

PLANNING DEPARTMENT

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

BOARD APPLICATION CHECKLIST

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

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

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

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

Property address: 120 MacArthur Causway Board DRB Date: 06/03/2020

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: 120 MacArthur Causway Board: DRB Date: 06/03/2020

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) Side Elevations - Approved and Proposed	✓
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: 120 MacArthur Causway Board: DRB Date: 06/03/2020

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 IF APPLICABLE	✓
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	✓
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	✓
39	Sound Study report (Hard copy) with 1 CD.	
40	Site Plan (Identify streets and alleys)	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

Property address: 120 MacArthur Causway Board: DRB Date: 06/03/2020

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		
Other		
Other		

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



Property address: 120 MacArthur Causway Board: DRB Date: 06/03/2020

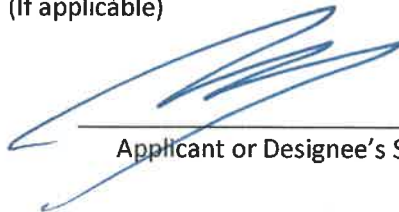
ITEM #	ITEM DESCRIPTION	REQUIRED
FINAL SUBMITTAL (CAP & PAPER)		
Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final 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:	
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)

Jon Paul Perez

Applicant or Designee's Name



Applicant or Designee's Signature

06/03/2020

Date



MIAMIBEACH

PLANNING DEPARTMENT

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

LAND USE BOARD HEARING APPLICATION

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

Application Information			
FILE NUMBER DRB20-0530		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)	
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <input type="checkbox"/> Modification of existing Board Order		<input checked="" type="radio"/> Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="radio"/> Planning Board <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <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"/> Modification of existing Board Order		<input type="radio"/> Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic District/Site Designation <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 120 MacArthur Causeway			
FOLIO NUMBER(S) 02-4204-000-0060			
Property Owner Information			
PROPERTY OWNER NAME Miami Beach Port, LLC			
ADDRESS 315 S Biscayne Blvd		CITY Miami	STATE FL
ZIP CODE 33131			
BUSINESS PHONE 305-533-0093	CELL PHONE	EMAIL ADDRESS jpperez@RELATEDGROUP.COM	
Applicant Information (if different than owner)			
APPLICANT NAME Same			
ADDRESS		CITY	STATE
ZIP CODE			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design Review Board approval for the construction of a new mixed-use Class-A office building with restaurant use on the roof top level (the “Project”) The existing mega-yacht marina will remain as an operational component of the Project.			

Project Information			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		216,627	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		161,671	SQ. FT.
Party responsible for project design			
NAME Arquitectonica		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 2900 Oak Avenue		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-372-1812	CELL PHONE	EMAIL ADDRESS rfort@arquitectonica.com	
Authorized Representative(s) Information (if applicable)			
NAME Tracy R. Slavens		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS Holland & Knight, 701 Brickell Ave, Suite 3300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-789-7642	CELL PHONE	EMAIL ADDRESS tracy.slavens@hklaw.com	
NAME Vanessa Madrid		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS Holland & Knight, 701 Brickell Ave, Suite 3300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-786-7453	CELL PHONE	EMAIL ADDRESS vanessa.madrid@hklaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

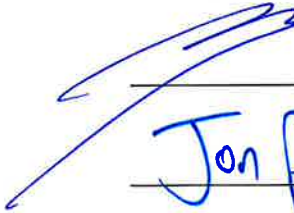
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the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

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- 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 foregoing 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
 Jon Paul Perez

PRINT NAME
 3/11/20

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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

SIGNATURE

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

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FLORIDACOUNTY OF MIAMI-DADE

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

SIGNATURE

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by Jon Paul Perez, 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: _____



Victoria Delgado
PRINT NAME

POWER OF ATTORNEY AFFIDAVITSTATE OF FLORIDACOUNTY OF MIAMI-DADE

I, Jon Paul Perez, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Tracy Slavens and Vanessa Madrid to be my representative before the Planning 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.

Jon Paul Perez, VP of PRH Terminal Island, LLC, Managing Member of Mico, LLC, The Sole Member and Manager of Miami Beach Port, LLC

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

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by Jon Paul Perez, 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: _____

Victoria Delgado
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 contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

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

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

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

Miami Beach Port, LLC
NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
<u>Please see attached.</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

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>Tracy Slavens</u>	<u>Holland and Knight, 701 Brickell Ave, Suite 3300</u> <u>Miami, FL 33131</u>	<u>305-789-7642</u>
<u>Vanessa Madrid</u>	<u>Holland and Knight, 701 Brickell Ave, Suite 3300</u> <u>Miami, FL 33131</u>	<u>305-789-7453</u>
<u>See Also Exhibit "B".</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, Jon Paul Perez, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

SIGNATURE

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by Jon Paul Perez, 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: _____

Victoria Delgado

PRINT NAME

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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

SIGNATURE

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

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

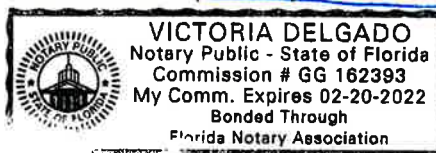
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FLORIDACOUNTY OF MIAMI-DADE

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

SIGNATURE

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Jon Paul Perez, 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: _____

Victoria Delgado**PRINT NAME**

POWER OF ATTORNEY AFFIDAVITSTATE OF FLORIDACOUNTY OF MIAMI-DADE

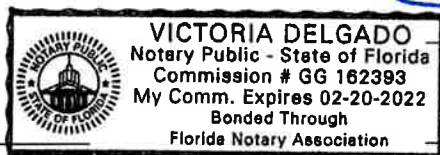
I, Jon Paul Perez, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Tracy Slavens and Vanessa Madrid to be my representative before the Planning Board. (3) I also 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.

Jon Paul Perez, VP of PRH Terminal Island, LLC, Managing Member of Mico, LLC, The Sole Member and Manager of Miami Beach Port, LLC

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

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Jon Paul Perez, who has produced _____ as identification and/or is personally known to me and who did take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: _____

Victoria Delgado**PRINT NAME****CONTRACT FOR PURCHASE**

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

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

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

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

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

Miami Beach Port, LLC
NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
<u>Please see attached.</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

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>Tracy Slavens</u>	<u>Holland and Knight, 701 Brickell Ave, Suite 3300</u> <u>Miami, FL 33131</u>	<u>305-789-7642</u>
<u>Vanessa Madrid</u>	<u>Holland and Knight, 701 Brickell Ave, Suite 3300</u> <u>Miami, FL 33131</u>	<u>305-789-7453</u>
<u>See Also Exhibit "B".</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

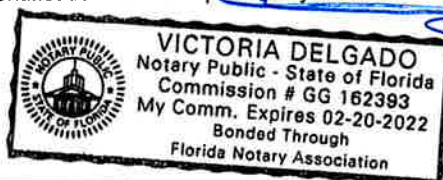
COUNTY OF Miami-Dade

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

SIGNATURE

Sworn to and subscribed before me this 11 day of March, 2020. The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Jon Paul Perez, 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: _____

victoria Delgado

PRINT NAME

EXHIBIT "A"

LEGAL DESCRIPTION

COMMENCING AT A POINT 1580 FEET NORTH AND 2015 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE ROADWAY OF THE ORIGINAL MIAMI COUNTY CAUSEWAY VIADUCT AND THE FACE OF THE WEST BRIDGE ABUTMENT, RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE CENTERLINE OF SAID ROADWAY PRODUCED, A DISTANCE OF 58.70 FEET TO A POINT; THENCE RUN SOUTH 31 DEGREES 43 MINUTES 00 SECONDS EAST A DISTANCE OF 64.75 FEET TO A POINT, SAID BEING THE POINT OF BEGINNING (1); THENCE RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE SOUTHERLY LINE OF THE MIAMI COUNTY CAUSEWAY, A DISTANCE OF 117.78 FEET TO THE POINT OF BEGINNING OF CUT-OUT PARCEL OF LAND HEREIN DESCRIBED,

FROM SAID POINT OF BEGINNING; THENCE RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE SAID SOUTHERLY LINE OF THE MIAMI COUNTY CAUSEWAY, A DISTANCE OF 40.43 FEET; THENCE RUN ALONG THE ARC OF A CIRCULAR CURVE DEFLECTING TO THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 30 SECONDS AND A RADIUS OF 243.86 FEET, A DISTANCE OF 26.64 FEET TO A POINT; SAID POINT BEING THE POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE; THENCE RUN ALONG THE ARC OF A CIRCULAR CURVE DEFLECTING TO THE RIGHT, AND HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 01 DEGREES 25 MINUTES 44 SECONDS AND A RADIUS OF 1,566.95 FEET, A DISTANCE OF 39.08 FEET TO A POINT; THENCE RUN SOUTH 31 DEGREES 43 MINUTES 00 SECONDS EAST A DISTANCE OF 403.80 FEET TO A POINT; THENCE RUN SOUTH 25 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 97.46 FEET TO A POINT; THENCE RUN NORTH 64 DEGREES 31 MINUTES 00 SECONDS WEST A DISTANCE OF 120.00 FEET TO A POINT; THENCE RUN SOUTH 25 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO A POINT; THENCE RUN SOUTH 64 DEGREES 31 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL TO THE MUNICIPAL CHANNEL A DISTANCE OF 832.55 FEET (RECORD AND LEGAL DESCRIPTION) 832.55 FEET (CALCULATE) TO A POINT; THENCE RUN NORTH 31 DEGREES 43 MINUTES 00 SECONDS WEST A DISTANCE OF 583.57 FEET; THENCE SOUTH 58 DEGREES 17 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 175.85 FEET; THENCE NORTH 32 DEGREES 27 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 59.61 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 61.22 FEET; THENCE NORTH 31 DEGREES 57 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 59.87 FEET; THENCE NORTH 31 DEGREES 45 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 99.47 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 109.79 FEET; THENCE NORTH 58 DEGREES 01 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 19.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 87 DEGREES 07 MINUTES 46 SECONDS EAST, A RADIAL DISTANCE OF 71.65 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 43 DEGREES 56 MINUTES 24 SECONDS, A DISTANCE OF 54.95 FEET; THENCE NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 10.00 FEET, TO THE SOUTHEASTERLY CORNER OF AN EXISTING ONE-STORY C.B.S. BUILDING; THENCE CONTINUE NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST, NORTHWESTERLY ALONG THE FACE OF THE SAID EXISTING C.B.S. BUILDING LINE, A DISTANCE OF 39.60 FEET, TO THE NORTHEASTERLY CORNER OF SAID EXISTING ONE-STORY C.B.S. BUILDING; THENCE CONTINUE NORTHWESTERLY, NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST, FOR A DISTANCE OF 30.28 FEET, TO THE POINT OF BEGINNING OF THE CUT OUT PARCEL OF LAND.

CONTAINING 161,716 SQUARE FEET OR 3.71 ACRES, MORE OR LESS.

LYING AND BEING IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT "B"

COMPENSATED LOBBYISTS SUPPLEMENTAL LIST

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. In addition to the persons listed on page 8 of the application, below is a supplemental list of all persons or entities retained by the applicant, as of the date of this application, to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
<u>Jon P Perez</u>	<u>Miami Beach Port, LLC</u> <u>315 S Biscayne Blvd</u> <u>Miami, FL 33131</u>	<u>305-533-0093</u>
<u>Jorge Perez</u>	<u>Miami Beach Port, LLC</u> <u>315 S Biscayne Blvd</u> <u>Miami, FL 33131</u>	<u>305-460-9900</u>
<u>Cullen Mahoney</u>	<u>Miami Beach Port, LLC</u> <u>315 S Biscayne Blvd</u> <u>Miami, FL 33131</u>	<u>305-849-3959</u>
<u>Victor Bared</u>	<u>282 Carabela Court</u> <u>Coral Gables, FL, 33143</u>	<u>305-469-9609</u>
<u>Jose Boschetti</u>	<u>Miami Beach Port, LLC</u> <u>315 S Biscayne Blvd</u> <u>Miami, FL 33131</u>	<u>305-749-0921</u>
<u>Juan Espinosa</u>	<u>David Plummer & Associates</u> <u>1750 Ponce de Leon Blvd</u> <u>Coral Gables, FL 33133</u>	<u>305-447-0900</u>
<u>Raymond Fort</u>	<u>Arquitectonica</u> <u>2900 Oak Ave</u> <u>Miami, FL 33133</u>	<u>305-372-1812</u>
<u>Bernardo Fort</u>	<u>Arquitectonica</u> <u>2900 Oak Ave</u> <u>Miami, FL 33133</u>	<u>305-372-1812</u>

<u>Nicolas Heppner</u>	<u>Arquitectonica</u> <u>2900 Oak Ave</u> <u>Miami, FL 33133</u>	<u>305-372-1812</u>
<u>Sherri Gutierrez</u>	<u>Arquitectonica</u> <u>2900 Oak Ave</u> <u>Miami, FL 33133</u>	<u>305-372-1812</u>
<u>Mercy Arce</u>	<u>Holland & Knight</u> <u>701 Brickell Avenue</u> <u>Miami, FL 33131</u>	<u>305-349-2178</u>

Disclosure of Interest for Miami Beach Port, LLC

Miami Beach Port, LLC, a Florida limited liability company, is 100% owned by MICO, LLC, a Florida limited liability company

MICO, LLC is 50% owned by PRH Terminal Island, LLC, a Florida limited liability company, and 50% owned by BCH Terminal Island, LLC, a Florida limited liability company

- PRH Terminal Island, LLC is 97.5% owned by PRH Investments, LLC, a Florida limited liability company, and 2.5% owned by Carlos Rosso Revocable Trust
 - PRH Investments, LLC, a Florida limited liability company, is wholly owned by PRH Related Holdings, LLC
 - PRH Related Holdings, LLC, a Florida limited liability company, is wholly owned by Perez Ross Holdings, LLC
 - Perez Ross Holdings, LLC, is 75% owned by Jorge M Perez Holding Ltd., and 25% owned by Related NY Holdings, LLC
 - Jorge M Perez Holdings, Ltd is 68% owned by Jorge M. Perez, 30% owned by Jorge M Perez 2018 Family Trust, 1% owned by Related Florida Inc., and 1% owned by JMP Holdings GP, LLC
 - Jorge M Perez 2018 Family Trust
 - Jon Paul Perez, Nicholas Alexander Perez, Christina Anne Perez, and Felipe Manuel Perez are the beneficiaries
 - Related Florida Inc.
 - Wholly owned by Jorge M. Perez
 - JMP Holdings GP, LLC
 - Wholly owned by Jorge M. Perez
 - Related NY Holdings, LLC, a Florida limited liability company, is 99.99% owned by The Related Companies, L.P., and .01% owned by RCMP, Inc.
 - The Related Realty Group, Inc., a Delaware corporation, is the sole general partner of The Related Companies, L.P., a New York limited partnership.

- The Related Realty Group, Inc. is wholly owned by Stephen M. Ross
 - RCMP, Inc., a Delaware corporation, is wholly owned by The Related Companies, L.P.
 - The Related Realty Group, Inc., a Delaware corporation, is the sole general partner of The Related Companies, L.P., a New York limited partnership.
 - The Related Realty Group, Inc. is wholly owned by Stephen M. Ross
- Carlos Rosso Revocable Trust
 - Carlos Rosso is the sole beneficiary during his lifetime
- BCH Terminal Island, LLC, a Florida limited liability company, is 50% owned by BeachCo Holdings, LLC, and 50% owned by NLI Holdings, LLC
 - BeachCo Holdings, LLC, a Florida limited liability company, is wholly owned by Victor A. Bared
 - NLI Holdings, LLC, a Florida limited liability company, is 25% owned by Jose Boschetti and Silvia Boschetti, as Tenants by the Entirety, 24.25% owned by Luis Boschetti and Lina Boschetti, as Tenants by the Entirety, 23.50% owned by Jose R. Boschetti, as trustee of the Jose R. Boschetti Declaration of Children's Irrevocable Trust dated March 30, 2009, 24.25% owned by Luis R. Boschetti as trustee of the Luis R. Boschetti Declaration of Children's Irrevocable Trust dated March 4, 2009, and 3% owned by Mariannie Boschetti and Juan S. Cordovez, as Tenants by the Entirety.
 - Jose R. Boschetti Declaration of Children's Irrevocable Trust dated March 30, 2009
 - Jose Boschetti, Jr. and Maurice Boschetti are the beneficiaries
 - Luis R. Boschetti Declaration of Children's Irrevocable Trust dated March 4, 2009
 - Luis E. Boschetti is the sole beneficiary

Holland & Knight

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

Tracy R. Slavens
+1 305-789-7642
Tracy.Slavens@hklaw.com

December 7, 2020

ELECTRONIC DELIVERY

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

**Re: Miami Beach Port, LLC - Response to Staff First Submittal Comments
Application to Design Review Board (DRB20-0530, the “Application”)**

Dear Mr. Mooney:

Please accept this letter on behalf of Miami Beach Port, LLC (the “Applicant”) as the narrative in response to Staff’s First Submittal Review Comments dated November 25, 2020 in connection with the Application. The Applicant’s responses are as follows:

I. Urban Forestry Group Review

Please provide landscape plans for review.

Response: Landscape plans are enclosed with this submittal.

II. Public Works

Approved (11-25-20)

Recommendation(s)

Notes:

1. All stormwater runoff must be retained within your private property and any proposed on-site stormwater system must hold a 10-year, 24-hour rainfall event with an intensity of 8.75 inches of rainfall.
 - A. Stormwater system proposals must include a combination of items to assist with stormwater retention such as but not limited to exfiltration trenches, drainage wells, pervious concrete, retaining walls, and drainage swales.
2. This project will disturb more than one (1) acres of land. Therefore, you will be required to acquire a “Generic Permit for Stormwater Discharge from Large and Small Construction Activities” (CGP). Copy of the permit shall be submitted during the

building permit review to the attention of the Public Works Department plan reviewer. Please refer to FDEP website at:
<https://floridadep.gov/water/stormwater/content/construction-activity-cgp>.

3. Please submit your water main extension dry-run proposal to the Public Works Department for review independent of this review.
4. Site must be graded so that stormwater runoff does not discharge into the public right of way.
5. Site is not allowed to discharge any stormwater runoff into the waterways without approval from Miami-Dade County DERM Water Control Section.
6. Proposal of sanitary lift stations on private property will require a Sewer Main Extension Permit from Miami-Dade County DERM.

Response: Acknowledged.

III. DRB Zoning Review

1. The location of the vessels cannot exceed maximum projection allowed. This requirement will be verified at the time of building permit.

Response: As noted in our prior submittal documents, and previously discussed with the Planning Board Director, the waterway abutting Terminal Island is an inlet of Government Cut, which is a major shipping channel. In addition, the marina is an existing use subject to a submerged lands lease, which is approved and complies with all applicable regulations. Lastly, none of the subject boat slips, docks, wharves, dolphin poles, mooring piles or structures of any kind extend into the waterway and the mooring of yachts on the Property does not extend beyond the boundaries of our submerged lands lease.

2. Provide details of the sign proposed at the front.

Response: Please refer to revised Sheets A1-10, A2-11, A2-11a, A4-05, and A4-06. Signage is proposed within the roundabout of the site's entrance.

IV. DRB Plan Review

1. Application
2. Generally
 - a. Height

- Design Flood Elevation – base flood elevation plus “City of Miami Beach Freeboard”

- Height measurement not taken accurately. Height of building means the vertical distance from the lowest floor according to the following, as applicable:
(a) When the minimum finished floor elevation is located between grade and base flood elevation plus “City of Miami Beach Freeboard”, height shall be measured from the design flood elevation to highest point of the roof;

Response: Acknowledged. As confirmed by Staff, the drawings correspond to the new ordinance and height was correctly calculated.

- b. Pending Planning Board approval CUP New construction of structures, as defined in section 114-1, of 50,000 square feet and over, which review shall be the first step in the process before the review by any of the other land development boards;

Response: Acknowledged.

3. Deficiencies in Architectural Presentation

- a. A0-15 – enclosed ends of south building count in FAR at roof deck.

Response: Sheet A0-15 has been revised, and FAR area calculations have been modified. Note that the proposed mechanical areas are excluded from FAR as permitted by the City’s Code.

- b. FAR Calculations – Covered area at the roof on restaurant shall be 50% open or the entire area counts in FAR. Balconies in the office area shall be accessible only to a particular office to not count in FAR.

Response: Sheet A3-06 has been added to show roof deck trellis assembly and compliance with minimum 50% open to below condition.

- c. A1-01 Add slab elevation datum marks inside and outside.

Response: See revised Sheet A1-01 addressing comment.

- d. A1-01 Ground Floor Plan - While I-1 does not require screening at the first level, per the design review criteria staff recommend screening along the waterfront perimeter (south and east sides).

Response: See latest Landscape proposal. Screening to be provided with appropriate planting.

- e. A2-02, Add dimension from ground level to underside of level 2 slab.

Response: See revised Sheet A2-02 addressing comment.

- f. A2-11 – Signage Sheet – Provide more details of signage. Size of lettering, type, installation, material – to comply with Sec. 138-16

Response: As noted above, signage is proposed within the roundabout of the site's entrance. Please refer to revised Sheets A1-10, A2-11, A2-11a, A4-05, A4-06.

- g. Add “FINAL SUBMITTAL” to front cover title for heightened clarity of reference for next deadline. Also drawings need to be dated.

Response: The front cover title has been revised accordingly.

- h. Add narrative response Sheet.

Response: This letter shall serve as the Applicant's narrative response.

4. Design Comments

- a. Missing details of parking garage (screening) – currently only showing stucco walls with projecting eyebrows?

Response: Please refer to added Sheet A3-05 addressing comment.

- b. Missing details of parking garage trellis.

Response: Please refer to added Sheet A3-04 addressing comment.

- c. Ground Floor elevations needs more refinement – staff recommends screening to comply with design review criteria.

Response: Please refer to added Sheets A2-14 and A2-15 showing proposed planting to be used for screening.

- d. Design of garage needs more refinement and texture – missing screening details.

Response: Sheet A3-05 has been prepared to address comment.

- e. Missing details of roof deck elevation.

Response: Please refer to Sheets A2-12, and A2-13 for details of roof deck elevation.

- f. Missing details of rooftop trellis.

Response: Sheet A3-06 has been added to show roof deck trellis assembly and compliance with minimum 50% open to below condition.

Zoning Comments

- g. The location of the vessels cannot exceed maximum projection allowed.

Response: Please see Applicant's response to this comment in Section III of this letter.

- h. Provide details of the sign proposed at the front.

Response: Please see Applicant's response to this comment in Section III of this letter.

VI. Planning Admin Review

The following fees are outstanding (tentative) and will be invoiced by December 8th.

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

NOTE: All fees MUST BE PAID by 12/16/2020.


Response: Noted. Applicant will process payment of all fees by December 16, 2020.

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

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

Sincerely yours,

HOLLAND & KNIGHT LLP


Tracy R. Slavens, Esq.

Enclosures

CC: Mr. Michael Belush, *Chief of Planning and Zoning*
Mr. Cullen Mahoney

Holland & Knight

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

Tracy R. Slavens
+1 305-789-7642
Tracy.Slavens@hklaw.com

November 16, 2020

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

**Re: Miami Beach Port, LLC – Amended and Restated Letter of Intent
Design Review Board Application No. DRB20-0530 (the “Application”)**

Dear Mr. Mooney:

Please accept this Amended and Restated Letter of Intent for the above-referenced Design Review Board Application on behalf of Miami Beach Port, LLC (the “Applicant”) in connection with that certain ±3.71 acre parcel of land located on the southeastern tip of Terminal Island at 120 MacArthur Causeway, as further identified by folio no. 02-4204-000-0060 (the “Property”). With this Application, the Applicant seeks Design Review Board approval for the construction of a new mixed-use Class-A office building with restaurant use on the roof top level (the “Project”). The existing mega-yacht marina will remain as an operational component of the Project.

I. Property Information

The Property is zoned Light Industrial (I-1), and has a future land use designation of Urban Light Industrial (I-1) under the City of Miami Beach (the “City”) Comprehensive Plan Future Land Use Map. This future land use designation permits light industrial and compatible retail and service facilities, and other accessory and conditional uses, as prescribed in the City’s Land Development Regulations (LDRs). The I-1 zoning district permits a wide variety of uses, including, but not limited to, professional, business, research or administrative offices, either as a main permitted use or as part of a permitted light industrial use, marine-related uses, and commercial uses that provide support services to the light industrial uses and to the adjacent RM-3 residents, such as retail sales, coffee shops, banks, restaurants, and alcoholic beverage establishments.

The Property is uniquely located within Terminal Island on the MacArthur Causeway and is a gateway to Miami Beach. The waterfront land on Terminal Island is unique and special with spectacular unobstructed views of the Atlantic Ocean, Miami Beach, PortMiami, Biscayne Bay, and the Miami skyline. As shown on the image below, Terminal Island is located on the north

side of Government Cut, and is located between Dodge Island to the southwest, Star Island to the north, Fisher Island to the southeast, and the South of Fifth Neighborhood to the east. The location is surrounded by luxury residential uses and marine operations.



The Applicant has owned the Property since 2013, and it has been operated with marine-related uses for decades. Until recently, the Property was operated as a high volume cargo port and storage yard. In 2016, the cargo operation was ceased when the Applicant began the redevelopment process for the Property. Today, the Property is operated as a mega-yacht marina and is improved with a +/-967 square foot building (to be demolished) used as an office to service the marina . It remains underdeveloped and is not being utilized for its highest and best use. See images below for reference:



Cargo Operation Congestion on MacArthur Causeway Current Street View

II. Proposed Project

A. Description

Since Staff's review of the Applicant's previous submittal, dated June 15, 2020, an ordinance for a text amendment pertaining to a building height increase in strategic commercial areas to incentivize office uses (the "Height Ordinance"), was referred the City Commission to the

Planning Board on October 14, 2020, pursuant to Agenda Item C4 G. The Height Ordinance, as last modified, permits a maximum height of 75 feet for buildings with a minimum area of office use of .45 FAR and which are located on lots with a minimum lot size of 7,500 square feet in the Terminal Island I-1 District.

The Property complies with the minimum lot size criteria set forth in the Height Ordinance, and the proposed Project has been designed in accordance with the Height Ordinance. Specifically, the Project design incorporates the existing mega-yacht marina, and proposes new Class-A office along with a rooftop restaurant that is intended to support the office and marina uses.

Situated on Terminal Island, the proposed Class-A office building is organized as two distinct glass volumes that are positioned to maximize on the available water frontage. Stepped terraces and rounded corners draw inspiration from the nautical design of cruise ships and yachts. An expansive roof deck frames the two volumes at the top and creates a uniquely impressive view corridor to Government Cut that is clearly visible from the site's main entry corridor. The deck also provides shade and weather protection for the pedestrianized waterfront plaza, and pick up and drop off area.

To lure the desired Class-A office tenants, the five-story building features tall, 14-foot floor-to-floor open plan floor plates that capture spectacular views of both the Miami and Miami Beach skylines, as well as moored yachts and passing cruise ships. On-site parking and loading areas are located within the enclosed parking garage within the east building, which would be situated adjacent to the recently completed Fisher Island parking garage. The Applicant has made significant efforts to create an innovative and functional design for the proposed structure, which was extremely challenging given the special conditions found on the Property relating to its irregular shape, limited access, and waterfront location.

The Property is ripe for development, and, in fact, the Applicant is currently in negotiations with a user that is exactly the type of tenant that the Height Ordinance is intended to attract. It has never been more relevant or important to incentivize the type of development that will fortify the City's economic future. The strategic development of modern, amenitized Class-A office space on the Property will establish an office environment that is competitive with other office products offered throughout the County and will create a significant economic benefit to the City.

III. Compliance with Design Review Criteria

The Project satisfies the design review criteria set forth in Section 118-251 of the Land Development Regulations, as follows:

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

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

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Satisfied.

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

Not Applicable; the existing +/-967 square foot building is to be demolished.

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

Satisfied.

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

Satisfied.

(18) In addition to the foregoing criteria, subsection 118-104(6)(t) of the city Code shall apply to the design review board's review of any proposal to place, construct, modify or

maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.

Not Applicable; none proposed.

III. Sea-Level Rise and Resiliency Criteria

The Applicant has carefully considered sea-level rise protections and resiliency measures, and the proposed Project has been designed, and will be developed, to ensure resiliency and protection from sea-level rise and storm surges. The proposed Project complies with the criteria set forth in section 133-50 of the LDRs, as follows:

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

A recycling or salvage plan for partial or total demolition of any structures will be provided at the appropriate time in the development process in accordance with Code requirements.

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

All proposed windows will be hurricane proof impact windows.

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

Passive Cooling systems will be provided where feasible and appropriate.

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

Resilient landscaping has been incorporated into landscape design.

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

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

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

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

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

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

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

Not applicable; the existing +/-967 building is to be demolished.

(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.

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

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

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

The approval of this Application will ensure that the optimal development of the Property. The Project will significantly enhance the City's gateway and will improve the vista from both MacArthur Causeway and Government Cut. The Project will promote an innovative mixed-use environment that would be both compatible and consistent with the character of the surrounding area, promote economic development, create jobs, and satisfy an immediate need for Class-A office space in the City.

Based on the foregoing, we respectfully request the City's favorable consideration of this Application. Please do not hesitate to contact me if you have any questions or concerns regarding the application.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Tracy R. Slavens, Esq.

Enclosures

Cc: Cullen Mahoney

HOLD HARMLESS AGREEMENT

WHEREAS, Miami Beach Port, LLC (the “Owner”), has applied to the Miami Beach (the “City”) Planning Department (the “Department”) for (1) Planning Board approval of a conditional use permit for the construction of a new mixed-use Class A office building exceeding 50,000 square feet on a property exceeding 20,000 square feet in size; and (2) Design Review Board approval for the construction of a new mixed-use Class-A office building with restaurant use on the rooftop level on the property located at 120 MacArthur Causeway, in Miami Beach, Florida, bearing folio number 02-4204-000-0060, legally described in Exhibit A attached hereto, which applications are filed under File Nos. PB20-0530 and DRB20-0352, respectively, (the “Project”); and

WHEREAS, on June 24, 2020, at the request of Mayor Dan Gelber, an ordinance amendment pertaining to a building height increase in strategic commercial areas to incentivize office uses (the “Height Ordinance”), substantially in the form attached hereto as Exhibit B, was referred to the Land Use and Sustainability Committee (the “LUSC”); and

WHEREAS, on September 22, 2020, the LUSC discussed the Height Ordinance and moved it to the City Commission for consideration of a referral to the Planning Board for a recommendation; and

WHEREAS, on October 14, 2020, the City Commission approved the referral of a modified version of the Height Ordinance to the Planning Board pursuant to Agenda Item C4 G, which, in relevant part, permits a maximum height of 75 feet for buildings with a minimum area of office use of .45 FAR and located on lots with a minimum lot size of 7,500 square feet in the Terminal Island I-1 District; and

WHEREAS, the Owner desires to submit the Project, which has been designed in accordance with the Height Ordinance, for review and approval by the Planning Board and by the Design Review Board prior to the final adoption of the Height Ordinance; and

WHEREAS, the Department has recommended and the Planning Board and Design Review Board have required the submittal of a hold harmless agreement, approved by the City Attorney’s Office, in connection with its review and approval of the Project, as proposed; and

NOW, THEREFORE, in consideration of the above premises, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Owner hereby agrees as follows:

1. To indemnify and hold harmless and forever release and discharge the City of Miami Beach, the Department, and all of its employees, agents and personnel from any and all liability arising out of, or in connection with, its review and/or approval of the Project prior to the final adoption of the Height Ordinance, including the costs of any suits, attorney’s fees and other expenses in connection therewith, including trial and appeals therefrom. Owner acknowledges and agrees that the City Commission may, in its sole and absolute discretion, elect to adopt the Height Ordinance in its current form, adopt a revised version of the Height Ordinance, or elect not to adopt the Height Ordinance at all. In the event that the City Commission adopts a revised version or elects not to adopt the Height Ordinance

Hold Harmless Agreement

Address 120 MacArthur Causeway, Miami Beach

Folio no.: 02-4204-000-0060

Page 2 of 6

at all, Owner agrees that the Project would need to be revised to comply with the Land Development Regulations.

2. To defend the City with counsel of its own choosing, pay or settle any liabilities and claims against the City of Miami Beach, and the City's officers, employees, personnel and agents arising out of, or in connection with, any appeal therefrom; except not including for City's willful misconduct.
3. To defend, pay or settle any liabilities and claims against the City of Miami Beach, the Department, its employees, agents and personnel arising out of, or in connection with, the review and/or approval of the Project prior to the final adoption of the Height Ordinance.
4. Owner affirmatively disclaims and waives all rights, if any, to hold the City of Miami Beach, the Department, its agencies, its employees or officers, to any liability, including damages, caused in the event that the Project is delayed for any reason.
5. Owner acknowledges that the acceptance of the Planning Board and Design Review Board approval of the Project is a complete estoppel to it, its heirs, successors and assigns as to any rights, real, apparent or otherwise, that they may have to challenge the efficacy of any conditions hereof.
6. The person signing below represents that he has authority to bind the Owner, as set forth herein.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK
SIGNATURE PAGES TO FOLLOW]**

Hold Harmless Agreement

Address 120 MacArthur Causeway, Miami Beach
Folio no.: 02-4204-000-0060
Page 3 of 6

Signed, witnessed, executed and acknowledged on this 24th day of November, 2020.

WITNESSES:

Signature

Print Name

Signature

Print Name

OWNER:

Individual Signature

Jon Paul Perez

Print Name

Miami Beach Port, LLC

Name of Corporate Entity

VP of PRH Terminal Island LLC, Managing
Member of Mico LLC, Sole Member and
Manager of Owner

Position with Corporate Entity (Pres. VP, CEO)

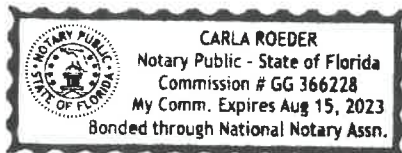
Address: 315 S Biscayne Blvd.

Miami, FL 33131

STATE OF FLORIDA)
) ss:
COUNTY OF Miami-Dade)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 24 day of November, 2020, by Jon Paul Perez, as VP of PRH Terminal
Island, LLC, the Managing Member of Mico, LLC, the Sole Member and Manager of Miami Beach
Port, LLC (the "Company"), on behalf of the Company, who is personally known to me or who has
produced _____ as identification.

[NOTARIAL SEAL]



Print Name:

Notary Public, State of Florida

Commission #: GG 366228

My Commission Expires: Aug 15, 2023

Approved:

**Approved as to form & language & for
execution:**

Director of Planning

Date

City Attorney

Date

EXHIBIT A

LEGAL DESCRIPTION

COMMENCING AT A POINT 1580 FEET NORTH AND 2015 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINE OF THE ROADWAY OF THE ORIGINAL MIAMI COUNTY CAUSEWAY VIADUCT AND THE FACE OF THE WEST BRIDGE ABUTMENT, RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE CENTERLINE OF SAID ROADWAY PRODUCED, A DISTANCE OF 58.70 FEET TO A POINT; THENCE RUN SOUTH 31 DEGREES 43 MINUTES 00 SECONDS EAST A DISTANCE OF 64.75 FEET TO A POINT, SAID BEING THE POINT OF BEGINNING (1); THENCE RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE SOUTHERLY LINE OF THE MIAMI COUNTY CAUSEWAY, A DISTANCE OF 117.78 FEET TO THE POINT OF BEGINNING OF CUT-OUT PARCEL OF LAND HEREIN DESCRIBED,

FROM SAID POINT OF BEGINNING; THENCE RUN SOUTH 67 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE SAID SOUTHERLY LINE OF THE MIAMI COUNTY CAUSEWAY, A DISTANCE OF 40.43 FEET; THENCE RUN ALONG THE ARC OF A CIRCULAR CURVE DEFLECTING TO THE RIGHT, HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 06 DEGREES 15 MINUTES 30 SECONDS AND A RADIUS OF 243.86 FEET, A DISTANCE OF 26.64 FEET TO A POINT; SAID POINT BEING THE POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE; THENCE RUN ALONG THE ARC OF A CIRCULAR CURVE DEFLECTING TO THE RIGHT, AND HAVING FOR ITS ELEMENTS A CENTRAL ANGLE OF 01 DEGREES 25 MINUTES 44 SECONDS AND A RADIUS OF 1,566.95 FEET, A DISTANCE OF 39.08 FEET TO A POINT; THENCE RUN SOUTH 31 DEGREES 43 MINUTES 00 SECONDS EAST A DISTANCE OF 403.80 FEET TO A POINT; THENCE RUN SOUTH 25 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 97.46 FEET TO A POINT; THENCE RUN NORTH 64 DEGREES 31 MINUTES 00 SECONDS WEST A DISTANCE OF 120.00 FEET TO A POINT; THENCE RUN SOUTH 25 DEGREES 29 MINUTES 00 SECONDS WEST A DISTANCE OF 100.00 FEET TO A POINT; THENCE RUN SOUTH 64 DEGREES 31 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL TO THE MUNICIPAL CHANNEL A DISTANCE OF 832.55 FEET (RECORD AND LEGAL DESCRIPTION) 832.55 FEET (CALCULATE) TO A POINT; THENCE RUN NORTH 31 DEGREES 43 MINUTES 00 SECONDS WEST A DISTANCE OF 583.57 FEET; THENCE SOUTH 58 DEGREES 17 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 175.85 FEET; THENCE NORTH 32 DEGREES 27 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 59.61 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 61.22 FEET; THENCE NORTH 31 DEGREES 57 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 59.87 FEET; THENCE NORTH 31 DEGREES 45 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 99.47 FEET; THENCE NORTH 32 DEGREES 00 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 109.79 FEET; THENCE NORTH 58 DEGREES 01 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 19.00 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 87 DEGREES 07 MINUTES 46 SECONDS EAST, A RADIAL DISTANCE OF 71.65 FEET; THENCE NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 43 DEGREES 56 MINUTES 24 SECONDS, A DISTANCE OF 54.95 FEET; THENCE NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST FOR A DISTANCE OF 10.00 FEET, TO THE SOUTHEASTERLY CORNER OF AN EXISTING ONE-STORY C.B.S. BUILDING; THENCE CONTINUE NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST, NORTHWESTERLY ALONG THE FACE OF THE SAID EXISTING C.B.S. BUILDING LINE, A DISTANCE OF 39.60 FEET, TO THE NORTHEASTERLY CORNER OF SAID EXISTING ONE-STORY C.B.S. BUILDING; THENCE CONTINUE NORTHWESTERLY, NORTH 31 DEGREES 06 MINUTES 33 SECONDS WEST, FOR A DISTANCE OF 30.28 FEET, TO THE POINT OF BEGINNING OF THE CUT OUT PARCEL OF LAND.
CONTAINING 161,716 SQUARE FEET OR 3.71 ACRES, MORE OR LESS.

LYING AND BEING IN SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT B

DRAFT HEIGHT ORDINANCE

**COMMERCIAL HEIGHT LIMITS FOR OFFICE USES
ALTON ROAD AND TERMINAL ISLAND**

ORDINANCE NO. _____

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF
THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER
142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II,
"DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2
COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-
306, "DEVELOPMENT REGULATIONS;" AND (2) AT DIVISION
11, "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-486,
"DEVELOPMENT REGULATIONS," TO ALLOW FOR
ADDITIONAL HEIGHT FOR DEVELOPMENTS WITH
SIGNIFICANT OFFICE COMPONENTS LOCATED ON ALTON
ROAD BETWEEN 6TH STREET AND COLLINS CANAL AND ON
TERMINAL ISLAND; AND PROVIDING FOR CODIFICATION,
REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, economic trends indicate that there are increased demands for Class A office space within the City as business are relocating from other states; and

WHEREAS, Class A office space tends to require higher floor to ceiling heights than other classes of office space; and

WHEREAS, it is in the best interest of the City's economy to incentivize the development of Class A office space; and

WHEREAS, the Alton Road corridor and Terminal Island are appropriate locations for Class A office space due to access to the regional transportation network; and

WHEREAS, the proposed changes are necessary in order to promote the development of Class A office space within the City; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF
THE CITY OF MIAMI BEACH, FLORIDA.**

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, "CD-2 Commercial, Medium Intensity District," is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 5. - CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

* * *

Sec. 142-306. - Development regulations.

(a) The development regulations in the CD-2 commercial, medium intensity district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Apartment Unit Size (Square Feet)	Average Apartment Unit Size (Square Feet)	Maximum Building Height (Feet)
1.5	None, except as provided for mixed-use and commercial buildings as provided herein.	None	<p>New construction—550</p> <p>Rehabilitated buildings—400</p> <p>Non-elderly and elderly low and moderate income housing—400</p> <p>Workforce housing—400</p> <p>Hotel unit: 15%: 300—335; 85%: 335+</p> <p>For contributing hotel structures located within the Collins Park District, generally bounded by the erosion control line on the east, the east side of Washington Avenue on the west, 23rd Street on the north, and 17th Street on the south, hotel units shall be a minimum of 200</p>	<p>New construction—800</p> <p>Rehabilitated buildings—550</p> <p>Non-elderly and elderly low and moderate income housing—400</p> <p>Workforce housing—400</p> <p>Hotel units—N/A. The number of units may not exceed the maximum density set forth in the comprehensive plan.</p>	<p>50 (except as provided in section 142-1161). Notwithstanding the above, the design review board or historic preservation board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second floor slab. Self-storage warehouse - 40 feet, except that the building height shall be limited to 25 feet within 50 feet from the rear property line for lots abutting an alley; and within 60 feet from a residential district for</p>

square feet.
For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are being renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration shall be permitted, provided all rooms are a minimum of 200 square feet. Additionally, existing room configurations for the above described hotel structures may be modified to address applicable life-safety and accessibility regulations, provided the 200 square feet minimum unit size is maintained, and provided the maximum occupancy per hotel room does

blocks with no alley. Mixed-use and commercial buildings with a minimum of .45 FAR of office use within the structure and on lots with a minimum size of 7,500 square feet located on that ~~include structured parking for properties on the west side of Alton Road from 6th Street to Collins Canal - 7560 feet.~~

		not exceed 4 persons. In addition, the minimum hotel unit size for a property formerly zoned HD is 250 square feet, provided that the property does not exceed 25,000 square feet as of March 23, 2019. Hotel units within rooftop additions to contributing structures in a historic district and individually designated historic buildings—200.		
--	--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--

* * *

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 11, "I-1 Light Industrial District," is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 11. – I-1 LIGHT INDUSTRIAL DISTRICT

* * *

Sec. 142-486. - Development regulations.

There are no lot area, lot width or unit area or unit size requirements in the I-1 light industrial district except as provided herein. The maximum floor area ratio, building height and story requirements are as follows:

- (1) Maximum floor area ratio is 1.0.

- (2) Maximum building height is 40 feet; except maximum building height for commercial and office buildings with a minimum of .45 FAR within the structure of office use and on lots with a minimum size of 7,500 square feet located on Terminal Island is 75 feet.

SECTION 3. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, as amended; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this _____ day of _____, 2020.

Dan Gelber
Mayor

Attest:

Rafael E. Granado
City Clerk

(Sponsored by Commissioner Ricky Arriola)

Underline denotes additions
~~Strike through~~ denotes deletions

First Reading: _____, 2020
Second Reading: _____, 2020

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

F:\PLAN\PLB\2020\11-17-20\PB20-0403 - ORD - CRG - Heights - Terminal Island and Alton Rd\PB20-0403 - Commercial Height
Limits for Office Uses Alton Road and Terminal Island - ORD 11-17-20.docx

**License Number: BTR008495-12-2019****MIAMI BEACH PORT, LLC**[License Details \(\)](#) | [Tab Elements \(\)](#) | [Main Menu \(\)](#)**License Details****License Type:** Business Tax Receipt**District:** I-1**Applied Date:** 12/26/2019**Period Start Date:** 01/31/2020**Status:** Active**Expiration Date:** 09/30/2020**Description:** ADDING BOAT SLIP @120 MACARTHUR CSWY (Marina) Office // 120 MacArthur Cswy 967 Sq Ft (Previous RL-01000745)[Business](#) | [Locations](#) | [Fees](#) | [Inspections](#) | [Attachments](#) | [Contacts](#) | [Holds](#) | [Classifications](#) | [More Info](#)[Business \(\)](#) | [Next Tab \(\)](#) | [License Details \(\)](#) | [Main Menu \(\)](#)**Business****Company Name:** MIAMI BEACH
PORT, LLC**DBA:****Open Date:****Company Type:** LLC**Status:** Active**Closed Date:****District:** CCC**Last Audit Date:****Location:** Miami Beach**Description:**



December 7, 2020

**City of Miami Beach
Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139**

RE: Property Owners List within 375 feet of:

LEGAL DESCRIPTION:

Portion of Section 4, Township 54 South, Range 42 East, Miami-Dade County, Florida.

ADDRESS: 120 Macarthur Causeway, Miami Beach, FL 33139

FOLIO NO. 02-4204-000-0060

PREPARE FOR: HOLLAND & KNIGHT, LLP

Order: 201101

Total number of property owners without repetition: 6

This is to certify that the attached ownership list, map and mailing matrix is a complete and accurate representation of the real estate property and property owners within 375 feet of the subject property listed above. This reflects the most current records on the file in Miami-Dade County Tax Assessor's Office.

Sincerely,

THE ZONING SPECIALISTS GROUP, INC.

Omara R. Lopez

For the Firm

OWNERS LIST

THE FOLLOWING ARE PROPERTY OWNERS WITHIN A 375-FOOT RADIUS OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY

LEGAL DESCRIPTION:

Portion of Section 4, Township 54 South, Range 42 East, Miami-Dade County, Florida.

ADDRESS: 120 Macarthur Causeway, Miami Beach, FL 33139

FOLIO NO. 02-4204-000-0060

PREPARED FOR: HOLLAND & KNIGHT LLP

Order: 201101

4 54 42 2.16 Ac Port Mc Arthur Causeway Per Db 1509-81

Property address: 140 Macarthur Cswy

Folio number: 0242040000010

City Of Miami Beach City Hall
1700 Convention Center Drive
Miami Beach, FL 33139

4 54 42 17.52 Ac Port Of Mc Arthur Causeway Per Db 2199-414

Property address: 100 Macarthur Cswy

Folio number: 0242040000020

U S Coast Guard Air Station
100 Macarthur Causeway
Miami Beach, FL 33139

04 54 42 Comm 1580Ftn & 2015Ftw Of SE Cor Th S 66 Deg W 58.70Ft S 31
DegE 64.75Ft S 66 Deg W 20.36Ft N 23 Deg E 11.65Ft For POB Cont N 23 Deg
E47Ft N 66 Deg E 51Ft S 23 Deg W 47Ft S 66 Deg W 51Ft To POB

Property address:

Folio number: 0242040000030

City Of Miami Beach
1700 Convention Center Dr
Miami Beach, FL 33139-1819

04 54 42 3.71 Ac M/L Comm 1580Ftn & 2015Ftw Of SE Cor Of Sec Th S 67
DegW 58.7Ft S 31 Deg E64.75Ft S 67 Deg W Alg Sly Line Of Causeway 117.78
FOr POB Cont S 67 Deg W 40.43Ft SWly & Wly 65.72Ft S 31 Deg E 403.80Ft
S25 Deg W 97.46Ft N 64 Deg W 120Ft S 25 Deg W 100Ft S 64 Deg E 832.55Ft
N31 Deg W 583.57Ft S 58 Deg W 175.85Ft N 32 Deg W 59.61Ft N 32 Deg
W 61.22Ft N 31 Deg W 59.87Ft N 31 Deg W 99.47Ft N 32 Deg W 109.79Ft
N 58 DegE 19Ft NWly 54.95Ft N 31 Deg W 79.88Ft To POB

Property address: 120 Macarthur Cswy

Folio number: 0242040000060

Miami Beach Port LLC
315 S Biscayne Blvd
Miami, FL 33131-2312

04 54 42 1.89 Ac M/L Comm 1580Ft N & 2015Ft W OF SE Co Rof Sec Th S 67 DEg
W58.7Ft S 31 Deg E64.75Ft For POB Cont S 67 Deg W Alg Sly Line Of CauSeway A
Dist Of 158.21Ft SWly & Wly 65.72Ft S 31 Deg E403.8Ft S 25 Deg W97.46Ft N 64
Deg W 120Ft S 25 Deg W 100Ft S 64 Deg E 832.55Ft N 31 DegW 1069.40Ft To
POB Less Port Desc Comm 1580Ftn & 2015Ftw Of SE Cor Of SEC Th S 67
Deg W 58.7Ft S 31 Deg E64.75Ft S67 Deg W Alg Sly Line Of CauseWay 117.78
For POB Cont S 67 Deg W 40.43Ft SWly & Wly 65.72Ft S 31 Deg W403.80Ft
S 25 Deg W 97.46Ft N 64 Deg W 120Ft S 25 Deg W 100Ft S 64 DegE 832.55Ft
N 31 Deg W 583.57Ft S 58 Deg W 175.85Ft N 32 Deg W 59.61Ft N

Property address: 112 Macarthur Cswy

Folio number: 0242040000065

Fisher Isl Community Assn Inc
1 Fisher Island Dr
Miami Beach, FL 33109-0001

4 54 42 3.13 Ac Beg At Pt 1580Ftn & 2015Ftw Of SE Cor Sec Being X Of C/L
Rdway Of Original Co Cswy Via & Face Or W Bridge Abutht S 67 Deg W58.7FT
S 31Deg E64.75Ft Th SWly Alg Sly Bdry Of Cswy 322.72Ft To POB S 10 Deg
E162.52Ft S 25 Deg W223.24Ft N 64 Deg W646.73Ft N 25 Deg E87.55Ft To
PtSly Bdry Cswy Ely Alg Sly Bdry 615.57Ft To POB

Property address: 150 Macarthur Cswy
Folio number: 0242040000070

Florida Power & Light Co
Attn Property Tax Dept
700 Universe Blvd
North Palm Beach, FL 33408-2657

City Of Miami Beach City Hall
1700 Convention Center Dr
Miami Beach, FL 33139

U S Coast Guard Air Station
100 Macarthur Cswy
Miami Beach, FL 33139-5101

City Of Miami Beach
1700 Convention Center Dr
Miami Beach, FL 33139-1819

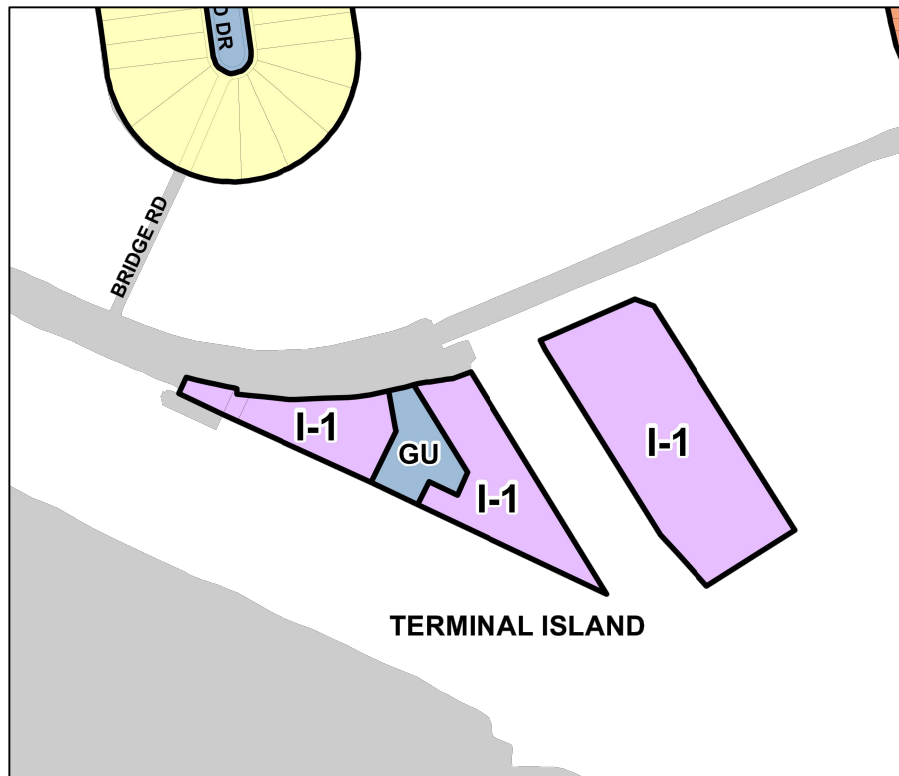
Miami Beach Port LLC
315 S Biscayne Blvd
Miami, FL 33131-2312

Fisher Isl Community Assn Inc
1 Fisher Island Dr
Miami Beach, FL 33109-0001

Florida Power & Light Co
Attn Property Tax Dept
700 Universe Blvd
No. Palm Beach, FL 33408-2657

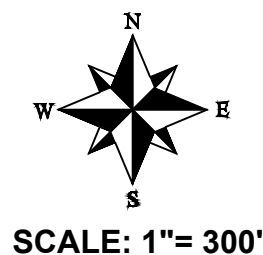
Order number 201101
Total non-repetitive labels: 6

CITY OF MIAMI BEACH ZONING ATLAS



LEGAL DESCRIPTION:
 Portion of Section 4, Township 54 South, Range 42 East, Miami-Dade County, Florida.

ADDRESS: 120 Macarthur Causeway, Miami Beach, FL 33139
FOLIO NO. 02-4204-000-0060
PREPARED FOR: HOLLAND & KNIGHT LLP
Order: 201101
DATE: December 7, 2020





The Zoning Specialists Group, Inc.

7729 NW 146th Street
 Miami Lakes FL 33016
 Ph: (305)828-1210
www.thezoningspecialistsgroup.com

375-FOOT RADIUS MAP:

