisfactorily addressed, the plans will be reviewed for building permit approval. Two (2) sets will be returned to you for submission for a building permit and one (1) set will be retained for the Design Review Board's file. If the Full Building Permit is not issued within eighteen (18) months of the meeting date at which this Design Review Approval was granted and construction does not commence and continue in accordance with the requirements of the applicable Building Code, the Design Review Approval will expire and become null and void.

Dated this 21 day of AUGUST, 2003.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: Thomas R. Mooney
THOMAS R. MOONEY, AICP
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

Approved As To Form: galea
Legal Department: _____ (8-21-03)

Filed with the Clerk of the Design Review Board on 8/22/03 (act)

JAM

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: 959 West Avenue Board: DRB Date: 07/17/2020

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: 959 West Avenue Board: DRB Date: 07/17/2020

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.	
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	✓
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.	
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	✓
p	Proposed Section Drawings	✓
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.	✓
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: 959 West Avenue Board: DRB Date: 07/17/2020

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 due 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: 959 West Avenue Board: DRB Date: 07/17/2020

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	Complete Signage Program - variances may be required	✓
Other		
Other		

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



Property address: 959 West Avenue Board: DRB Date: 07/17/2020

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: * See below note concerning changes in Paper 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)



 Applicant or Designee's Name

 Applicant or Designee's Signature

7/20/2020

 Date

* Due to Covid-19 Paper Copies are may be placed with an electric copy of all final, original submittal documents, uploaded into CSS and labeled as "Formal Submittal". Staff will provide further details on processes at First Submittal Comments.

