

BOARD RESOLUTION

CONTINUUM ON SOUTH BEACH MASTER ASSOCIATION, INC.

WHEREAS, the Board of Directors of Continuum on South Beach Master Association, Inc. (the "Master Association") has a fiduciary duty to its constituents to act in the best interests of the Continuum on South Beach community; and

WHEREAS, the Board of Directors has determined it to be necessary to take this action in the best interests of the persons and property located within the Continuum on South Beach community; and

WHEREAS, the Board of Directors has met to address the City of Miami Beach's Amendment to Restore Previous Hours of Operations and Permit Ambient Background Level Music [RPS-4].

NOW THEREFORE, on behalf of the 527 families which reside in this community, the Board hereby resolves as follows:

We support the amendment to the RPS-4 District regulations, which:

1. Restores the hours of operation permitted for the former tenant, Cibo Wine Bar, for existing rooftop terraces associated with accessory neighborhood impact establishments in the RPS-4 District, which were 11:00 PM on weekdays (Sunday – Wednesday) and 12:00 AM on weekends (Thursday – Saturday), with 30 additional minutes for cessation of operations each night; and

Permits ambient background level music on existing rooftop terraces associated with accessory neighborhood impact establishments in the RPS-4 District.

2. The building at 200 South Pointe Drive was developed as an accessory use to the Continuum development and was intended to provide a high-quality dining establishment for South of Fifth residents to enjoy. While the former tenants did not always meet our expectations, we are excited at the prospect of bringing the renowned Catch Hospitality Group ("Catch") to our neighborhood. In order for Catch to deliver on its promise of great vibe, great food, and great service, Catch requires hours of operation of the existing rooftop terrace to match what was permitted for the former tenant, Cibo Wine Bar, as well as the ability to play ambient background level music on the existing rooftop terrace.
3. To support this request, Catch commissioned a sound study to determine noise levels that would not disrupt the neighboring residents at the Continuum on South Beach, Portofino, and South Pointe Tower. That sound study found that playing pre-recorded music at 65-70 dBs would not impact neighboring properties. As a

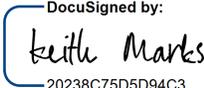
result, Catch has promised to install a sound system with directional speakers and an automatic noise limiter that automatically reduces music volume if sound levels exceed 65-70 dBs. Catch also proposes to use lush landscaping, vinyl-lined umbrellas, and other noise mitigation techniques to ensure that operations do not impact the surrounding neighbors. Catch will be subject to existing Code limitations that require a Conditional Use Permit from the Planning Board, prohibit special events, and limit rooftop occupancy to 250 persons, among other neighborhood-friendly limitations. Based on Catch's track record of operating rooftops at existing locations in New York, Los Angeles, and Aspen, Catch's vision is consistent with the Master Association's vision for our neighborhood.

4. We fully support the proposed amendment to the RPS-4 regulations governing accessory neighborhood impact establishments and urge you to refer this legislation to the Land Use and Sustainability Committee and Planning Board.

This Resolution was adopted by the Board of Directors on the 26th day of May, 2022 and is effective upon adoption.

There are a total of five (5) Board members. ⁴ ___ Board members voted in favor of this Resolution; ⁰ ___ Board members voted against. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

**CONTINUUM ON SOUTH BEACH
MASTER ASSOCIATION, INC.**

BY:  20238C75D5D94C3...

Keith Marks, President

5/27/2022

Date: _____