

ONE ISLAND PARK OPERATIONAL PLAN

The project consists of office, and restaurant or food service uses, along with the existing marina, as permitted in the I-1 zoning district (the "Project"). The operational criteria for the Project is provided below:

Office

1. Principal hours of operation shall be during customary business hours, 7:00 AM to 6:00 PM, Monday through Friday. After-hours access will be permitted to authorized individuals via a controlled access security system (i.e., access cards or other comparable system).
2. Maximum occupant content of approximately $\pm 1,425$ persons for office floors, not including lobby.
3. Maximum number of employees allowed in the offices at one time per floor shall be ± 233 .
4. Parking for the office use will be valet and/or automated as detailed in the Parking Concept Memorandum, prepared by Walker Consultants and dated September 10, 2021, included with this submittal.

Marina

5. Maximum hours of operation shall be 24 hours a day, seven (7) days per week.
6. Maximum of seven (7) wet slips.
7. Maximum of ± 10 employees per shift, not including private yacht crew members.
8. Marina parking will be valet only.

General Operations; Deliveries; Loading; Trash; Security and Garage

9. All on-site trash disposal, and other equipment and supplies shall be physically blocked from view and noise limited by a wall and roofed enclosures within the Property.
10. All trash rooms shall be air conditioned and enclosed.
11. Trash bins shall be wheeled out via the service elevator to main dumpster(s) located in the loading dock area. Trash removal from main dumpster(s) shall take place non-peak business hours (customary peak business hours are between 7-10 AM and 4-6 PM).
12. Deliveries, loading, trash removal, and waste collection shall occur on the areas designated for loading and off-street loading areas identified on Sheet A1-01, and during non-peak business hours (customary peak business hours are between 7-10 AM and 4-6 PM).
13. There shall be security personnel, on-site, monitoring the garage and premises during all hours of operation.
14. Video surveillance shall be provided to keep occupants, tenants, employees, visitors, and assets safe.
15. The minimum parking required by the land development regulations shall be provided.

16. Garage operations shall be in accordance with one or more of the alternatives detailed in the Memoranda prepared by Walker Consultants entitled "Mechanical and Traditional Parking Concept" and "Self-Parking Concept," dated November 22, 2021 and November 15, 2021, a copy of which is included with this submittal.
17. Signs to minimize vehicle conflict in the driveways in and out of the property shall be posted in appropriate locations.

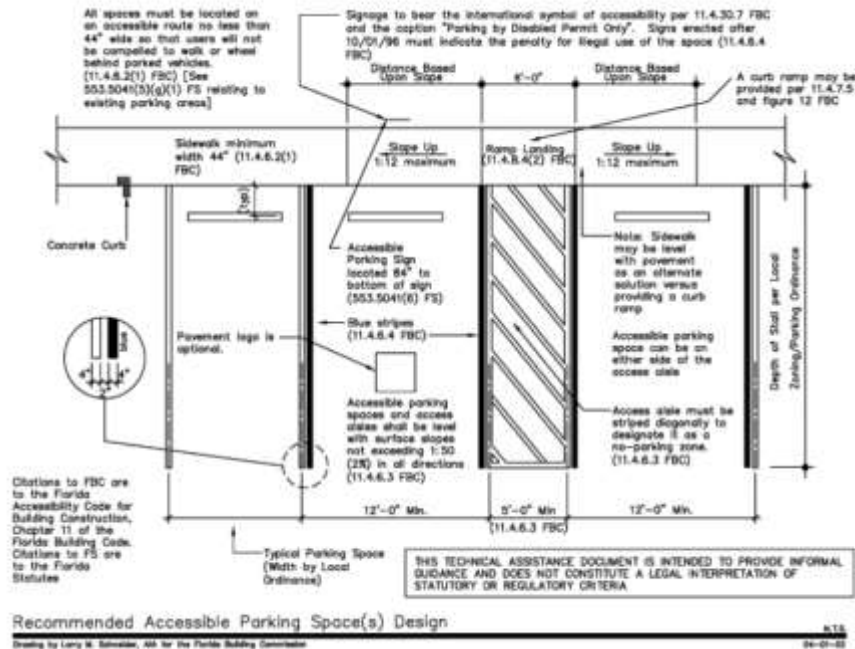
SELF-PARKING CONCEPT

The proposed self-parking concept consists of a traditional self-parking parking structure. In this case the parking podium would be widened to approximately 120 ft out to allow two bays of 90-degree parking. In addition, the mechanical systems for HVAC and backup power would all be moved up to the roof level.

This concept includes a traditional 2-bay parking structure with parked on ramps. Because of the limited site length, each bay would slope go up half a parking level before making a U-turn to into the second bay to go up to the next floor. Most of the parking would be on parked on ramps sloping at approximately 6.25%. The end bays adjacent to the building core and at the far end, land side, would have the only “flat” parking. Thus, the ADA parking would be located on the waterside cross aisle adjacent to the building cores. Approximately six (6) floors of parking would be required. It is anticipated that one (1) floor would be located below the building entrance floor and four (4) floors above.

ACCESSIBLE PARKING

Eight (8) access self-parking will be provided. Accessible drivers will also have the option of using the valet parking. However, the federal standards for the minimum number of Van Accessible (2) and Regular accessible (6) parking spaces will be provided.



PARKING CONCEPT

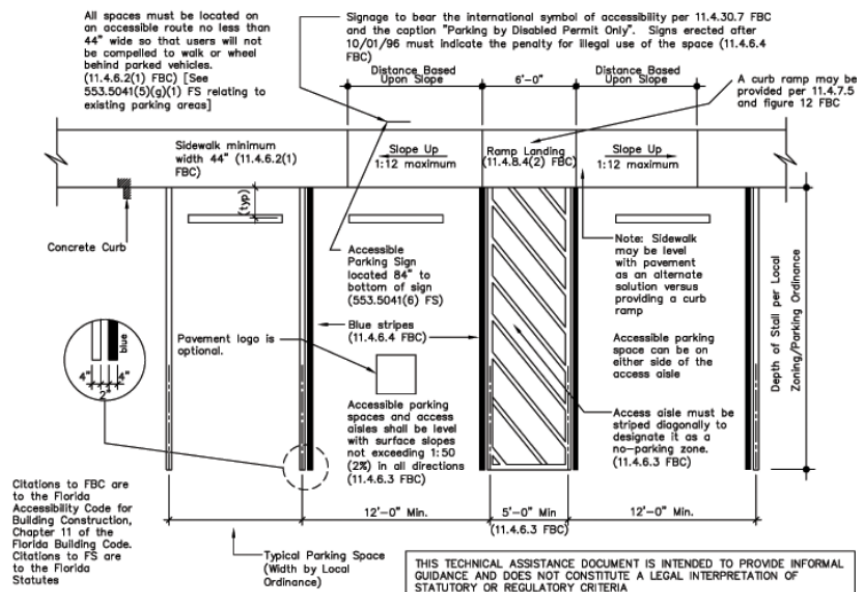
The Terminal Island parking is intended to provide approximately 338 parking spaces for the two office buildings. Thus, the parking concepts developed for the project are based upon this number of parking spaces.

The buildings are being designed as office buildings, as such, minimal parking is intended overnight. The parking is expected to load up over three to four (3-4) hours and similarly exit over a similar period.

The user group contains a significant number of traders, as such, the parking experience is intended to minimize time required for drivers to drop-off a vehicle and enter their vehicles and enter their appropriate building. Thus, most of the parking spaces are intended to be valet parked. In the morning, the drop-off floor will be used as six to eight drive aisles feeding the elevators.

ACCESSIBLE PARKING

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Recommended Accessible Parking Space(s) Design

Drawing by Larry M. Schneider, AIA for the Florida Building Commission

N.T.S.
04-01-02



DESIGN VOLUMES BASED UPON CHICAGO ENTRY AND EXIT VOLUMES

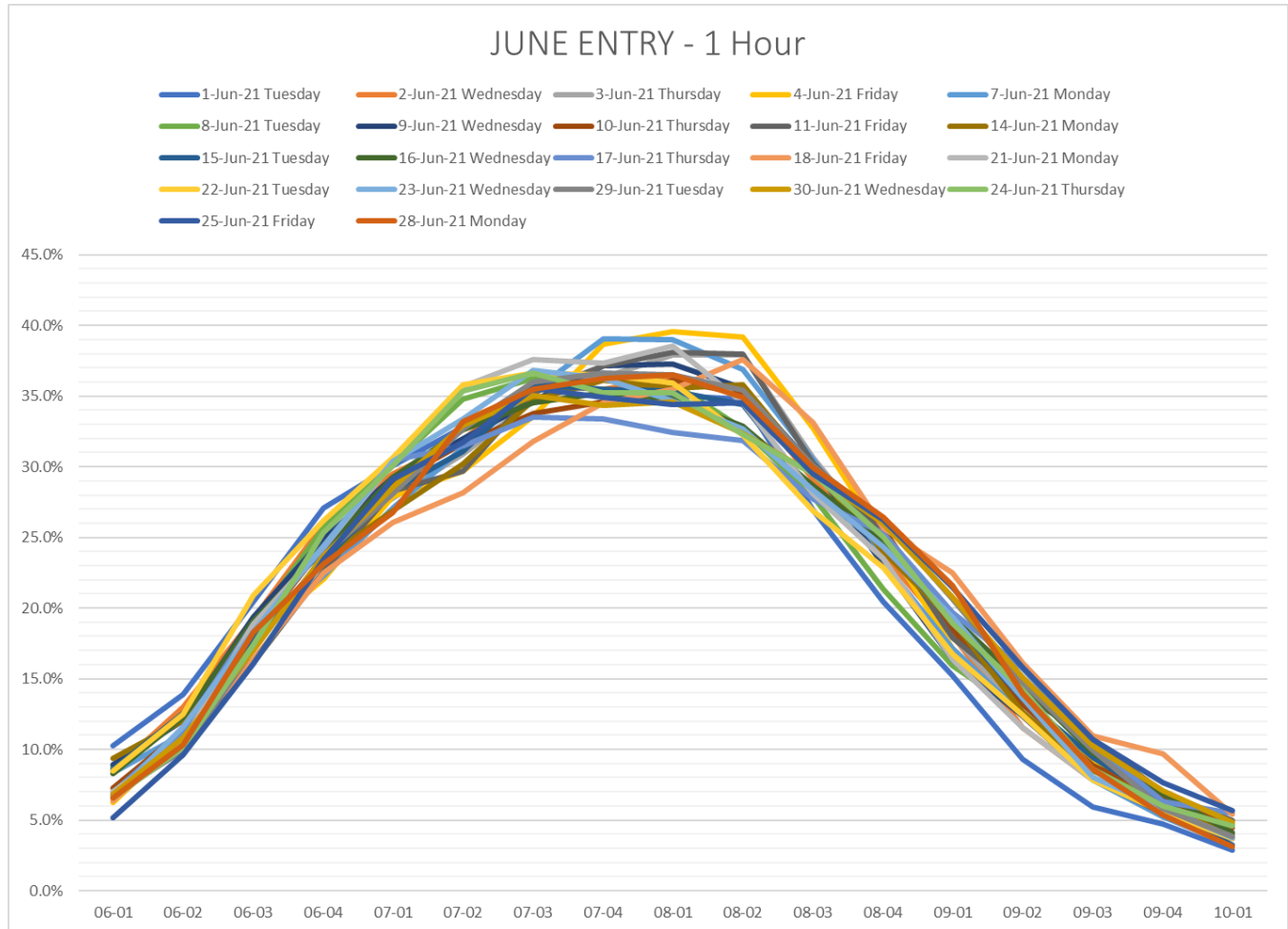
The total number of entries or exits per day ranges from 718 to 885. The intent of looking at the percentages is to allow a good projection of the peak design percentages which should be used for a day when the parking in Miami Beach is fully utilized.

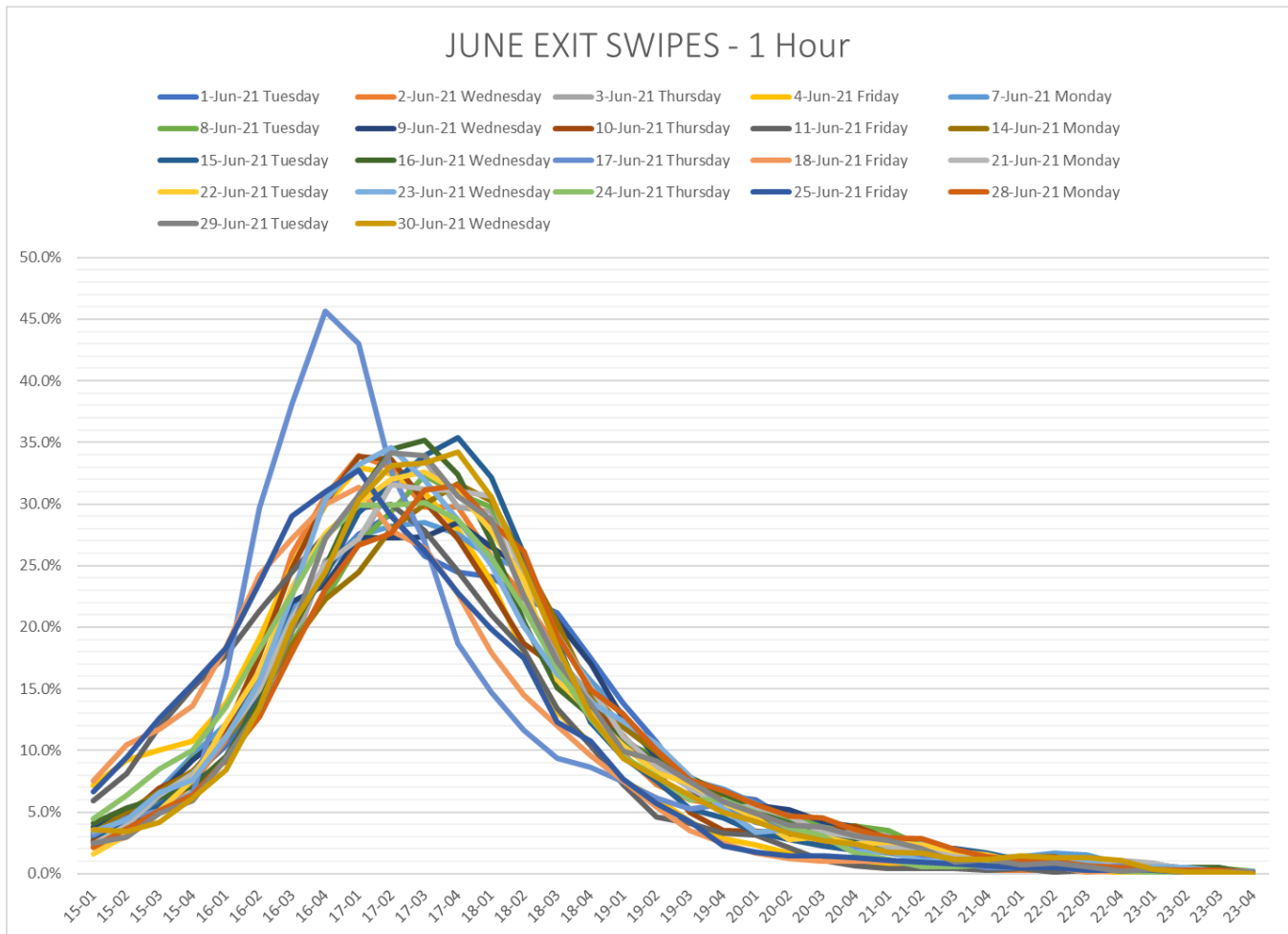
		LAST SWIPE																																							
Date	Weekday	Grand Total	12AM-1AM	1AM-2AM	2AM-3AM	3-10-15-17-18-19-20-21-22-23-24	10-11-12-13-14-15-16-17-18-19-20-21-22-23-24	15-16-17-18-19-20-21-22-23-24	16-17-18-19-20-21-22-23-24	17-18-19-20-21-22-23-24	18-19-20-21-22-23-24	19-20-21-22-23-24	20-21-22-23-24	21-22-23-24	22-23-24	23-24	24-25-26-27-28-29-30-31	25-26-27-28-29-30-31	26-27-28-29-30-31	27-28-29-30-31	28-29-30-31	29-30-31	30-31	31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52	42-43-44-45-46-47-48-49-50-51-52	43-44-45-46-47-48-49-50-51-52	44-45-46-47-48-49-50-51-52	45-46-47-48-49-50-51-52	46-47-48-49-50-51-52	47-48-49-50-51-52	48-49-50-51-52	49-50-51-52	50-51-52	51-52	52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100						
1-Jun-21 Tuesday	758	2	65	31	1	6	8	7	17	14	24	27	41	70	57	49	54	43	47	46	40	34	18	17	15	5	13	14	2	5	4	5	1	2	3	2	3	1	1		
2-Jun-21 Wednesday	813		39	45	4	4	4	5	11	20	24	33	67	87	62	60	59	61	62	27	32	26	15	6	12	16	11	2	4	3	9	1	1	1							
3-Jun-21 Thursday	841		52	43	7	8	4	10	12	16	18	33	40	62	79	44	81	78	47	41	23	36	22	19	6	11	8	4	6	10	8	2	2	3	1	3	1		1	1	
4-Jun-21 Friday	780		37	49	11	18	12	15	27	24	18	39	68	70	56	63	64	58	33	30	19	20	14	6	8	5	3	2	3	1	1	1	3	1	1						
5-Jun-21 Monday	857		47	36	4	4	3	11	23	21	27	33	46	77	55	57	53	79	47	41	45	29	19	18	14	14	13	8	6	3	6	4		1	6	5	2				
6-Jun-21 Tuesday	885		39	36	2	4	9	10	14	22	37	25	49	66	67	65	72	82	54	55	32	30	16	16	23	8	7	11	13	5	5	8	2	1	3	1	2	2	1		
7-Jun-21 Wednesday	867		31	36	5	7	10	13	20	22	33	36	56	71	63	56	72	84	56	72	40	24	25	14	13	8	13	16	7	4	3	1	1	1	1	1	1	1			
8-Jun-21 Thursday	851		42	40	4	3	9	9	10	24	22	30	36	72	83	65	68	70	54	39	33	33	37	13	12	9	8	1	11	7	11	4	2	2	6	1	2	3	1		
9-Jun-21 Friday	761		44	64	6	11	11	17	17	20	40	35	37	50	64	58	54	52	48	33	27	30	12	10	3	10	8	4	2	2		1	2				1	1	1		
10-Jun-21 Saturday	830		51	39	2	7	7	17	17	20	21	33	44	56	52	51	73	73	66	39	33	31	19	16	16	10	11	2	7	6	4	5	3	2	1	1	1	1			
15-Jun-21 Tuesday	840		43	41	6	5	8	7	13	18	24	22	58	67	56	65	78	86	38	38	26	26	13	14	10	7	7	4	5	5	3	4	7	2	2	1	2		1	1	
16-Jun-21 Wednesday	828	1	40	35	7	6	11	10	17	13	19	30	54	60	62	78	85	66	39	33	31	22	20	18	15	12	9	5	8	4	4	3	1	1	1	3	1	4			
17-Jun-21 Thursday	835		35	36	15	10	7	17	11	21	32	38	54	64	58	45	61	55	27	19	17	6	10	12	4	10	12	4	3	2	1	1	1	1	1	1	1	1			
18-Jun-21 Friday	718		38	61	8	15	17	14	29	24	31	48	71	45	51	58	46	35	24	24	21	17	7	9	6	3	3	3	1	3	1	3	1	3	1	3	1	1			
21-Jun-21 Monday	836		44	27	6	2	5	7	19	22	32	51	70	57	49	49	88	67	56	45	32	29	21	11	12	14	9	10	6	3	6	3	3	3	1	2	5	1			
22-Jun-21 Tuesday	865		50	33	6	3		5	19	20	22	45	55	79	60	66	72	84	46	39	37	14	23	16	18	6	10	5	3	8	5	6	1	4	2	2	1	1	1		
23-Jun-21 Wednesday	871	1	44	27	5	7	7	11	13	26	16	41	53	86	85	65	65	63	57	33	22	29	37	20	6	6	14	3	8	1	3	4	1	1	6	1	1	2	2		
24-Jun-21 Thursday	850		46	38	8	8	8	14	24	26	21	44	64	64	60	66	64	66	48	40	29	25	13	14	15	9	13	5	5	3	1	1	3	2	2			1	1		
25-Jun-21 Friday	755		41	49	4	9	19	18	25	33	40	40	65	74	55	53	37	53	29	31	19	14	17	8	4	3	2	4	2	3	1	2	1	2	1	2	1	1	1		
26-Jun-21 Saturday	818	2	49	34	6	3		6	18	15	13	30	46	58	55	59	54	87	58	34	35	31	22	18	11	11	15	9	3	10	7	4	3	2	1	2	1	1	1		
29-Jun-21 Tuesday	845		47	38	7	4	6		11	20	15	33	45	73	78	63	74	71	30	47	27	22	21	15	15	12	7	7	7	11	1	4	1	2	3	2		1	1		
30-Jun-21 Wednesday	843		46	39	7	10	6	7	6	16	23	26	49	73	59	75	73	75	66	44	25	21	18	15	12	9	6	9	4	4	3	4	3	3	6	2	2				



WALKER ANALYSIS

Walker analyzed the provided data to predict peak turnover rates. For each day, the 15-minute totals were divided by total entries or exits to develop a percentage per 15 minutes. We then look at turnover rates based upon a moving sum of four 15-minute periods. Via this technique, the peak hour was identified, independent of which 15-minute period it started in.





RECOMMENDED DESIGN PEAK HOUR

As expected, the peak percentages were higher in the morning than in the afternoon. Based upon the Chicago data, the peak entry hour is 40%, while the peak exit hour is 35% (except for one event day). Based upon this data, the system will normally be controlled by the peak entry hour. Each of the alternatives studied have been evaluated based upon these criteria and each of the systems meet these criteria

	Entry	Exit
1 Hour	40%	35%
Vehicles @ 400	160	140
Vehicles/Hr @ 7 lifts	23	20
Vehicles/Hr @ 8 lifts	20	18

AUTOMATED MECHANICAL PARKING ALTERNATIVES

To date, four primary alternatives have been studied. The tenant's preferred alternative is listed first, followed by the less desired alternatives.

1. Mechanical Parking – Robotic Parking: Rack and Rail blended with a puzzle system with lifts fed by valet attendants. Basis of design = Utron (comparable systems will also be bid)
2. Mechanical Parking – Robotic Parking: Automated Guided Vehicle (AGV) with lifts fed by valet attendants. Basis of design = Park Plus (comparable systems will also be bid)
3. Mechanical Parking – Vehicle Elevator Valet – Drop-off at the main floor with attendants reaching upper floors via vehicle lifts and tandem parking on the main parking floors.
4. Traditional Parking - Express Ramp - Drop-off at the main floor with attendants reaching upper floors via express ramp and tandem parking on the main parking floors.

With this submission, the Development team is submitting the Mechanical Parking – Robotic Parking: Rack and Rail blended with a puzzle system with lifts fed by valet attendants as an alternative to the previously approved Tradition Parking, self-parking concept.

**Table 1: Anticipated Parking Counts Automated Mechanical Parking
Robotic Parking: Rack and Rail Blended with Puzzle System**

Level	Rack & Rail
Building A	13
P00	63
Level 1 / P01	10
P02	63
P03	63
P04	63
P05	63
	338

NUMBER OF ELEVATORS/LIFTS

This submitted concept utilizes Elevator like devices to move vehicles from floor to floor. Each “elevator” only moves one vehicle at a time, as such, the “elevator” makes one round trip per vehicle during peak entry and exit hours when traffic is essentially 1-way. During off peak hours when vehicle entries and exits are more mixed, the elevators can move more vehicles per hour, because they can move two vehicles per trip (1 inbound and 1 outbound), all be it, a slightly longer trip. This system is more efficient in moving vehicles between floors because there are parking floors above below the transfer floor. This minimizes the average travel distance verses having all of the parking floors above the transfer floor.

A traditional vehicle elevator can make the average round trip in 120 Seconds. This allows up to 30 round trips per hour. However, there are always variables over the course of an hour. As such we try to design for less than 25 vehicle movements per hour per lift. The geometry proposes 8 lifts. Thus, the proposed designs require less than 20 vehicle movements per hour per lift.

Table 2: Number of required peak hour trips for each Lift/Elevator

	VPH	8 "Elevators"
Inbound	160	20.0
Outbound	140	17.5

The “elevators” for the Robotic Parking Systems typically have slower vertical speeds than a valet operated freight elevator; however, they make up the increased travel time because the computer system decides which floor to park on and makes the hall calls for an elevator when retrieving.

PROPOSED AUTOMATED MECHANICAL PARKING – ROBOTIC PARKING: RACK AND RAIL BLENDED WITH A PUZZLE SYSTEM WITH LIFTS FED BY VALET ATTENDANTS.

The floor aligned with the entry floor of the building will be utilized for drop-off and pickup and for parking the last vehicles to arrive on site. Vehicles entering the site will follow the access road and ramp up the plaza abutting the entry floor of the adjacent buildings.

Vehicles will then enter into the drop-off area, where they will be directed into one of morning entry queue lanes. (Drivers requiring accessible parking, may self-park in one of the ADA spaces or drop-offs at their option.) The non-ADA driver will exit the vehicle, leaving a key for the valet attendant. Valet attendants will then shuttle the vehicles into the vehicle elevator (transfer station). Automated sensors will verify that the vehicle is properly parked on the pallet and empty while the attendant enters the appropriate vehicle code into the control panel after exiting the vehicle.

At this point the automated system will take control and park the vehicle on one of five parking floors. One floor is located below the transfer floor and four floors are located above the transfer floor. The vehicle elevator will bring the vehicle and its pallet to a floor with available parking. When the elevator opens on an available floor, the rail system running adjacent to the elevators will remove the vehicle and its pallet from the lift and move the palate north/south to align with an available east-west row in the puzzle system. The rail system will then transfer the vehicle and its pallet to the computer designated east/west transfer row in the puzzle system and transfer the pallet from the rail system to the puzzle system.

The rail system will also rotate the vehicle, so it is orientated in the correct direction for exiting. Rotation will occur at one of three times depending upon how busy the system is:

- During off peak entry hours, the vehicle will be rotated after removing from the vehicle elevator, before transferring to the puzzle system.
- During off peak hours, in the middle of the day, the system will be programed to rotate remaining vehicles, so they are ready to exit later in the day.
- On occasion, some vehicles may not have been rotated before they are requested to be retrieved. In this case the vehicle will be rotated while exiting. After the vehicle is transferred to the rail system the vehicle will be rotated before returning to the vehicle elevator.

When the vehicle elevator returns the vehicle to the transfer floor, an attendant will remove the vehicle from the elevators and bring it to the pickup curb if the driver is already at the curb, or else park it in a self-parking spot on the transfer floor if the driver is not already at the curb.

The typical pallets are 7'6" by 18ft. The reduced width of the pallets is workable because there are no drivers in the vehicle and no turning of the vehicles in the parking area. They are only moved orthogonally so the extra width required for maneuvering in and out of a self-parking space or opening doors is not required.

All mechanical parking systems, including lifts, elevators and robotic systems will be inspected and certified as safe and in good working order by a licensed engineer or the elevator authority have jurisdiction at least once per year. The findings of the inspection will be summarized in a report, signed by the same licensed engineer or firm, or the elevator authority having jurisdiction. Report will be submitted to the planning director and the building official each year.

The parking compartment will be enclosed with a mechanical ventilation system. Thus, preventing direct exposure to wind and rain. The parking compartment will also have dehumidifiers to keep the humidity below 85% in order to control corrosion. All components of the mechanical parking system are designed to operate long term in these conditions.

HOURS OF OPERATION

The facility is intended to be open 24 hours per day, 7 days per week. However, as typical, peak occupancy of the building is expected to be non-holiday weekdays. During remaining times, the self-parking spaces will be more than sufficient so that valet attendants are not needed during these hours.

As such, it is anticipated that valet attendants will be on site from 5am or 6am to 8pm or 9 pm on non-holiday workdays. In the evenings, all vehicles will be moved down to the transfer floor once the parking structure is more than 80% empty. Once all the remaining vehicles are parked on grade, the keys will be transferred to a lock box with one attendant remaining on site. The vehicles will be parked on grade using geometrics meeting or exceeding city standards. The remaining attendant will either provide the appropriate key to drivers exiting the building if they desire to exit themselves. Alternatively, if a driver prefers, the attendant will bring the vehicle up to the pickup curb.

Attendant staffing will vary based upon time of day and the actual use of the building. In the morning, only one or two attendants will start the day. For the Robotic parking system, it is anticipated that up to eight (8) attendants will be required during the peak entry and exit hours.

NOISE AND VIBRATION

The parking floors will be enclosed and screened per city requirements. Thus, the noise associated with valet attendants moving or parking vehicles will be within the normal range of comparable facilities in the city.

For the vehicle lifts and robotic parking requirement, the machines will be within enclosed parking compartments or elevator machine rooms. Thus, noise at the property line will be minimal. Use of audio alarms will be minimized.

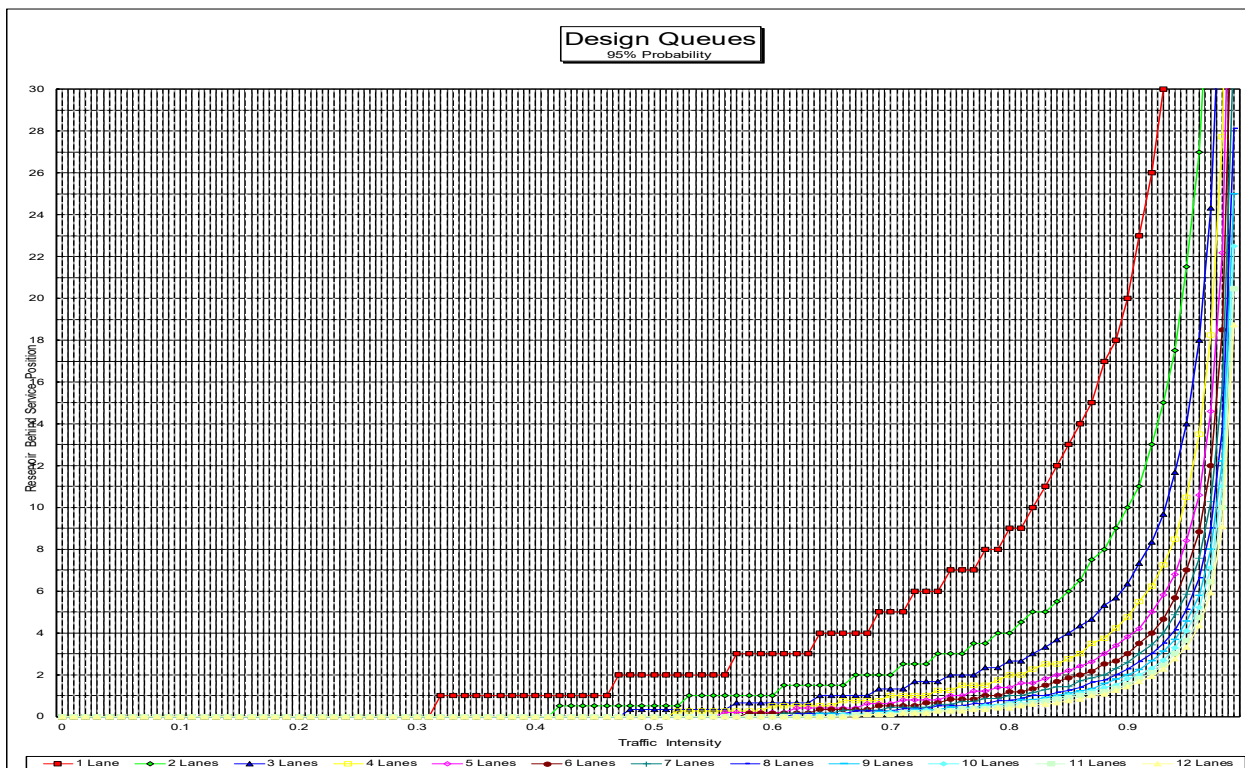
Noise and vibration from the vehicle elevators and robotic parking systems will not be plainly audible or felt by individuals standing outside an apartment or hotel unit at adjacent or nearby properties. In addition, noise and vibration barriers will be utilized to ensure that surrounding walls decrease sound and vibration emissions outside of the parking garage.

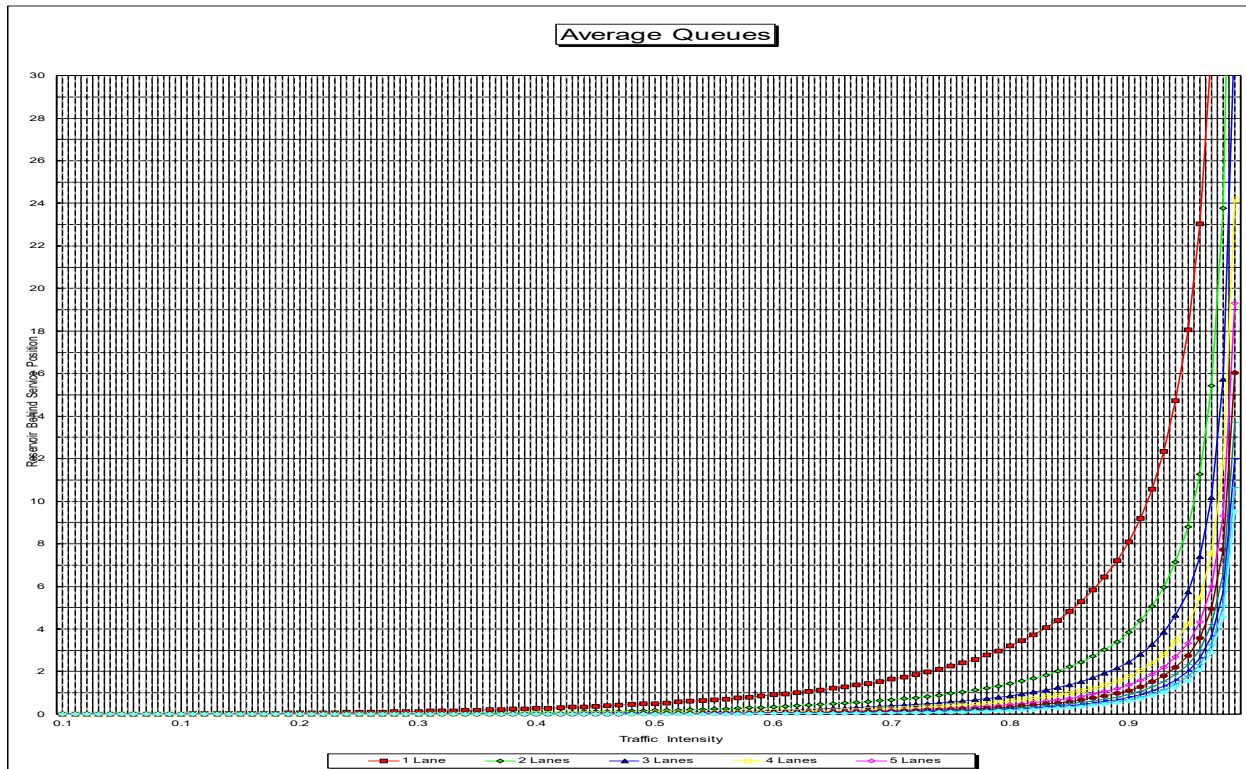
QUEUING

Queuing for peak entry and exit periods will vary depending upon staffing levels. However, ultimately queuing will be controlled by the capacity of the lifts. If we use 25 transfers per hour per lift (Anticipate system is capable of 25 to 30 trips per hour). Maximum capacity utilization will be in the morning with a peak hour of $160 / (8 \text{ lifts} @ 25 \text{ trips} = 200) = 80\%$ of capacity required. With 8 lifts available both the Design and Average queue will be less than 1 vehicle. The added queuing area on grade is available to accommodate traffic surges or staffing shortages. As the parking compartments fill up at the end of the inbound rush, the ground floor will be converted over to short term parking which is primarily anticipated to be short term visitors with a stay of less than two hours.

In the afternoon the peak hour is anticipated to be less than 140 vehicles per hour, thus only requiring use of 70% of the capacity of the lifts. Thus, queuing will be even less and is primarily dependent upon drivers not being delayed getting to their vehicle at the last minute.

During mid-day, the Chicago data indicates that 10% or less turnover, when compared to peak hours, is anticipated, thus use of the north drive aisle for queuing is anticipated. Both lanes in the drive aisle could be used, but based upon the anticipated volumes, one lane should be more than sufficient for queuing during mid-day.







MEMORANDUM

To: Nicolas Heppner, Arquitectonica

From: John McWilliams, P.E.

Ekaete Ekwere, P.E.

Date: September 13, 2021

**Subject: *The Office at One Island Park | 120 MacArthur Causeway
Maneuverability Analysis***

Kimley-Horn and Associates, Inc. has prepared a maneuverability analysis for the proposed Terminal Island Office redevelopment located at 120 MacArthur Causeway in Miami Beach, Florida. The site's valet drop-off/pick-up area and loading areas are included in this analysis. The analysis was performed using Transoft Solutions Inc.'s *AutoTurn 10* software which applies vehicle turning templates consistent with American Association of State Highway and Transportation Officials' (AASHTO), *A Policy on Geometric Design of Highways and Streets*, 6th Edition. The analysis was prepared using passenger car (P) design vehicle for the valet drop-off/pick-up areas. Single-unit 30-foot (SU-30) design vehicles were used for deliveries and loading activities in the loading areas. The following summarizes the results of this analysis.

Valet Drop-off/Pick-up Area and Parking Garage Access

Access to the on-site valet porte-cochere area is provided via the roundabout entrance to the development. The on-site valet porte-cochere area provide ingress and egress access to the parking garage on the lobby level. A P design vehicle appears able to maneuver into and through the valet porte-cochere area and into the parking garage without conflict. A custom vehicle based on the dimensions of a Miami-Dade County Fire Truck was included in the analysis and appears able to complete the turn-around maneuver in the valet porte-cochere area.

Loading Area Access

One (1) loading and delivery area is provided on the proposed site; access to which is provided via the roundabout entrance to the development. The SU-30 design vehicle appears able to maneuver into and out of the on-site loading areas. It should also be noted that the SU-30 design vehicle is able to complete the clockwise circulation of the site.

Conclusion

In conclusion, passenger vehicles and loading vehicles will be able to ingress, egress, and travel through the site and loading areas without any conflicts. Refer to pages A1-24 to A1-27 of the architectural plan set for the maneuverability plots.



Fully automated parking solutions

November 12th, 2021

Cullen Mahoney
Miami Beach Port LLC
2850 Tigertail Ave, Suite 800
Miami, FL, 33133

Dear Mr. Mahoney

I am writing to you on behalf of Utron Systems Inc., a global supplier of automation components and software founded in 1989. As part of our business, we also sell, install, and maintain fully integrated automated systems for warehousing, manufacturing, and automobile parking.

We have proposed a 325-space automated parking system for your proposed office development at 1 Island Park, Miami, FL. The proposed design was prepared in conjunction with Walker Consultants – the largest parking consultancy in the United States.

I understand the City of Miami Beach has concerns about the feasibility of using an automated parking system for an office use located next to the ocean. I also understand City of Miami Beach has concerns due to the high-profile failure of automated parking systems at the Brickell House condominium in Miami and the commercial garage located at 1826 Collins Ave. The intent of this letter is to address each of your known concerns to the best of my ability.

I think I should address the Brickell House and Collins Ave failures first since that is likely a primary concern. Automated parking systems have been operating continuously around the world for 30 years – largely without incident – provided the developer selects an experienced supplier and allows them to dictate a design that will meet the peak traffic flows stated in the trip generation report for the project.

In the case of Brickell House, the developer purchased a prototype system from a start-up supplier that had never been successfully deployed and then imposed several design constraints that severely impacted the ability of the garage to function as intended. As for 1826 Collins Avenue, it is my understanding that the developer hired the same start-up supplier as for Brickell House, structural changes made impacted the design, and payment disputes landed the project in litigation twice.

That certainly is not the case with 1 Island Park. We have been involved in the design with Walker and have not been asked to make any design accommodations that would negatively impact performance. Additionally, we are not proposing a prototype system and we are not a start-up. Utron has a long record of successfully engineering, manufacturing, installing, and maintaining automated parking systems. In fact, we have been hired to replace three failed systems from other suppliers. I have attached a list of operational and contracted projects for your consideration. Client references are available on request.

I understand there are concerns about the high humidity levels and salt water in the air causing the steel components of our system to rust, which would ultimately impact its reliability. We share your concern



Fully automated parking solutions

and have taken steps to ensure that corrosion will not impact the performance or longevity of our system. First, we have specified the HVAC systems in the vehicle storage area be designed to maintain 85% non-condensing relative humidity. Additionally, we prime the equipment with zinc-rich epoxy primer and a 120u (micron) thick epoxy topcoat in non-contact steel surfaces (e.g. lift columns) and a 240u (micron) epoxy top coat to certain high contact areas (e.g. pallet surface). Based on our experience with 3 garages located within approximately one quarter mile of the waterfront in Hoboken NJ, we believe the proposed system at 1 Island Park will not suffer accelerated decay or performance issues due to corrosion.

Lastly, I would like to address concerns about the performance of this system. The first thing you should understand is that Walker has designed an “hybrid” attended automated parking system where inbound parkers exit their vehicle on Level P01 and hand their keys to a valet driver who will then park their vehicle in the automated parking system. While rare for automated parking systems, this hybrid design enables the valet drivers to serve as a buffer if there is a sudden influx of vehicles trying to enter the garage without creating a queue back on to the street. Similarly, the valet drivers can retrieve departing cars in advance thereby ensuring a timely departure from the garage.

In addition to the human buffer provided by the valet drivers, the garage is designed with 8 high-speed vehicle lifts and stored vehicles distributed evenly across 5 automated storage levels which will meet the required peak performance of 140 cars per hour (43% of the 323 automated spaces). Each of the five automated storage levels is entirely independent and can simultaneously retrieve multiple vehicles to the lifts and work around the mechanical failure of any one conveyor.

If you have any remaining questions or concerns, please do not hesitate to contact me. I am available for in person meetings or remotely if you prefer.

Sincerely,

Yair Goldberg
EVP, Sales & Marketing
Utron Systems Inc.
(201) 592-1444 x 7501
yair.goldberg@utron-parking.com

Professional (Individual or Corporation)

PROFESSIONAL PREPARER'S STATEMENT OF LANDSCAPING COMPLIANCE

CASE NUMBER:

Legal description: Lot: _____ Block _____ Subdivision: _____
P.B. _____ Page: _____ Development name: One Island Park
Located at (address) _____

I/We hereby certify that the landscape and irrigation plans being submitted for the above captioned property complies with the requirements of Chapter 126, City of Miami Beach Landscape Ordinance, as to species, height, trunk diameter and location at time of planting, and that the species as shown are in accordance with the accepted species approved by the City of Miami Beach and that none of the species are from the prohibited list.

Additionally, the automatic irrigation system design and plans comply with the requirements of said ordinance as to the type of equipment, location, and meeting the water requirements of the proposed plantings.

I/We further certify that I/We am/are authorized under Chapter 481, Florida statutes to prepare and submit this landscaping/irrigation plan.



Professional Preparer's Signature

Andrew Witkin
Witkin Hults + Partners
307 S. 21st Avenue
Hollywood, FL 33020
License #0000889

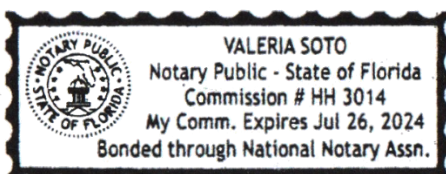


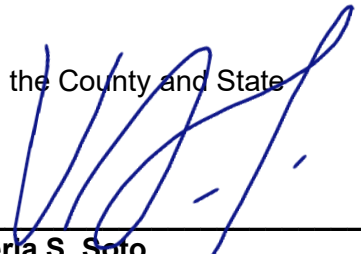
STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this **6th of December, 2021**, by *Andrew Witkin*, of *Witkin Hults + Partners*, a Florida corporation, on behalf of the corporation. He is personally known to me and did not take an oath.

Witness my signature and official seal this **6th of December, 2021** in the County and State aforesaid, the date and year last aforesaid.

My commission expires: July 26, 2024





Valeria S. Soto
Notary Public Signature

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: February 2, 2021

PROPERTY/FOLIO: 120 MacArthur Causeway 02-4204-000-0060

FILE NO: DRB20-0530

IN RE: An application has been filed requesting Design Review Approval for the construction of a new multistory office building. This application requires a Conditional Use Permit to be reviewed and approved by the Planning Board.

LEGAL: See Exhibit "A"

APPLICANT: Miami Beach Port, LLC

ORDER

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

I. Design Review

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Design Review Criteria 4, 9 and 19 in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is inconsistent with Sea Level Rise Criteria 1, 10, 11 and 12 in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/ or Section 133-50(a) if the following conditions are met:
 1. The project shall comply with the conditions imposed by the Planning Board Order No. PB20-0352.
 2. Revised elevation, site plan, and floor plan drawings for the proposed new commercial building at 120 MacArthur Causeway shall be submitted, at a minimum, such drawings shall incorporate the following:



- a. URBAN HEAT ISLAND ORDINANCE Sec. 130- 69. - Commercial and noncommercial parking lots. 3) Open- air parking lots, open to the sky, shall be constructed with (i) a high albedo surface consisting of a durable material or sealant in order to minimize the urban heat island effect, or ii) porous pavement. The provisions of this paragraph shall apply to all parking areas, and all drive lanes and ramps.
- b. All mechanical equipment above the roof deck shall be enclosed or screened from public view, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- c. Vessels or marine equipment shall comply with maximum projection for business use into the waterway. See section of the City Code 66-113.
- d. The proposed signage on the entrance gate house shall comply with Section 138-16 of the City Code.
- e. The ground floor frontage shall comply with Section 133-61. -- Short Frontage Standards.


- i. A sidewalk shall be incorporated along the front of the property on Terminal Island Drive within the public right-of-way, if possible, subject to the review and approval of staff and all applicable City Departments.

If a sidewalk in the right-of-way is not feasible, the applicant shall provide a sidewalk along the front of the property on Terminal Island Drive within the applicant's property, in a manner to be reviewed and approved by staff. A public access easement shall be provided, in a form to be reviewed and approved by the City Attorney, providing for permanent access to the sidewalk for public access.

The sidewalk shall connect to other pedestrian improvements planned for Terminal Island, and the existing sidewalk of the MacArthur Causeway, subject to the review and approval of staff.

The proposed driveway access, structures, and landscaping shall be adjusted to comply with the frontage requirements of Section 133-61 to the extent feasible, subject to the review and approval of staff.

- f. The architect shall further explore the design of the rooftop levels wall finishes, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. The architect shall further incorporate texture and interest on the garage ground floor level elevations, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

-
- h. The design of the garage screening shall be further refined, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria, and the revised elevations presented at the meeting.
 - i. The architect shall further refine the ground floor elevations of the office buildings, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board
 - j. The final design details of the garage trellis structure shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - k. The final design details of the office buildings' rooftop trellises shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - l. The final design details of the exterior materials and finishes, including the glazing specifications, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - m. The applicant shall explore the inclusion of overhangs, such as eyebrows and shading devices at each level in order to provide shade and minimal weather protection to the operable areas of the office store fronts, subject to the review and approval of staff consistent with the Design Review Criteria.
 - n. The use of each space/room shall be clearly noted on the plans at all levels, subject to the review and approval of staff.
 - o. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - p. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
 - q. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - r. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
3. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding plans shall be submitted to and approved by staff. The species, type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plans shall
- 

comply with Chapter 26-Landscape Requirements of the Miami Beach Code and shall incorporate the following:

- a. The pedestrian circulation zone along the waterfront shall comply with the City of Miami Beach and Miami-Dade County Baywalk Design Guidelines that include landscaping with tree and palm plantings, passive zones with seating, lighting and safety zones with textural changes in the paving immediately adjacent to the seawall.
- b. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.
- c. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- d. Any tree identified to be in good overall condition shall be retained and protected in their current location if they are not in conflict with the proposed home, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.
- e. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- f. The architect shall substantially increase the amount of native canopy shade trees within the site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.
- h. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- i. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.

3/16

- j. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
- k. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- l. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, Siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans, and shall be subject to the review and approval of staff.
- m. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers and how they are screened with landscape material from the right-of-way shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- n. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

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

II. Variance(s)

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

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

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

- A. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
- B. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

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

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

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "One Island Park", as prepared by **Arquitectonica**, dated December 07, 2020, and as approved by the Design Review Board, as determined by staff.

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

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

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

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

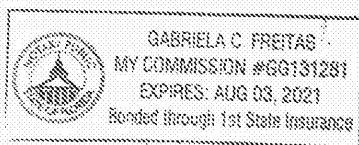
3/10/2021 | 10:20 AM EST
Dated _____

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

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

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

The foregoing instrument was acknowledged before me this 1st day of April 2021 by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



Notary: [Signature]
Print Name
Notary Public, State of Florida
My Commission Expires: Aug. 3, 2021
Commission Number: gg131281

{NOTARIAL SEAL}

Approved As To Form:
City Attorney's Office: _____ (3/5/2021)

Filed with the Clerk of the Design Review Board on Joan Gallo (4/1/21)

Exhibit "A"

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; hence 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.

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

PROPERTY: 120 MacArthur Causeway

FILE NO. PB20-0352

IN RE: A conditional use permit for a new 5-story office development exceeding 50,000 gross square feet, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code.

LEGAL DESCRIPTION: See Exhibit "A"

MEETING DATE: January 26, 2021

CONDITIONAL USE PERMIT

The applicant, Miami Beach Port, LLC, requested a Conditional Use Permit, pursuant to Chapter 118, Article IV, for a for a new 5-story office development exceeding 50,000 gross square feet, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

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

That the property in question is located in the I-1 Light Industrial District zoning district; and

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

That the intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan; and

That structures and uses associated with the request are consistent with the Land Development Regulations; and

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

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

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations, as approved by the Planning Board, and accepted by the applicant, that a

January 26, 2021

PB20-0352, 120 MacArthur Causeway

Page 2 of 6

Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
2. This Conditional Use Permit is issued to Miami Beach Port, LLC (collectively the applicant) and owner of the property. Any changes in ownership or 50% (fifty percent) or more stock ownership, or the equivalent, shall require the new owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Certificate of Use/Business Tax Receipt.
3. The following shall apply to the operation of the entire project:
 - a. Warning signs prohibiting horn honking, tire-screaching, or car alarm sounding shall be posted prominently by the applicant in the parking area.
 - b. A delivery and refuse plan, including all delivery access points and routes, as well as the location of all trash and refuse areas, shall be provided and shall be subject to the review and approval of staff.
 - c. Deliveries and trash collection shall take place only at the designated areas proposed by the applicant as shown in the plans.
 - d. Deliveries or trash pick-up shall only be permitted between 10:00 AM and 4:00 PM.
 - e. All trash containers shall utilize rubber wheels, as well as a path consisting of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
 - f. All trash rooms shall be air conditioned and sound-proofed in a manner to be approved by staff. The doors to the trash rooms shall remain closed and secured when not in use and all trash dumpsters shall be closed at all times except when in use.
 - g. Delivery trucks shall not be allowed to idle in loading areas or driveways.
 - h. There shall be no queuing of delivery, garbage, or moving trucks in the public right of way.
 - i. The property and adjacent rights-of-way shall be maintained clean and free from debris.
 - j. No patrons shall be allowed to queue on public rights-of-way.
 - k. Video surveillance shall be provided throughout the premises. The video surveillance shall be monitored during all hours in which the building is open.
 - l. Except as may be required for Fire, Building, or Life Safety Code purposes, no speakers of any kind shall be affixed to, installed, or otherwise located on the exterior of the

*January 26, 2021**PB20-0352. 120 MacArthur Causeway**Page 3 of 6*

- premises within the boundaries of the project, except for a distributed sound system, subject to the review and approval of staff.
- m. No exterior bar counters or accessory outdoor bar counters shall be permitted anywhere on the premises.
 - n. The rooftop on the eastern building (identified as Block B in the approved plans) shall be subject to the following:
 - i. Use of the rooftop shall be limited to tenants and their invited guests.
 - ii. Recorded background music or sound from televisions or motion picture devices shall only be permitted at an ambient level (i.e. at a volume that does not interfere with normal conversation), and shall cease by midnight and commence no earlier than 10:00 AM each day.
 - o. A restaurant shall only be permitted on the rooftop of the western building (identified as Block A in the approved plans) subject to the following:
 - i. The restaurant shall be limited to 120 seats.
 - ii. The restaurant shall have a maximum occupant content of 299 persons.
 - iii. The restaurant shall only serve alcoholic beverages during hours when food is served.
 - iv. Recorded background music or sound from televisions or motion picture devices shall only be permitted at an ambient level (i.e. at a volume that does not interfere with normal conversation), and shall cease by midnight each night on Sunday through Thursday, and by 3:00 AM each night on Friday through Saturday. Music shall commence no earlier than 10:00 AM each day.
 - v. The restaurant may only operate between 7:00 AM and 3:00 AM each day.
 - vi. The restaurant operator shall be return to the Planning Board for a progress report 90 days after obtaining a business tax receipt (BTR).
 - p. Entertainment shall be prohibited on the premises.
- 4. The development shall obtain approval from the Miami-Dade County Biscayne Bay Shoreline Development Review Committee prior to obtaining a building permit.
 - 5. The Planning Board shall retain the right to call the owner or operator back before the Board and make modifications to this Conditional Use Permit should there be valid complaints, as determined by Code Compliance, about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
 - 6. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.

*January 26, 2021**PB20-0352, 120 MacArthur Causeway**Page 4 of 6*

7. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval.
8. The applicant shall address the following Transportation, Mobility, Concurrency and Parking requirements:
 - a. The applicant shall pay all impact, mobility, and concurrency fees due prior to obtaining a Building Permit, Certificate of Occupancy, or Business Tax Receipt, whichever may occur first, and any other fair share cost that may be due and owing.
 - b. Property managers and business operators for all residential and commercial uses shall ensure that deliveries are made as approved in this Conditional Use Permit. At no time shall delivery trucks block traffic flow on the public right-of-way.
 - c. The applicant shall submit an MOT (Maintenance of Traffic) plan to Public Works Department and Transportation Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.
 - d. The developer shall coordinate with the Transportation Department to develop an acceptable Transportation Demand Management Plan and Traffic Study, prior to the issuance of a building permit.
 - e. The applicant shall provide on-site bicycle parking facilities to accommodate a minimum of 160 short-term bicycle parking spaces and 165 long-term bicycle parking spaces.
 - f. The applicant shall use reasonable best efforts to consult with the US Coast Guard, Fisher Island Community Association, Fisher Island Club, and Palm, Hibiscus, Star Islands Association to mitigate any traffic or noise issues.
 - g. The applicant shall further refine the design of the driveway to minimize stacking, in a manner to be reviewed and approved by staff.
9. The development shall comply with the "Green Buildings" requirements in Chapter 133, Article I of the City Code.
10. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in Section 118-194 of the City Code.
11. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.

January 26, 2021

PB20-0352. 120 MacArthur Causeway

Page 5 of 6

12. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a building permit.
13. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
14. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.
15. Nothing in this Order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

3/16/2021 | 2:47 PM EDT

Dated _____

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:

BY: _____

Rogelio Madan

C04BCD40FEC1449

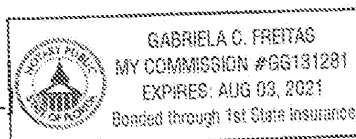
Rogelio A. Madan, AICP
Chief of Planning and Sustainability
for Chairman

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 16th day of March, 2021, by Rogelio A. Madan, Chief of Community Planning and Sustainability for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

[NOTARIAL SEAL]



Notary: _____

Print Name: Gabriela C. Freitas

Notary Public, State of Florida

My Commission Expires: Aug. 3, 2021

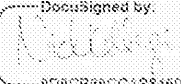
January 26, 2021

PB20-0352, 120 MacArthur Causeway

Page 6 of 6

Commission Number:

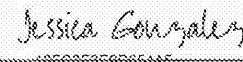
Approved As To Form:
Legal Department

DocuSigned by:

5C8CB88CCAB88480

(3/16/2021 | 2:42) PM EDT

Filed with the Clerk of the Planning Board on

DocuSigned by:


10F68F82E9B8544E

(3/16/2021 | 2:52) PM EDT

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.