

**4000 Alton_DRB App_Mast - signed.pdf**

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E-Signature Summary

E-Signature Notary: Diana Ramos (dra)

March 29, 2021 07:06:02 -8:00 [0806BD59B10A] [162.244.152.118]

dramos@brzoninglaw.com



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 DRB21-0664		Is the property the primary residence & homestead of the applicant/property owner? Yes <input type="checkbox"/> No <input type="checkbox"/> (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment Variance from a provision of the Land Development Regulations Appeal of an administrative decision Modification of existing Board Order		Design Review Board <input type="checkbox"/> Design review approval Variance Modification of existing Board Order	
Planning Board Conditional Use Permit Lot Split Amendment to the Land Development Regulations or Zoning Map Amendment to the Comprehensive Plan or Future Land Use Map Modification of existing Board Order		Historic Preservation Board Certificate of Appropriateness for design Certificate of Appropriateness for demolition Historic District/Site Designation Variance Modification of existing Board Order	
Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 4000 Alton Road			
FOLIO NUMBER(S) 02-3222-011-0432			
Property Owner Information			
PROPERTY OWNER NAME 1) M 4000 Alton Owner, LLC c/o Mast Capital, Inc.; 2) TALMUDIC COLL 4000 ALTON RD INC; 3) Florida Department of Transportation			
ADDRESS 1) 2601 S. Bayshore Drive, Suite 850; 2) TALMUDIC COLL 4000 ALTON RD INC; 3) 1000 NW 111th Ave, Miami, FL 33172		CITY Miami	STATE FL
		ZIPCODE 33133	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS aguasch@mastcapital.com	
Applicant Information (if different than owner)			
APPLICANT NAME M 4000 Alton Owner, LLC c/o Mast Capital, Inc.			
ADDRESS 2601 S. Bayshore Drive, Suite 850		CITY Miami	STATE FL
		ZIPCODE 33133	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST			

Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		Yes <input type="checkbox"/> No	
Does the project include interior or exterior demolition?		Yes <input type="checkbox"/> No	
Provide the total floor area of the new construction.		198,201 SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		265,686 SQ. FT.	
Party responsible for project design			
NAME Arquitectonica		<input type="checkbox"/> Architect Contractor Landscape Architect <input type="checkbox"/> Engineer Tenant Other _____	
ADDRESS 2900 Oak Avenue		CITY Miami	STATE FL ZIPCODE 33133
BUSINESS PHONE (305) 372-1812	CELL PHONE	EMAIL ADDRESS rfort@arquitectonica.com	
Authorized Representative(s) Information (if applicable)			
NAME Michael Larkin, Esq.		<input type="checkbox"/> Attorney Contact <input type="checkbox"/> Agent Other _____	
ADDRESS 200 S Biscayne Blvd. Suite #300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Nicholas Rodriguez-Caballero, Esq.		<input type="checkbox"/> Attorney Contact <input type="checkbox"/> Agent Other _____	
ADDRESS 200 S Biscayne Blvd. Suite #300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS nrodriguez@brzoninglaw.com	
NAME Cecilia Torres-Toledo, Esq.		<input type="checkbox"/> Attorney Contact <input type="checkbox"/> Agent Other _____	
ADDRESS 200 S Biscayne Blvd. Suite #300		CITY Miami	STATE FL ZIPCODE 33131
BUSINESS PHONE 305-374-5300	CELL PHONE	EMAIL ADDRESS ctorres@brzoninglaw.com	

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

DocuSigned by:



DD977EF6A0B0484...

SIGNATURE

Camilo Miguel, Jr., Pres. Mast Capital, Inc.

PRINT NAME

3/29/2021

DATE SIGNED

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.
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The aforementioned is acknowledged by:

☒ Owner of the subject property ☐ Authorized representative



SIGNATURE

Yitzchak G. Zweig, Pres., Talmudic College 4000 Alton Road, Inc.

PRINT NAME

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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

SIGNATURE

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

NOTARY SEAL OR STAMP

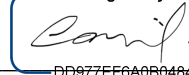
NOTARY PUBLIC

My Commission Expires: _____

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

I, Camilo Miguel, Jr., being first duly sworn, depose and certify as follows: (1) I am the President (print title) of Mast Capital, Inc. (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.

DocuSigned by:



DD977EF6A0B0484...

SIGNATURE

Sworn to and subscribed before me this 29 day of March, 2021. The foregoing instrument was acknowledged before me by Camilo Miguel Jr., 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: _____
 Diana Ramos
 Commission # GG 308355
 Notary Public - State of Florida
 My Commission Expires Apr 10, 2023

Diana Ramos

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 _____, 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, Yitzchak G. Zweig, being first duly sworn, depose and certify as follows: (1) I am the President (print title) of Talmudic College 4000 Alton Road, Inc. (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.

Sworn to and subscribed before me this 6 day of April, 2021. The foregoing instrument was acknowledged before me by Yitzchak Zweig, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Aharon Greenberg
Commission # GG214028
Expires: May 3, 2022
Bonded thru Aaron Notary

SIGNATURE**NOTARY PUBLIC**

My Commission Expires: _____

PRINT NAME

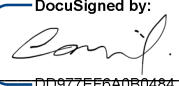
POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
 COUNTY OF Miami-Dade
Camilo Miguel, Jr.

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

Camilo Miguel, Jr., Pres. Mast Capital, Inc.

PRINT NAME (and Title, if applicable)

DocuSigned by:

 DD977EF6A0B0484...
SIGNATURE

Sworn to and subscribed before me this 29 day of March, 2021. The foregoing instrument was acknowledged before me by Camilo Miguel Jr., who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP


 Signed on 2021/03/29 07:06:02 -8:00

NOTARY PUBLIC

My Commission Expires: _____



Diana Ramos

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.

Mast Capital, Inc.

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

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



POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
 COUNTY OF Miami-Dade
 I, Yitzchak G. Zweig

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

Yitzchak G. Zweig, Pres., Talmudic College 4000 Alton Road, Inc.

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 6 day of April, 2021. The foregoing instrument was acknowledged before me by Yitzchak Zweig, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Aharon Greenberg
 Commission # GG214028
 Expires: May 3, 2022
 Bonded thru Aaron Motary

My Commission Expires: _____

NOTARY PUBLIC

Aharon Greenberg

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.

M 4000 Alton Owner, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit B.

100%

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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

**DISCLOSURE OF INTEREST
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.

Talmudic College 4000 Alton Road, Inc.

(not for profit corporation)

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Yitzchak G. Zweig

100%

Jerome Zweig

Yehuda Zweig

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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

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
Michael Larkin, Esq.	200 S Biscayne Suite #300	305-374-5300
Ray Fort	2900 Oak Avenue	(305) 372-1812
Nicholas Rodriguez-Caballero, Esq.	200 S Biscayne Suite #300	305-374-5300
Cecilia Torres-Toledo, Esq.	200 S. Biscayne Blvd. Suite #300	305-374-5300

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, Camilo Miguel, Jr.

, 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.

Delegated by:

DD977EF6A0B0484...

SIGNATURE

Sworn to and subscribed before me this 29 day of March, 2021. The foregoing instrument was acknowledged before me by Camilo Miguel Jr., who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires:



Notary Stamp 2021/03/29 07:06:02 PST

0006B026B10A

Signed on 2021/03/29 07:06:02 -8:00

NOTARY PUBLIC

Diana Ramos

PRINT NAME



Florida Department of Transportation

RON DESANTIS
GOVERNOR

1000 NW 111th Avenue
Miami, FL 33172-5800

KEVIN J. THIBAUT
SECRETARY

May 7, 2021

M 4000 Alton Owner, LLC
c/o Mast Capital, Inc.
2601 S. Bayshore Drive, Suite 850
Miami, FL 33133

Re: Project at FDOT Parcel 6836/4000 Alton Rd ("Project"): – Grant of Authority to Apply for City of Miami Beach Land Use Board Hearing

To whom it may concern:

The Florida Department of Transportation ("FDOT"), as owner of Parcel 6836 (further described in Exhibit "A", attached hereto and incorporated herein) authorizes M 4000 Alton Owner, LLC, to submit the appropriate applications for design review approval for the proposed development of Parcel 6836, to the City of Miami Beach, and to any other governmental authority having jurisdiction over the parcel. This authorization is granted to M 4000 Alton Owner, LLC, in its independent capacity as an entity under contract to purchase Parcel 6836, and not as an agent of FDOT.

The authorization provided herein is subject to the following conditions:

- 1- The purpose of the applications shall be exclusively to obtain governmental Design Review Approval.
- 2- The permit application process shall be at the sole cost and expense of M 4000 Alton Owner, LLC, and FDOT assumes no liability for such costs and expenses.
- 3- This authorization shall expire on December 15, 2021, and shall only be binding as to applications submitted on or prior to December 15, 2021.

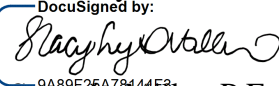
Sincerely,
DocuSigned by:

9A89F26A78144F8
Stacy L. Miller, P.E.
District Six Secretary

Exhibit A**Legal Description of Building Site****4000 ALTON ROAD****LEGAL DESCRIPTION**

ALL OF LOT 53 AND A PORTION OF LOTS 52, 54 AND 55, BLOCK 1 OF NAUTILUS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8 AT PAGE 95, AND A PORTION OF LOT D OF RE-SUBDIVISION OF LOTS 48, 49, 50 AND 51 OF BLOCK 1, NAUTILUS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 35 AT PAGE 46 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, AND A PORTION OF SECTIONS 22 AND 27 IN TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 54 OF BLOCK 1 OF NAUTILUS SUBDIVISION; THENCE NORTH 09 DEGREES 11 MINUTES 22 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID LOTS 52, 53 AND 54, ALSO BEING THE WESTERLY RIGHT-OF-WAY LINE OF ALTON ROAD (STATE ROAD 907) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87090-2402 DATED 12-2009, SHEET 16 OF 18, FOR 228.03 FEET; THENCE NORTH 80 DEGREES 48 MINUTES 38 SECONDS WEST FOR 269.11 FEET; THENCE NORTH 09 DEGREES 11 MINUTES 22 SECONDS EAST FOR 144.42 FEET; THENCE SOUTH 55 DEGREES 48 MINUTES 22 SECONDS WEST, ALONG THE SOUTHEASTERLY, LIMITED ACCESS, RIGHT-OF-WAY LINE OF THE JULIA TUTTLE CAUSEWAY AS SHOWN ON STATE ROAD 112/I-195 OF SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION NO. 87090-2402, SHEET 16 OF 18, FOR 301.90 FEET TO A POINT ON A CIRCULAR CURVE, CONCAVE TO THE NORTHEAST AND WHOSE RADIUS POINT BEARS NORTH 42 DEGREES 50 MINUTES 30 SECONDS EAST FROM THE RADIUS POINT OF THE FOLLOWING DESCRIBED CIRCULAR CURVE; THENCE SOUTHEASTERLY ALONG A 768.51 FOOT RADIUS, CURVE LEADING TO THE LEFT THROUGH A CENTRAL ANGLE OF 06 DEGREES 58 MINUTES 09 SECONDS FOR AN ARC DISTANCE OF 93.48 FEET TO A POINT OF TANGENCY (SAID POINT BEING COINCIDENT WITH STATE ROAD NO. 907, STATION 17+34.46, AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87090-2402, SHEET 16 OF 18); THENCE SOUTH 54 DEGREES 07 MINUTES 39 SECONDS EAST FOR 218.45 FEET TO A POINT OF CURVATURE (SAID POINT BEING COINCIDENT WITH STATE ROAD NO. 907, STATION 15+16.00 AS SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 87090-2402, SHEET 16 OF 18); THENCE SOUTHEASTERLY ALONG A 600.92 FOOT RADIUS CURVE LEADING TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 09 DEGREES 57 MINUTES 10 SECONDS FOR AN ARC DISTANCE OF 104.39 FEET (LAST MENTIONED THREE COURSES BEING COINCIDENT WITH THE NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF ALTON ROAD (STATE ROAD NO. 25), AS



SHOWN ON SAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP); THENCE SOUTH 76 DEGREES 03 MINUTES 16 SECONDS EAST FOR 72.65 FEET; THENCE NORTH 41 DEGREES 11 MINUTES 22 SECONDS EAST, ALONG THE WESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF ALTON ROAD (STATE ROAD 907) AS SHOWN ON SAID RIGHT-OF-WAY MAP SECTION 87090-2402, FOR 48.00 FEET; THENCE SOUTH 80 DEGREES 48 MINUTES 38 SECONDS EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 54, FOR 26.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT CERTAIN NON-EXCLUSIVE EASEMENT FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS AS DEFINED IN ARTICLE 1(C), A TEMPORARY NON-EXCLUSIVE EASEMENT FOR M-400 PHASE I CONSTRUCTION EASEMENT AS DEFINED IN ARTICLE 3(A), A NON-EXCLUSIVE EASEMENT FOR THE PURPOSES OF STORMWATER DRAINAGE AS DEFINED IN ARTICLE 6(B) AND A TEMPORARY NONEXCLUSIVE M-4000 CRANE SWING EASEMENT AS DEFINED IN ARTICLE 7(B) OF THAT CERTAIN EASEMENT AND OPERATING AGREEMENT EXECUTED BY AND BETWEEN TALMUDIC COLLEGE 4000 ALTON ROAD, INC. AND M-4000 ALTON OWNER, LLC, DATED OCTOBER 3, 2014 AND RECORDED OCTOBER 6, 2014 IN OFFICIAL RECORDS BOOK 29338, PAGE 3650, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND TOGETHER WITH ANY AND ALL RIGHTS IN AND TO THOSE CERTAIN COVENANTS, CONDITIONS AND LIMITATIONS CONTAINED IN THAT CERTAIN DECLARATION OF RESTRICTIVE COVENANTS IN LIEU OF UNITY OF TITLE DATED OCTOBER 1, 2014, RECORDED OCTOBER 6, 2014 AT OFFICIAL RECORDS BOOK 29338, PAGE 3635, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BUT ONLY TO THE EXTENT THEY ARE DETERMINED TO BE INTERESTS IN REAL PROPERTY.

LANDS SHOWN HEREON CONTAINING 99,240 SQUARE FEET, OR 2.278 ACRES, MORE OR LESS.

LYING AND BEING IN SECTION 22 AND 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST, MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA.

6F798757-1B03-469F-A4F0-80F3386D570D --- 2021/03/29 07:03:43 -8:00



EXHIBIT B

DISCLOSURE OF INTEREST

Beneficial Ownership Interests in M-4000 Alton Owner, LLC

Alicia L. Jarrett	95.5%
2601 S. Bayshore Dr. #805	
Miami, FL 33133	

No other individuals hold a 5% or greater interest in M-4000 Alton Owner, LLC.

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: 4000 Alton Road Board DRB Date: 4/12/21

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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	<input checked="" type="checkbox"/>
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).	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>

Property address: 4000 Alton Road Board: DRB Date: 4/12/21

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	<input checked="" type="checkbox"/>
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	<input checked="" type="checkbox"/>
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	<input checked="" type="checkbox"/>
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	<input checked="" type="checkbox"/>
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	<input checked="" type="checkbox"/>
g	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	<input checked="" type="checkbox"/>
h	Site Plan (fully <u>dimensioned</u> with setbacks, existing and proposed, including adjacent right-of-way widths).	<input checked="" type="checkbox"/>
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	<input checked="" type="checkbox"/>
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)	<input checked="" type="checkbox"/>
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	<input checked="" type="checkbox"/>
m	Demolition Plans (Floor Plans & Elevations with dimensions)	<input checked="" type="checkbox"/>
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	<input checked="" type="checkbox"/>
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	<input checked="" type="checkbox"/>
p	Proposed Section Drawings	<input checked="" type="checkbox"/>
q	Color Renderings (elevations and three dimensional perspective drawings).	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
b	Hardscape Plan, i.e. paving materials, pattern, etc.	<input checked="" type="checkbox"/>
11	Copy of original Building Permit Card, & Microfilm, if available.	<input checked="" type="checkbox"/>
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: 4000 Alton Road Board: DRB Date: 4/12/21

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.	<input checked="" type="checkbox"/>
23	Required yards section drawings.	
24	Variance and/or Waiver Diagram	
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	<input checked="" type="checkbox"/>
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.)	<input checked="" type="checkbox"/>
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 _____	

FSL

Property address: 4000 Alton Road Board: DRB Date: 4/12/21

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.	<input checked="" type="checkbox"/>
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	Min. Max. yard diagrams	<input checked="" type="checkbox"/>
Other	Enlarged elevations and details: ground floor; parking garage	<input checked="" type="checkbox"/>
Other	Material board	<input checked="" type="checkbox"/>

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

FS

Property address: 4000 Alton Road Board: DRB Date: 4/12/21

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).	<input checked="" type="checkbox"/>
	PAPER FINAL SUBMITTAL:	
46	Original application with all signed and notarized applicable affidavits and disclosures.	<input checked="" type="checkbox"/>
47	Original of all applicable items.	<input checked="" type="checkbox"/>
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
51	Traffic Study (Hard copy)	<input checked="" type="checkbox"/>
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	<input checked="" type="checkbox"/>

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)

Michael Larkin

Applicant or Designee's Name



Applicant or Designee's Signature

4-19-21

Date

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





200 S. Biscayne Boulevard
Suite 300, Miami, FL 33131
www.brzoninglaw.com

305.377.6231 office
305.377.6222 fax

VIA HAND DELIVERY AND ELECTRONIC SUBMITTAL

November 8, 2021

Michael Belush, Planning and Zoning Manager
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

RE: **DRB21-0664** – Second Resubmittal Letter of Intent – Design
Review Approval with Regard to a Proposed New Tower at
3900-4000 Alton Road, Miami Beach, Florida

Dear Mr. Belush:

This law firm represents M 4000 Alton Owner, LLC (the "Applicant") in its application for design review approval of a new residential multi-family development located at 3900-4000 Alton Road. This letter serves as the required letter of intent for design review approval of the proposed development. Notably, this application seeks no waivers or variances.

Property and Existing Use Description. The subject property is uniquely located directly to the northwest of the intersection of Alton Road and 41st Street/Julia Tuttle Causeway. The subject property consists of three parcels: (1) 4000 Alton Road, which is further identified Miami-Dade County Folio No. 02-3222-011-0430 (the "Talmudic Parcel"), (2) the property identified by Miami-Dade County Folio No. 02-3222-011-0432 ("Developer Parcel"), and (3) a triangular parcel to the west of the Developer Parcel currently owned by the Florida Department of Transportation ("FDOT"),

which the Applicant has contracted to purchase (the "FDOT Parcel")¹ (collectively the "Property").

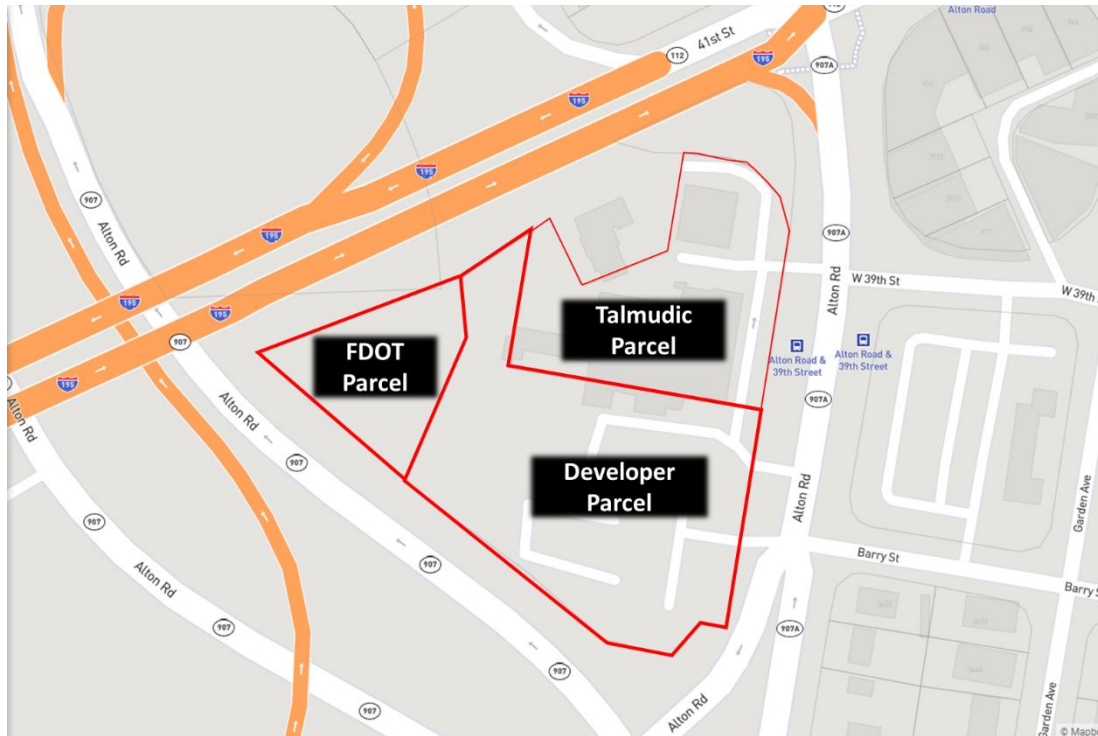


Figure 1, Aerial

The Developer Parcel and the Talmudic Parcel currently comprise a unified development site pursuant to a Declaration of Restrictive Covenants in Lieu of Unity of Title, recorded in Official Record Book 29338, Page 3635 of the Public Records of Miami-Dade County (the "CIL"). The Applicant intends to aggregate the Developer Parcel and the FDOT Parcel into the unified development site, and develop the project proposed by the application within the Developer Parcel and the FDOT Parcel (the "Project Site"). The Project Site is approximately 99,425 square feet (2.28 acres) in size, with the Developer Parcel comprising approximately 81,565 square feet, and the FDOT Parcel comprising approximately 17,860 square feet.

Currently, the Talmudic Parcel is used as Talmudic University and is improved with two (2) one-story buildings, a one-story structure, and an eight-story building. The Developer Parcel is currently improved with a temporary one-story sales center, and the FDOT parcel is currently vacant unimproved land.

¹ The FDOT Parcel is not currently assigned a Miami-Dade County Folio Number.

Prior DRB Approvals and Current Status. Development Approval History. Please find a summary of development approvals for the Property available through Miami-Dade County's Official Records search:

- Planning Board ("PB") File No. 1718 – On June 28, 2005, the PB approved of a conditional use permit ("CUP") for a religious educational institution, inclusive of residential uses for faculty and students.
- Zoning Board of Adjustment ("ZBA") File No. 3105 – On May 6, 2005, the ZBA approved of several variances to permit the construction of a three (3) story building and six (6) story building.
- PB File No. 1718 – On February 6 ,2014, the PB approved a modified CUP for the property, which permitted new five (5) and eight (8) story additions.
- PB File No. 2153 – On February 6 ,2014, the PB approved of a division of land/lot split , which resulted in the current configuration of land that consists of the Talmudic and Mast Parcels.
- DRB File No. 23026. – On March 4, 2014, the DRB approved plans for the construction of a new five (5) story addition and an eight (8) story detached multi-family building. On September 1, 2015 the DRB consolidated all prior approvals and approved modifications plans and variances for the phased construction of a new five story addition to an existing building on the Talmudic Parcel and construction of a new eight-story detached multi-family building on the Mast Parcel. The eight-story multifamily residential tower contained 72 units. The approved development was never permitted or developed.
- ZBA File No. 3688 – On March 7, 2014, the ZBA approved several variances to allow the construction of a seven (7) story addition to the existing building constructed in two (2) phases.
- DRB File No. 17-0166 – On October 3, 2017, the DRB approved the replacement of an existing fence and installation of a new fence along portions of the property and a variance to exceed the maximum allowed height for a fence within required yards.

Proposed Development. The Applicant proposes a modern curvilinear eight-story residential tower on the Project Site ("3900 Alton Road"). 3900 Alton Road proposes 176 units, ample amenities, and covered parking. Notably, the proposed design does not require waivers or

variances. 3900 Alton complies with the Code with respect to FAR, unit size, height, setbacks, and parking.²

The proposed designed responds appropriately to the unique site configuration between Alton Road and the Julia Tuttle Causeway by providing two wings on the east and west sides connected by a recessed central tower that breaks up the massing of the building and orients the spacious amenity deck towards the afternoon sun and Biscayne Bay. The modern curved façades with curved glass balcony railings along all elevations facilitate the flow of air and light around the building and serve to add variety and architectural interest to entrance of the 41st Street corridor.

Circulation For improved access to the site, the Applicant proposes a new right turn lane from the western portion of State Road 907/Alton Road, which will connect to an existing ingress egress driveway located on the east side of Alton Road. In addition, the existing central driveway between the Developer Parcel and the Talmudic Parcel will remain and service both developments, as provided in the CIL. Within the Project Site, internalized driveways lead to an elevated lobby and circulation area with an entrance/exit to the lobby level parking garage. A large terraced planter with abundant landscaping surrounds the elevated lobby area and vehicular ramps.

Vehicles enter and exit from the ground level parking garage via a driveway at the southeast corner of the site that connects to the east side of Alton Road. Along the north and south sides of the driveway along the east side of Alton Road, the proposed design provides pedestrian walkways that lead to the lobby level and ground floor bicycle storage, which serve to encourage pedestrianism and multimodal transport. The pedestrian walkway and lobby level will be lushly landscaped to provide screening of the lobby level ramps and improve the pedestrian experience approaching the building.

At level 1, 3900 Alton features a circular drop off area and residential elevated lobby, as well as the entrance to the residential parking garage. Level 2 features a spacious and lushly landscaped amenity deck that is oriented southwest to provide views of Biscayne Bay, as well as one, two, and three-bedroom units. Levels 3 through 8 contain the majority of the residential units, including one, two, and three-bedroom units between 575 and 1,440 square feet in size.

² The existing use of the Developer Parcel includes parking for the Talmudic University. Following development of 3900 Alton, 12 parking spaces will remain dedicated for use by the Talmudic University, while 257 parking spaces will service 3900 Alton Road. For clarity, the parking requirement of the Proposed Development alone is 194 spaces, while the parking requirement for the unified development site is 241 spaces (47 for Talmudic, 194 for 3900 Alton). 3900 Alton proposes 234 parking spaces in addition to the 35 existing spaces located on the Talmudic Parcel, for a total of 269 spaces.

Refinements to Proposed Design. In response to comments from staff and the Design Review Board ("DRB"), the Applicant has refined the design to further break down the massing of the long elevations and provide upgraded materials. Specifically, following the October 5, 2021 DRB meeting, the Applicant has made the following design upgrades:

- Broke up massing of long unified central elevation into two separate structures connected by a recessed stair tower with abundant fenestration;
- Modernized elevations with glass balcony railings inset within a cohesive geometric stucco pattern;
- Incorporated geometric white stucco pattern around entire building;
- Added parapet wall to entire roof level;
- Refined north elevation with angled geometric stucco pattern;
- Refined two-story garage elevation with a decorative screen comprised of angled white metal fins;
- Reduced width of the driveway from 30' to 22'; and
- Fully enclosed the loading area.

These refinements are in direct response to comments pertaining to the massing of the long elevations, cohesiveness of the design, and the architectural finishes on the two-story garage elevations. Notably, the newly proposed design broke down the massing of the long elevation by separating the two wings of the building at its midpoint and recessing the stair tower to provide planar movement. To improve the cohesiveness of the design, the Applicant eliminated the proposed bronze aluminum railings and instead utilized a modern glass railing system recessed within an angled geometric stucco pattern. The pattern consists of angled white stucco bands forming linked parallelograms that wrap around the building, which adds planar movement and architectural interest to all facades. Finally, the Applicant has revised the two-story garage/podium elevation with a sleek white metal screen with angled fins that add articulation and interest to the ground level/podium façade. Overall, the Proposed Development, inclusive of these refinements, responds appropriately to its challenging site conditions to provide an elegant building at the entrance to the 41st Street corridor that is consistent with the Design Review Criteria.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

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

The Applicant will provide a recycling or salvage plan during permitting.

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

Hurricane proof impact windows are proposed for the entirety of 3900 Alton.

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

The Applicant proposes to include operable windows where appropriate. In addition, the abundant landscaping and permeable materials contribute to passive cooling, which represents a significant improvement from the existing paved surface parking lot.

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.

The Applicant has worked with a landscape architect to provide landscaping that is appropriate for the Property, with plant species that are native, salt-tolerant, and Florida-friendly. The proposed plantings are appropriate for the area and specifically selected to increase flood resilience and improve stormwater drainage on the Property.

(5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

3900 Alton features no residentially habitable space below base flood elevation. Indeed, 3900 Alton provides an elevated lobby provides all residential units between levels 2 through 8, which are all significantly elevated.

(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 and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

Exterior improvements on the Property along Alton Road will take into consideration the raising of the public right-of-way and the proposed design details will be coordinated with the City.

(7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Proper precautions will be taken to ensure the critical mechanical and electrical systems are located above base flood elevation.

(8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

It is not reasonably feasible to elevate the existing buildings.

(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.

Proper precautions will be taken to protect the Property from potential floods. There are no habitable spaces proposed below base flood elevation plus City Freeboard.

(10) As applicable to all new construction, water retention systems shall be provided.

3900 Alton will retain all stormwater on site, and utilize abundant Florida-friendly and drought tolerant landscaping to augment water retention and drainage.

(11) Cool pavement material or porous pavement materials shall be utilized.

Cool and/or porous pavement material will be utilized where appropriate.

(12) The design of each project shall minimize the potential for heat island effects on-site.

The Applicant proposes cool pavement, a light-colored roof, and extensive landscaping that will minimize the heat island effect.

Conclusion. The proposed new residential tower will serve as a gateway to Mid-beach and revitalize the 41st Street Corridor. The design of 3900 Alton responds to unique and challenging site conditions in a manner that is fully compliant with the Code and appropriate for the existing "island" condition that characterizes the Property. In light of the above, we respectfully request your favorable review and recommendation. If you have any questions or comments, please call me at 305-377-6232.

Sincerely,



Michael W. Larkin

Enclosures:

CC: Camilo Miguel
Christina Cuervo
Andrew Guasch
Nicholas Rodriguez, Esq.



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rdrmiami.com | diana@rdrmiami.com | 305.498.1614

March 29, 2021

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property owners within 375 feet of:

ABBREV. LEGAL DESCRIPTION: NAUTILUS SUBDIVISION, SOUTHEAST CORNER OF LOT 54, BLOCK 1, PB 8 PG 95. A PORTION OF SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST, CITY OF MIAMI BEACH, MIAMI DADE COUTY. – Please refer to Boundary Survey for Legal Description.

FOLIO NUMBER: 02-3222-011-0432

ABBREV. LEGAL DESCRIPTION: NAUTILUS SUB PB 8-95 ALL OF LOT 53 & PORT OF LOTS 52 54 & 55 BLK 1 – Please refer to Boundary Survey for Legal Description.

SUBJECT: 4000 Alton Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3222-011-0430

ABBREV. LEGAL DESCRIPTION: NAUTILUS SUB PB 8-95 LOTS 52-53-54 LESS R/W BLK 1 & LOT E PER PB 35-46 & PORT OF LOT 55 BLK 1 – Please refer to Boundary Survey for Legal Description.

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on file in the Miami-Dade County Property Appraisers' Office.

Sincerely,

Diana B. Rio

Total number of property owners without repetition: **35, including 0 international**

106 KNICKERBOCKER AVE LLC
1081 FLUSHING AVE LLC
6 REED DR
ROSLYN, NY 11576

4152 INVESTMENT LLC
8777 COLLINS AVE PH A
SURFSIDE, FL 33154

950 AGR LLC
1370 WASHINGTON AVE #306
MIAMI BEACH, FL 33139

AFRICUS LLC
PO BOX 191862
MIAMI BEACH, FL 33119

ALEXANDRA DE LA ASUNCION
MARCO FERRI
3335 ALTON RD
MIAMI BEACH, FL 33140

ANDERSON CASTRO JR
LIZA HIM
3440 GARDEN AVE
MIAMI BEACH, FL 33140

ANNA MAZZIERI
3450 GARDEN AVE
MIAMI BEACH, FL 33140

CITY OF MIAMI BEACH
CITY HALL
1700 CONVENTION CENTER DR
MIAMI BEACH, FL 33139

EDW A MCCARTHY
BISHOP OF DIOCESE OF MIA
9401 BISCAYNE BLVD
MIAMI, FL 33138

GATEWAY ASSOCIATES LTD
975 ARTHUR GODFREY RD
MIAMI BEACH, FL 33140-3329

GATEWAY BUILDING I LTD
975 ARTHUR GODFREY RD
MIAMI BEACH, FL 33140-3329

GATEWAY BUILDING III LTD
975 ARTHUR GODFREY RD
MIAMI BEACH, FL 33140-3329

GILLER GROUP LTD
% THE GILLER BUILDING
975 ARTHUR GODFREY RD
MIAMI BEACH, FL 33140-3329

HOI-SANG YEUNG & W HING YU
4531 PONCE DE LEON BLVD #300
CORAL GABLES, FL 33146-1416

HOWARD WOLFSON TRS
HOWARD WOLFSON REVOCABLE TRUST
HOWARD WOLFSON
5121 N BAY RD
MIAMI BEACH, FL 33140

IMPELLA SERVICES LTD
C/O PERLMAN BAJANDAS YEVOLI ET AL
1000 BRICKELL AVE STE 600
MIAMI, FL 33131

JULIE A CHANG
3434 GARDEN AVE
MIAMI BEACH, FL 33140-3824

LANDSMAN HOLDINGS
4301 S FLAMINGO RD #106-147
DAVIE, FL 33330

LYDIANN SEDA & H RICHARD
3445 ALTON RD
MIAMI BEACH, FL 33140-3809

M 4000 ALTON OWNER LLC
C/O MAST CAPITAL
2601 S BAYSHORE DR STE 850
MIAMI, FL 33133

OSMYL SLETTMAN
4136 ALTON RD
MIAMI BEACH, FL 33140

RACHEL MUHLRAD SCHUSTER
4141 NORTH BAY ROAD
MIAMI BEACH, FL 33140

REV JOHN C FAVALORA
9401 BISCAYNE BLVD
MIAMI SHORES, FL 33138-2970

RON FRIEDMAN TRS
RON FRIEDMAN REV TR
3429 ALTON ROAD
MIAMI BEACH, FL 33140

ROSITA B MILA
4144 ALTON RD
MIAMI BEACH, FL 33140-2845

SERGE HALBERTHAL
SHERRY WEISER
4151 N BAY RD
MIAMI BEACH, FL 33140

SERGIO BISTER & MYTYL SIMANCAS
3420 GARDEN AVE
MIAMI BEACH, FL 33140-3824

SETH HELLER
ELISHEVA LEVIN
4173 N BAY RD
MIAMI BEACH, FL 33140

STATE OF FLORIDA
DOT
1000 NW 111 AVE
MIAMI, FL 33172

TALMUDIC COLL 4000 ALTON RD INC
4000 ALTON ROAD
MIAMI BEACH, FL 33140

THE MOST REVEREND EDWARD MCCARTHY
9401 BISCAYNE BLVD
MIAMI SHORES, FL 33138-2970

TIITF/ STATE OF FLORIDA
PUBLIC LANDS
3900 COMMONWEALTH BLVD
TALLAHASSEE, FL 32399

TOMAS NORES &W MARINA FONT
3404 GARDEN AVE
MIAMI BEACH, FL 33140-3824

U S A
GENERAL SERVICES ADM
401 WEST PEACHTREE ST
ATLANTA, GA 30365

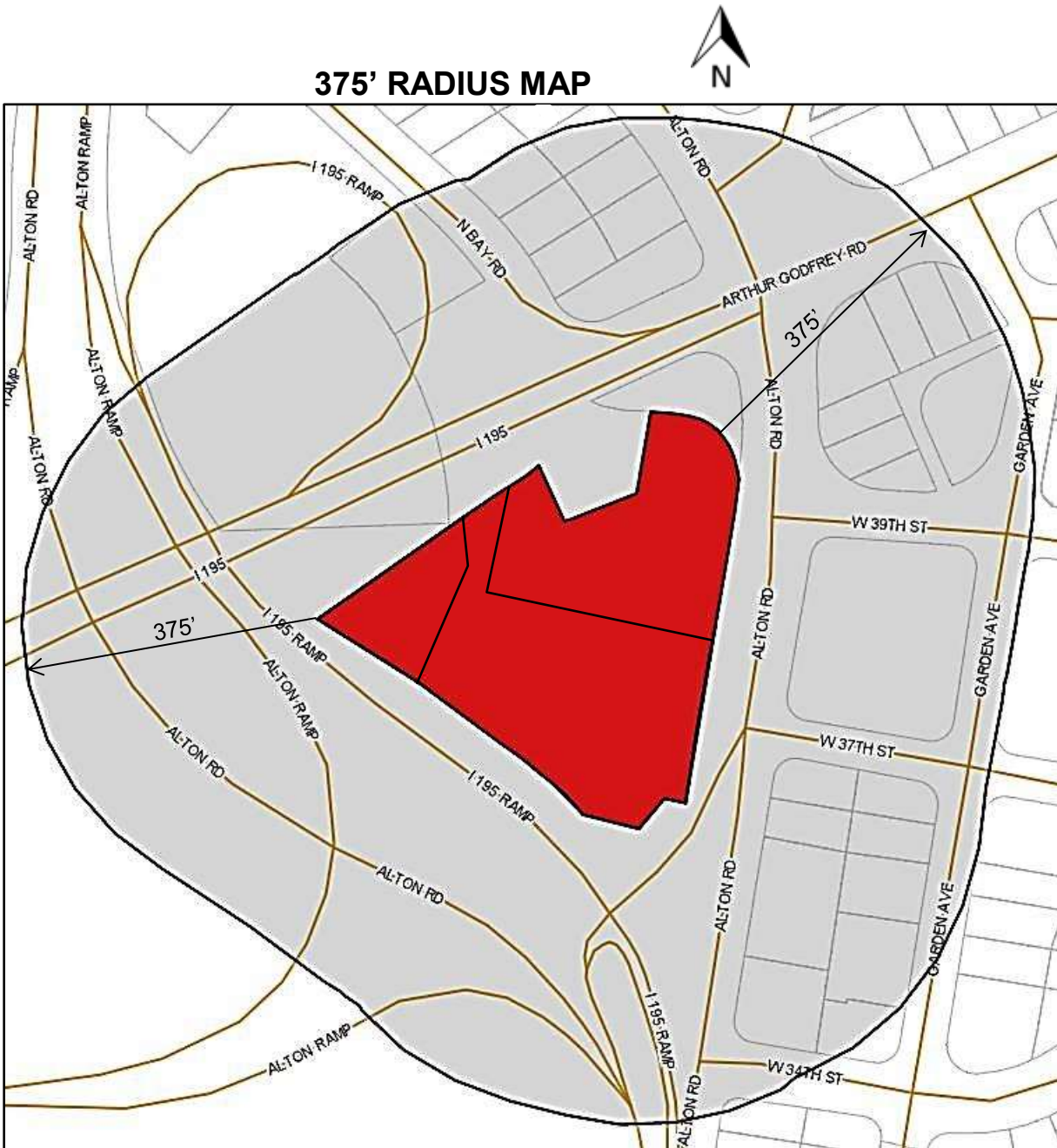
YAKO & CLARA MORJAIN TRS
8777 COLLINS AVE #212
SURFSIDE, FL 33154-3408

Name	Address	City	State	Zip	Country
106 KNICKERBOCKER AVE LLC 1081 FLUSHING AVE LLC	6 REED DR	ROSLYN	NY	11576	USA
4152 INVESTMENT LLC	8777 COLLINS AVE PH A	SURFSIDE	FL	33154	USA
950 AGR LLC	1370 WASHINGTON AVE #306	MIAMI BEACH	FL	33139	USA
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GATEWAY BUILDING III LTD	975 ARTHUR GODFREY RD	MIAMI BEACH	FL	33140-3329	USA
GILLER GROUP LTD % THE GILLER BUILDING	975 ARTHUR GODFREY RD	MIAMI BEACH	FL	33140-3329	USA
HOI-SANG YEUNG &W HING YU	4531 PONCE DE LEON BLVD #300	CORAL GABLES	FL	33146-1416	USA
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TIITF/ STATE OF FLORIDA PUBLIC LANDS	3900 COMMONWEALTH BLVD	TALLAHASSEE	FL	32399	USA
TOMAS NORES &W MARINA FONT	3404 GARDEN AVE	MIAMI BEACH	FL	33140-3824	USA
U S A GENERAL SERVICES ADM	401 WEST PEACHTREE ST	ATLANTA	GA	30365	USA
YAKO & CLARA MORJAIN TRS	8777 COLLINS AVE #212	SURFSIDE	FL	33154-3408	USA



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