

# MIAMIBEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://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 PB22-0548		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the property appraiser summary report)	
<b>Board of Adjustment</b> <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <input type="checkbox"/> Modification of existing Board Order		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<b>Planning Board</b> <input checked="" type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <input type="checkbox"/> Amendment to the Land Development Regulations or Zoning Map <input type="checkbox"/> Amendment to the Comprehensive Plan or Future Land Use Map <input type="checkbox"/> Modification of existing Board Order		<b>Historic Preservation Board</b> <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic District/Site Designation <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 1790 Alton Road			
FOLIO NUMBER(S) 02-3233-012-0700			
Property Owner Information			
PROPERTY OWNER NAME Sobe 18, LLC			
ADDRESS 1065 Kane Concourse, Suite 200		CITY Bay Harbor Islands	STATE FL
BUSINESS PHONE (305) 861-3500		CELL PHONE	EMAIL ADDRESS ronald@finvarb.com
ZIPCODE 33154			
Applicant Information (if different than owner)			
APPLICANT NAME Same			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
ZIPCODE			
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Conditional Use Permit approval for mechanical parking associated with a new mixed-use building.			

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Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
Party responsible for project design			
NAME <b>Jennifer McConney-Gayoso</b>		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS <b>7500 NE 4th Court, Studio 103</b>		CITY <b>Miami</b>	STATE <b>FL</b> ZIPCODE <b>33138</b>
BUSINESS PHONE <b>(305) 573-2728</b>	CELL PHONE	EMAIL ADDRESS <b>jennifer@studio-mcg.com</b>	
Authorized Representative(s) Information (if applicable)			
NAME <b>Michael J. Marrero</b>		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS <b>200 S. Biscayne Boulevard, Suite 300</b>		CITY <b>Miami</b>	STATE <b>FL</b> ZIPCODE <b>33131</b>
BUSINESS PHONE <b>305-374-5300</b>	CELL PHONE	EMAIL ADDRESS <b>mmarrero@brzoninglaw.com</b>	
NAME <b>Emily Balter</b>		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS <b>200 S. Biscayne Boulevard, Suite 300</b>		CITY <b>Miami</b>	STATE <b>FL</b> ZIPCODE <b>33131</b>
BUSINESS PHONE <b>305-374-5300</b>	CELL PHONE	EMAIL ADDRESS <b>ebalter@brzoninglaw.com</b>	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE      ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

**Please note the following information:**

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

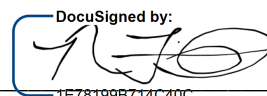


**Please read the following and acknowledge below:**

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☐ Owner of the subject property☒ Authorized representative

DocuSigned by:  
  
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**SIGNATURE****Ronald Finvarb, Manager****PRINT NAME**

07/01/2022

**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, N/A, 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, Ronald Finvarb, being first duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Sobe 18, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

DocuSigned by:  
  
 1E78199B714C40C...

**SIGNATURE**

Sworn to and subscribed before me this \_\_\_\_\_ day of 07/01/2022, 20\_\_\_\_. The foregoing instrument was acknowledged before me by R. Finvarb, 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: \_\_\_\_\_

  
 Signed on 2022/07/01 13:45:55 -8:00

**NOTARY PUBLIC**

Diana Ramos

**PRINT NAME**

**POWER OF ATTORNEY AFFIDAVIT**STATE OF FloridaCOUNTY OF Miami-Dade

I, Ronald Finvarb, 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 Michael J. Marrero, Emily Balter and Jennifer McConney-Gayoso to be my representative before the Planning Board 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.

Ronald Finvarb**PRINT NAME (and Title, if applicable)**

DocuSigned by:  
  
 1E78199B714C40C...  
**SIGNATURE**

Sworn to and subscribed before me this 07/01/2022 day of 07/01/2022, 2022. The foregoing instrument was acknowledged before me by R. Finvarb, 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: \_\_\_\_\_

  
 Signed on 2022/07/01 13:45:55 -0500

**NOTARY PUBLIC**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.

N/A**NAME****DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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



**DISCLOSURE OF INTEREST**  
**CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**

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

Sobe 18, LLC

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit B - Disclosure of Interest

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

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

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

N/A

TRUST NAME	
NAME AND ADDRESS	% INTEREST

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**COMPENSATED LOBBYIST**

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
<u>Michael J. Marrero</u>	<u>200 S. Biscayne Boulevard, Suite 300</u>	<u>305-374-5300</u>
<u>Emily Balter</u>	<u>200 S. Biscayne Boulevard, Suite 300</u>	<u>305-374-5300</u>
<u>Jennifer McConney-Gayoso</u>	<u>7500 NE 4th Court, Studio 103</u>	<u>305-573-2728</u>

Additional names can be placed on a separate page attached to this application.

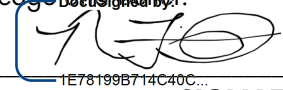
**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.**

**APPLICANT AFFIDAVIT**

STATE OF Florida

COUNTY OF Miami-Dade

I, Ronald Finvarb, 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.

  
1E78199B714C40C...

**SIGNATURE**

Sworn to and subscribed before me this \_\_\_\_\_ day of 07/01/2022, 20\_\_\_\_. The foregoing instrument was acknowledged before me by R. Finvarb, 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: \_\_\_\_\_

  
Signed on 2022/07/01 13:45:55 -8:00

**NOTARY PUBLIC**

Diana Ramos

**PRINT NAME**





## Exhibit A

### LEGAL DESCRIPTION:

Lot 1, Block 17--A of "ISLAND VIEW SUBDIVISION", according to the plat thereof, as recorded in Plat Book 6, at Page 115, of the public Records of Miami--Dade County, Florida, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point where the westerly line of Lot 1 intersects the northerly line of Dade Boulevard; thence northeasterly along the northerly line of Dade Boulevard for 65.7 feet to a point; thence northwesterly along a line defelcting 90 degrees to the left for 65.95 feet to a point; thence northerly along a line deflecting to the right 29 degrees 22'37" for 79.65 feet to a point being on the southerly line of 18th Street for 24.9 feet to the point of beginning, together with all the appurtenances thereunto belonging in anywise appertaining. (Special Warranty Deed, dated October 15th, 1993, recorded in Official Records Book 16367, Page 4229, Miami--Dade County Records).  
Containing 10,331 Square Feet, 0.24 Acres, more or less, by calculations.

Pr1 . 2

operty Address: 1790 Alton Road Miami Beach, Florida, 33139. Folio No.: 02-3233-012-0700

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Exhibit B

SOBE 18, LLC

Current Draft (Subject to Change)

Member

1	BackupWorks.com, Inc. (Suzman, Martin)	1.94%
	26439 Rancho Parkway South, Lake Forest, CA 92630	
2	Handsome Devil Unlimited LLC (Winer, Daniel)	11.02%
	500 South Anderson Street, Los Angeles, CA 90033	
3	Miryam Vainstein Revocable Trust (Vainstein, Miryam)	1.30%
	10155 Collins Avenue, Bal Harbour, FL 33154	
4	Oceanside Investments, Inc. (Mishaan, Lilian)	16.20%
	145 Hudson Street, New York, NY 10013	
5	Rosen, Todd	1.30%
	25 Biscayne Blvd., Ste. 2450, Miami, FL 33151	
6	Rosenblum, Andrew	1.30%
	15811 Collins Avenue, Sunny Isles, FL 33160	
7	SEH Investments, Ltd. (Hoine, Ruth)	1.30%
	17000 Hidden View, San Antonio, TX 78232	
8	SOBE 18 Manager, LLC (Finvarb, Ronald)	65.65%
	1065 Kane Concourse, Ste. 200, Bay Harbor, FL 33154	
TOTAL		100%





200 S. Biscayne Boulevard  
Suite 300, Miami, FL 33131

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.377.6238 office  
305.377.6222 fax  
[mmarrero@brzoninglaw.com](mailto:mmarrero@brzoninglaw.com)

July 25, 2022

**VIA ELECTRONIC SUBMITTAL**

Rogelio Madan, Chief of Community Planning &  
Sustainability  
Planning Department  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33131

Re: **PB22-0548** – Mechanical Parking Use for the Property  
Located at 1790 Alton Road, Miami Beach, Florida

Dear Mr. Madan:

This law firm represents SOBE 18, LLC (the "Applicant"), purchaser of the vacant property located at 1790 Alton Road (the "Property"). Please consider this the Applicant's letter of intent in connection with a request to the Planning Board for mechanical parking associated with a new mixed-use building. The Applicant is simultaneously seeking approval from the Design Review Board ("DRB") for the design of the new building.

Property Description. The Property is generally located on eastern portion of the City block between West Avenue and Alton Road, and south of 18<sup>th</sup> Street. The Miami-Dade County Property Appraiser identifies the Property with Folio No. 02-3233-012-0700. See Exhibit A, Property Appraiser Summary Report. It is an undeveloped vacant, irregular shaped lot approximately 10,331 square feet in size. The Property was previously developed with a service station in 1960s and 1970s. See Exhibit B, Building Card. However, it has been vacant for over ten (10) years.

According to the Official Zoning Map of the City, the Property is in the CD-2, Commercial Medium Intensity District. The surrounding uses include multi-story retail

and offices. The Property is also located within Parking District 5, Sunset Harbour Neighborhood. The Property is not located within a local or national historic district.

*Recent Approval.* On July 7, 2020, the DRB approved a one-story retail bank building on the vacant site. See Exhibit C, Final Order DRB 19-0493. The previous design was functional for the bank tenant, but was not the best possible use of the site. It provided multiple points of interaction with pedestrians and vehicles, and would have no neighborhood serving activity on nights and weekends.

Development Program. The Applicant's goal is to activate this irregular site and improve the pedestrian experience in the Sunset Harbour Neighborhood. The Project will include two (2) distinct restaurant uses, twelve (12) residential units on the upper floors, and a pool on the rooftop (the "Project"). The Applicant is proposing ground floor mechanical parking within the structure, accessible from 18<sup>th</sup> Street. This will leave the pedestrian's experience on Dade Boulevard uninterrupted. The Project requires nineteen (19) total parking spaces, which will be provided in six (6) tandem mechanical lifts and one (1) accessible space. Additionally, the two (2) required loading spaces will be located within the twenty-two (22) foot wide drive isle.

The design requires ingenuity to hide the back-of-house and parking operations, activate the pedestrian experience, and provide movement along the upper floors. The ground level will feature continuous floor-to-ceiling glazing, that will strategically line the proposed parking and loading area. Surrounding the north, east, and south elevation of will include aluminum poles that create movement, shape, as well as screening of the residential unit balconies. The design, scale and massing of the Project is compatible with the surrounding area, which contains large, mixed-use buildings. The Project is approximately 34,679 square feet of gross new construction and approximately 20,107 square feet of floor area ratio ("FAR"). The Project is within with the CD-2 permitted height, setbacks, unit sizes, and Floor Area Ratio. The DRB's review includes a design waiver for an additional five (5) feet of height, and no variance requests. Therefore, this urban infill mix of uses is consistent with the design criteria and will serve as a transition between the large retail establishments to the north and the existing hotels to the south.

Satisfaction of Conditional Use Criteria. The Applicant's request satisfies the review criteria and guidelines enumerated in Section 118-192(a) of the City Code of Ordinances (the "City Code") as follows:

**(1) The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.**

The proposed Project is a mix of residential units and restaurant space. Both of the proposed uses are expressly desired in the CD-2 future land use category pursuant to Policy RLU 1.1.9 and the Sunset Harbour overlay. Additionally, a mixed use project, that will enhance the walkability of Sunset Harbour, is consistent with the surrounding variety of uses.

**(2) 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.**

As urban infill, the Project will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan. The goal is to reduce or maintain current levels of service with additional residential units and restaurants in close proximity to transit.

**(3) Structures and uses associated with the request are consistent with these land development regulations.**

The design, scale and massing of the Project is compatible with the surrounding area, which contains large, mixed-use buildings. The Project is within with the CD-2 permitted height, setbacks, unit sizes, and Floor Area Ratio. Additionally, the proposed residential and restaurant uses are permitted as of right in the CD-2 District and Sunset Harbour overlay. Therefore, the proposed structure and uses are consistent with the intent of the land development regulations.

**(4) The public health, safety, morals, and general welfare will not be adversely affected. Nothing in the Project will negatively affect the public health, safety, morals and general welfare of the City of Miami Beach.**

The public health, safety, morals, and general welfare will not be adversely affected with the introduction of a modern, environmentally resilient mixed-use building on vacant land. In fact, the Project will enhance the public health, safety, morals, and general welfare of the community by activating Dade Boulevard and 18<sup>th</sup> Street, at the intersections with Alton Road. The use of the Property is consistent and compatible with the intent of the CD-2 District to provide medium intense development. The Project will provide additional housing opportunities in close proximity to businesses and offices.

**(5) Adequate off-street parking facilities will be provided.**

The Project will provide adequate parking facilities as required by the Land Development Regulations. Specifically, nineteen (19) total parking spaces and two (2) loading spaces are required and provided. Eighteen (18) of the parking spaces will be tandem mechanical lifts and the two (2) loading spaces are accessible from the internal drive way.

**(6) Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.**

The Project is subject to a conditional use review is because of the incorporation of mechanical parking devices. The parking will be fully enclosed, and will, therefore, not negatively impact the surrounding properties, persons or neighborhood values. The mechanical parking protects the surrounding neighborhood from what would be a much larger, less-functional building on this narrow, irregular shaped site. As detailed below, the Project meets all of the conditional use review criteria that are specific to mechanical parking. Valet operations and security details are provided in the Operations Plans, enclosed with the application materials.

**(7) The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.**

The Project is consistent with the Sunset Harbour Mixed-Use Neighborhood purpose to present a vibrant mixed-use residential neighborhood that provides area residents with a unique retail and dining experience. The provision of mechanical parking triggers the condition use review. The proposed mechanical parking lifts are fully enclosed and will not have a negative impact on the surrounding neighborhood.

Satisfaction of Criteria for Mechanical Parking Systems. The Applicant's request satisfies the review criteria and guidelines enumerated in Section 130-38(5) of the City Code as follows:

**(a) Whether the scale of the proposed structure is compatible with the existing urban character of the surrounding neighborhood;**

The Project is sensitive to and compatible with the existing mixed-use environment. The Project is a drastic improvement from the idle, vacant land, and complies with the applicable land development regulations.

**(b) Whether the proposed use of mechanical parking results in an improvement of design characteristics and compatibility with the surrounding neighborhood and has demonstrated how the scale, mass, volume, and height of the building are reduced by the use of mechanical parking;**

The incorporation of mechanical parking aims to reduce the stories and extra massing of the Property. The Property is an irregular-shaped lot with active frontages on three (3) sides. Limiting access to one vehicular driveway, and one level of parking results in an improved design and a structure that is compatible in size and character with the surrounding neighborhood.

**(c) Whether the proposed use of mechanical parking does not result in an increase in density or intensity over what could be constructed with conventional parking;**

The proposed development program could be achieved through the use of a traditional, non-mechanical parking garage. Therefore, the use of mechanical parking does not result in an increase in the density or intensity.

**(d) Whether parking lifts or mechanisms are located inside, within a fully enclosed building, and not visible from exterior view;**

The parking lifts and related mechanisms for the parking are located on the ground level, fully enclosed, and not visible from exterior view.

**(e) In cases where mechanical parking lifts are used for self-parking in multifamily residential buildings; whether approval is conditioned upon the proper restrictive covenant being provided limiting the use of each lift to the same unit owner;**

Residential units that are assigned to parking spaces with mechanical lifts will not be able to self-park. All mechanical parking lifts will be operated by the valet.

**(f) In cases where mechanical parking lifts are used for valet parking, whether approval is conditioned upon the proper restrictive covenant being provided stipulating that a valet service or operator must be provided for such parking for so long as the use continues;**

Valet service will be required for the mechanical parking lifts.

**(g) Whether a traffic study has been provided that details the ingress, egress, and circulation within the mechanical parking facility, and the technical and staffing requirements necessary to ensure that the proposed mechanical parking system does not cause excessive stacking, waiting, or backups onto the public right-of-way;**

The Applicant has been working with the City's Transportation Department to provide the required details.

**(h) Whether a proposed operations plan, including hours of operation, number of employees, maintenance requirements, noise specifications, and emergency procedures, has been provided;**

An Operations Plan with the required details has been provided with the application materials.

**(i) In cases where the proposed facility includes accessory uses in addition to the parking garage, whether the accessory uses are in proportion to the facility as a whole, and delivery of merchandise and removal of refuse, and any additional impacts upon the surrounding neighborhood created by the scale and intensity of the proposed accessory uses, are adequately addressed;**

The Project is a mixed-use building with twelve (12) residential units and two (2) restaurants. There are not accessory uses in addition of the parking level. All delivery and trash will be accommodated within the two (2) loading spaces onsite. There will be appropriate delivery and removal of refuse for the entire Project, and the scale and uses are appropriate in connection with the Project and match the scale of the surrounding area.

**(j) Whether the proximity of the proposed facility to similar size structures and to residential uses creates adverse impacts and how such impacts are mitigated; and**



There will be no adverse impacts from the proposed mechanical parking facilities because the parking garage is entirely enclosed and lined with active uses.

**(k) Whether a cumulative effect from the proposed facility with adjacent and nearby structures arises, and how such cumulative effect will be addressed;**

There will be no negative cumulative impacts as a result of the Project. The Property is surrounded by a mix of office and retail uses with varying hours of operations at the intersection of major roadways. The additional residents will be patrons of the existing surrounding retail and office uses, and will have sufficient parking capacity with the mechanical lifts.

Sea Level Rise and Resiliency Criteria. The Project advances the sea level rise and resiliency criteria in Section 133-50(a) of the City Code, as follows:

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

A recycling and salvage plan for any proposed demolition will be provided at permitting.

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

Hurricane proof impact windows will be provided.

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

The Applicant will provide, where feasible, passive cooling systems.

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

New landscaping provided will be Florida-friendly and resilient.

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

Sea level rise projections are being considered.

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

The Project is entirely new construction above base floor elevation.

**7. Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.**

All mechanical and electrical systems will be located above base flood elevation.

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

The Project is entirely new construction above base floor elevation.

**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.**

The Project is entirely new construction above base floor elevation.

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

Where feasible, water retention systems will be provided.

**11. Cool pavement materials or porous pavement materials shall be utilized.**

Cool pavement materials and/or porous pavement materials will be utilized.

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

The Applicant proposes additional landscaping around the perimeter of the site to minimize potential for heat island effects on-site.

Conclusion. The massing, scale and design of the Project are compatible with the large abutting commercial structures and variety of surrounding uses. The proposed residential units and restaurant spaces are necessary for the viability of this urban infill development on a historically vacant parcel. The use of mechanical parking ensures the best and most efficient uses, as well as improves the pedestrian experience. Granting of this Conditional Use Permit for mechanical parking is in harmony with the intent and purpose of the City's Comprehensive Plan and Land Development Regulations.

Based on these reasons, the Applicant respectfully requests your favorable review and recommendation of this application. If you have any questions or comments with regard to the application, please contact me at (305) 377-6238.

Sincerely,



Michael J. Marrero

Enclosures

CC: Emily K. Balter

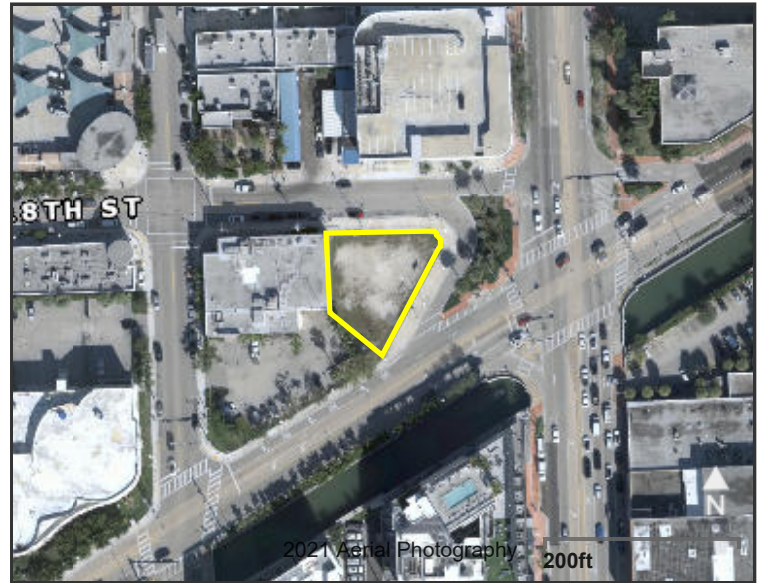


## OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 7/5/2022

Property Information	
Folio:	02-3233-012-0700
Property Address:	1790 ALTON RD Miami Beach, FL 33139-2440
Owner	SOBE 18 LLC
Mailing Address	1065 KANE CONCOURSE 200 BAY HARBOR ISLANDS, FL 33154 USA
PA Primary Zone	6400 COMMERCIAL - CENTRAL
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	10,200 Sq.Ft
Year Built	0



Assessment Information			
Year	2022	2021	2020
Land Value	\$3,264,000	\$3,060,000	\$2,244,000
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$3,264,000	\$3,060,000	\$2,244,000
Assessed Value	\$3,264,000	\$1,828,675	\$1,662,432

Benefits Information				
Benefit	Type	2022	2021	2020
Non-Homestead Cap	Assessment Reduction		\$1,231,325	\$581,568
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
ISLAND VIEW SUB PB 6-115
LOT 1 LESS BEG NE COR LOT 2 E24.9
FT S79.65FT SE65.95FT SW65.7FT
N169.5FT TO POB BLK 17 A
LOT SIZE 10200 SQUARE FEET

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$3,264,000	\$1,828,675	\$1,662,432
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$3,264,000	\$3,060,000	\$2,244,000
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$3,264,000	\$1,828,675	\$1,662,432
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$3,264,000	\$1,828,675	\$1,662,432

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
04/06/2021	\$4,000,000	32447-4846	Qual by exam of deed
07/21/2011	\$1,150,000	27765-3436	Qual by exam of deed
07/21/2011	\$0	27765-3433	Corrective, tax or QCD; min consideration
07/21/2011	\$0	27765-3429	Corrective, tax or QCD; min consideration

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Owner	American Oil Co.		Permit No.	8742 orig. card.	Cost
Pt.	Lot 1	Block 17A	Address	#52911 for Serv. Sta. 1790 Alton Road	
General Contractor			Bond No.		
Architect			Engineer		
Zoning Regulations:	Use	Area	Lot Size		
Building Size:	Front	Depth	Height	Stories	
Certificate of Occupancy No.			Use	SERVICE STATION	
Type of Construction	Foundation		Roof	Date	

7056

SEE ORIGINAL CARD IN DEMOLITION FILE -- THERE WERE STORES ON THIS LOT WHICH WERE DEMOLISHED UNDER PERMIT #71800 - 6/12/64 - \$750.

Water Closets  
Lavatories  
Bath Tubs  
Showers  
Urinals  
Sinks

#2944

Dish Washing Machine  
Laundry Trays  
Laundry Washing Machines  
Drinking Fountains  
Floor Drains  
Grease Traps  
Safe Wastes

AIR CONDITIONING Contractor  
SEPTIC TANK Contractor  
OIL BURNER Contractor  
SPRINKLER Contractor

Swimming Pool Traps  
Steam or Hot Water Boilers  
ROUGH APPROVAL  
FINAL APPROVAL

Down Spouts  
Wells

GAS Contractor  
Gas Ranges  
Gas Water Heaters  
Gas Space Heaters  
Gas Refrigerators  
Gas Steam Tables  
Gas Broilers

Date  
Gas Frylators  
Gas Pressing Machine  
Gas Vents for Stove

GAS Rough APPROVAL  
GAS FINAL APPROVAL

ELECTRICAL Contractor

OUTLETS  
Switches  
Lights  
Receptacles

HEATERS  
Water  
Space

FIXTURES

Ranges  
Irons  
Refrigerators  
Fans  
Motors  
Appliances

Electrical Contractor

Date  
Temporary Service  
Neon Transformers  
Sign Outlets  
Meter Change  
Centers of Distributions  
Service  
Violations

Date

FINAL APPROVAL

By  
Date

Alterations or Repairs—Over

8565

## ALTERATIONS & ADDITIONS

**Building Permits:** #77467 Service Station Maintenance: Install shelving, block up two windows - \$1,000 - 11/30/66 OK HW 3/1/68

#82439 Kemp & Guest Roofing Co: Re-roof 13 squares \$1090 5/28/69

#11408 - W.F. Wynne Co. - underground tanks 3- 6000,6000,8000 ~~12/~~ 11/25/70

#88192-W.F. Wynne Co.-Addition to existing station-\$2300-12-18-72

#04275-Beaudry Signs, Inc.-Sign-\$200-10-11-73

#05047-Beaudry Signs-Change of copy-\$300-2-7-74

#89181-A J McKiney-Addition of 15 x 30 CBS structure to be used for Car Wash-\$10,000-10-13-76

#10351-Beaudry Signs-AmorSign-\$850-12-6-76

#10493-Obenour Roofing-Re-roof 4 1/2 sqs-\$442-12-30-76

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### Plumbing Permits:

#54197-Ringeman Plumbing- car wash-10-19-76 water supply

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**Electrical Permits:** #63095 Bartnett Electric, Inc.: Storm repairs - 1/3/66

#65739 Jones Electric Emerg. Service, Inc.: 1 telephone outlet - 5/10/68

#66388 Bartnett Electric 2 Motors 0-1 H.P. Gas Pumps 11/14/68

#66446 Bartnett Electric, 1 Motors, 0-1 H.P. Gas Pump

**#70351-Dick Williams Electric- 12 fixtures; 6 motors, 0-1HP-2-20-73**

#73330-County Wide Electric-Telephone booth-8-5-76

#73642-Peebles Electric- 1 switch outlet; 2 light outlet; 1 size service 225; 6 fixtures-11-16-76

#73698-Beaudry Signs- 12 sign tubes; 4 ballast-12-6-76 *Amor*

ELECTRICAL PERMITS: #E8801039 - Rival Electric - 1 Motors, 1 sign repair - 6-10-88 *OK*

(See Original)

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SUBDIVISION 7056 ADDRESS \_\_\_\_\_

**ALTERATIONS & ADDITIONS**

**Building Permits:**

4/21/81 - # 20124 - Cherokee Structures - Replace stucco on existing canopy - \$3,000  
5/14/81 - #20242 - C & K Roofing Co. - Roof canopy - \$1,200.00  
#90745 1/7/82 Crown neon Inc. - remove old sign and install new one 33 sq ft \$1,000.  
#23797 4/28/83 C.E. Sheppard Roof - reroof 18 sqs \$4,395.  
#25374 5/24/84 H.L. Edwards - fill in exist curbs with concrete within the property lines not on city prop O.Ferro  
400 sq ft \$1,200.

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**Plumbing Permits:**

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**Electrical Permits:** #79828 11/2/84 Ray Williams Elect Serv - 3 motors 0-1 hp, 6 special purpose, 2 outlets commercial  
#81709 1/23/87 Ray Williams Elec - 3 outlets commercial



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

MEETING DATE: July 07, 2020

PROPERTY/FOLIO: 1790 Alton Road 02-3233-012-0700

FILE NO: DRB19-0493

IN RE: An application has been filed requesting Design Review Approval for the construction of a new one-story retail bank building on a vacant site.

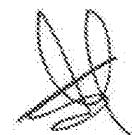
LEGAL: Lot 1, Block 17-A of "ISLAND VIEW SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, at Page 115, of the Public Records of Miami-Dade County, Florida, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point where the westerly line of Lot 1 intersects the northerly line of Dade Boulevard; thence northeasterly along the northerly line of Dade Boulevard for 65.7 feet to a point; thence northwesterly along a line deflecting 90 degrees to the left for 65.95 feet to a point; thence northerly along a line deflecting to the right 29 degrees 22'37" for 79.65 feet to a point being on the southerly line of 18th Street for 24.9 feet to the point of beginning, together with all the appurtenances therunto belonging in anywise appertaining. (Special Warranty Deed, dated October 15th 1993, recorded in Official Records Book 16367, Page 4229, Miami-Dade County Records).

**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 2, 8, 9, 13 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:

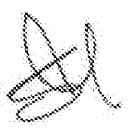


1. Revised elevation, site plan, and floor plan drawings for the proposed new home at 1790 Alton Road shall be submitted, at a minimum, such drawings shall incorporate the following:
  - a. URBAN HEAT ISLAND ORDINANCE Sec. 130- 69. - Commercial and noncommercial parking lots. 3) Open- air parking lots, 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. The proposed armature as presented at the July 07, 2020 DRB meeting shall not be approved as proposed. The architect shall continue to refine the details of the architectural screening to screen/buffer parking along 18<sup>th</sup> Street, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - c. The northeast corner of building shall be redesigned to incorporate a prominent stair entrance, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
  - d. The proposed bicycle racks shall not be clustered at the south entrance, but separated and relocated towards both entrances of the building within the site.
  - e. Pathways from the parking to the bank shall be provided.
  - f. The backflow preventer shall be relocated to the rear elevation of the building.
  - g. The final design details of the exterior materials and finishes 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.
  - h. 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.
  - i. 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.
2. 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. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- g. 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.
- h. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- i. 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.

- j. 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.
- k. 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.

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

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board, and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. If applicable, a Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- D. 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.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

- F. 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.
- G. 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.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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 "Global Bank", as designed by **Studio Mc+G Architecture**, signed, sealed, and dated February 10, 2020, and as modified and presented at the July 07, 2020 DRB meeting and 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



Page 6 of 6  
 DRB19-0493 – 1790 Alton Road  
 July 07, 2020

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.

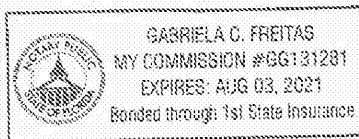
Dated this 20th day of July, 2020.

DESIGN REVIEW BOARD  
 THE CITY OF MIAMI BEACH, FLORIDA

BY: James G. Murphy  
 JAMES G. MURPHY  
 CHIEF OF URBAN DESIGN  
 FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 20 day of July, 2020 by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



Gabriela C. Freitas  
 NOTARY PUBLIC  
 Miami-Dade County, Florida  
 My commission expires: Aug. 3, 2021

Approved As To Form: DocuSigned by:

City Attorney's Office: [Signature]

( 7/15/2020 | 7:03 PM) EDT

Filed with the Clerk of the Design Review Board on June 24th (7/24/20)

[Signature]



07/25/2022

2116 – 1790 Alton Road, Miami Beach

<b>PLAN CORRECTIONS REPORT:</b>	<b>PB22-0548</b>
<b>ZONING DISTRICT:</b>	<b>CD-2 BUSINESS DISTRICT</b>
<b>GENERAL LOCATION:</b>	<b>1790 Alton Rd Miami Beach, FL 33139-2440</b>
<b>PLANNING BOARD</b> Reviewer:	
1. Provide a narrative response when addressing the following comments with page(s) location if applicable.	This shall serve as the narrative response.
2. LOI: clarify whether the application will be requesting variances/waivers from DRB and or describe if the project is using any recent code amendments. This should also be also noted on the zoning data and plans.	Letter of Intent updated to reflect Waiver for 5' of additional height and noted on zoning data table.
3. Operational plan: include number of seats and occupancy load per restaurant.	Operational plan updated to include seats and occupancy per restaurant consistent with the plans.
4. A0.02: Zoning Data: maximum height 55 FT, clarify.	5' Waiver requested.
5. A0.02: Zoning Data: Where are you measuring the maximum height from, is it from DFE? Provide this value.	Maximum building height is measured from the BFE +5' to the roof level slab. Please refer to sheet A2.02.
6. A0.02: Zoning Data: item 2, provide correct file number.	File number corrected.
7. LOI and ZD provide FAR and gross square footage values.	Letter of Intent and zoning data corrected.

8. A0.02: parking calculations: provide the square footage for the proposed restaurants and residential units.	See chart on zoning data sheet A0.02.
9. A0.02: parking calculations: provide loading calculations	See chart on A0.02.
10. The restaurants may need to comply with CD-2 Sunset Harbour regulations for conditional use per Section 142-303 (e)(2) and Sec. 142-310 (b). - Special regulations for alcohol beverage establishments. Please revise.	Restaurants comply with Section 142-303 (e)(2) and Sec. 142-310 (b).
11. Restaurant areas: it seems that both restaurants are bigger than 3, 500 SF, the restaurant area is composed by areas that are enclosed or open located in private property. Please revise, if the restaurants are larger provide the required parking and update calculations on ZD.	Per meeting with Michael Belush, "Floor Area" is interior sq.ft. not exterior sq.ft., so the project meets the criteria of 3, 500 sq.ft. for both restaurants.
12. Restaurant level 2, this restaurant is bigger than 3,500 SF and has 189 seats, this will require parking and a Conditional use permit, and if this is the case it should be reflected on LOI, OP, and when responding to the review criteria for CU.	Commercial uses above the 1 <sup>st</sup> level do not require parking in Sunset Harbor (parking district no. 5). This restaurant is considered less than 3,500 sq.ft. This project should not require a CUP.
13. A.0.04: provide property lines, for the level 1 restaurant seat count chart, separate the outdoor seat counts to: outdoor seats inside private property and outdoor seats (sidewalk café), for the latter, provide the following note on the plan: outdoor cafe seats showing here are for reference only and they are subject to the review and approval by the Public Works Department. (this note should be placed on this page and any other pages where sidewalk café seats are showing). Revise and enlarge individual seat count labels to show the three different areas. (interior, outdoor private property and sidewalk café).	See revised sheet A0.04.
14. Critical issue: The traditional parking plan is insufficient. Schematic plans are needed for all levels: at least one section and one elevation that show compliance with height, FAR diagrams, zoning data and parking requirement calculations. Provide this at the end of the drawing set or on a separate set of drawings; it must be the same program in terms of areas and parking requirements of the project with mechanical	See revised sheets A0.16 – A0.20 on Alternate Parking Plan.



parking with no variances required. See CMB code section 130-138 (3).	
15. Project shall comply with 133-61. - Short frontage standards. The ground floor/site plan as shall comply with these regulations or seek applicable waivers. Please revise, For 133-61 (c), Ground floor elevation. The ground floor shall be located no lower than the future crown of road elevation. provide this datum on the sections to prove compliance.	See revised sheet A0.01 and sections. Future crown of road is 5.18 ngvd.
16. PB and DRB submittals shall coordinate as well as the information provided within the different documents (LOI, OP and drawings).	Letter of Intent, Operational Plan, and Drawings revised and coordinate.
17. These comments have been provided as a preliminary review of outstanding issues and are subject to additions and/or deletions pending further review before the meeting date and during building permit review. These comments do not constitute final zoning comments or final zoning approval of the project. It is the applicant's responsibility to identify zoning inconsistencies with the City Code that the proposed project may have and be proactive to remedy any non-conformance through the established process in the City. Please provide the above information for Final submittal by July 25th, 2022, before 12:00 pm. Provide a narrative and label electronic files as: 'MM-DD-YYYY Document Name'.	Acknowledged.

Property address: 1790 Alton Road Board: \_\_\_\_\_ Date: 06/15/22

## BOARD APPLICATION CHECK LIST

A Pre-Application meeting must be scheduled via CSS to obtain a plan case number and for board staff review of all submittals, and review by the Development Review Committee, as needed.

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 CSS First submittal.

Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days\* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CSS to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CSS (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CSS First submittal deadline.

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

ITEM #	FIRST SUBMITTAL (VIA CSS) **, To be uploaded online (CSS) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	Required
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 CSS system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	X
2	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
3	Copy of signed and dated check list issued at Pre-Application meeting or Design Review Committee meeting.	X
4	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	X
5	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 44, 45 & 46).	X
6	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.	X
7	Copies of all current or previously active Business Tax Receipts if applicable.	
8	Copies of previous recorded final Orders if applicable.	
9	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	X
10	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.	X
11	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	X
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date.	X
b	Copy of the original survey included in plan package. See No. 10 above for survey requirements	X
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	X
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	X
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	X
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	X
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	X

**\* 30 day lead time from first submittal for projects requiring traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.**

**Property address: 1790 Alton Road**

h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	X
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	X
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)	X
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	X
m	Demolition Plans (Floor Plans & Elevations with dimensions)	X
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	X
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X
p	Proposed Section Drawings	X
q	Color Renderings (elevations and three dimensional perspective drawings).	X
12	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	X
a	Tree Survey	X
b	Tree Disposition Plan	
c	Landscape Plan- private property and right-of-way areas. Proposed landscaping with landscape legend form, hardscape areas, ground floor equipment, overhead and underground utilities information.	X
d	Hardscape Plan, i.e. paving materials, pattern, etc.	X
e	Landscape lighting	X
13	Copy of original Building Permit Card, & Microfilm, if available.	
14	Copy of previously approved building permits. (provide building permit number).	
15	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data.	
16	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.	
17	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).	
18	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
19	Line of Sight studies.	
20	Structural Analysis of existing building including methodology for shoring and bracing.	
21	Proposed exterior and interior lighting plan, including photometric calculations.	
22	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
23	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
24	Required yards open space calculations and shaded diagrams.	
25	Required yards section drawings.	
26	Variance and/or Waiver Diagram.	
27	Schematic signage program	
28	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
29	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
30	Daytime and nighttime renderings for illuminated signs.	
31	Floor Plan Indicating area where alcoholic beverages will be displayed.	
32	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
33	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	

Indicate N/A If Not Applicable

Initials: AG

**Property address: 1790 Alton Road**

34	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
35	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.	
36	Survey with 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.	
37	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
38	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable). + <b>Mechanical parking operation</b>	X
39	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	X
40	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	X
41	Sound Study report (Hard copy) with 1 CD.	
<b>42</b>	<b>Site Plan (Identify streets and alleys)</b>	X
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	X
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____	X
c	# of bicycle parking spaces _____	X
d	Interior and loading area location & dimensions _____	X
e	Street level trash room location and dimensions _____	X
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____	X
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____	X
h	Indicate any backflow preventer and FPL vault if applicable	X
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>43</b>	<b>Floor Plan (dimensioned)</b>	X
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 _____	
<b>44</b>	<b>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.</b>	X
<b>45</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-353 (d) of the City Code for each Variance.	
<b>46</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	X
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) & (5)(a)-(k) & (6)(a)-(g)	X
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 Item # 47	
<b>47</b>	<b>Lot Splits</b>	
a	Conceptual masing study to show the ability to comply with all single family zoning requirements for the maximum size home proposed.	
b	A survey showing the existing lot configuration and individual surveys per each proposed lot.	
c	Conceptual Site Plan for each lot showing compliance with zoning regulations.	
d	Submit opinion of title	

Indicate N/A If Not Applicable

Initials: AG

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Notes: The applicant is responsible for checking above referenced sections of the Code.

ITEM #	FINAL SUBMITTAL (via CSS & PAPER)	Required
	Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Upload documents online (via CSS) before <b>NOON</b> on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.	
48	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 CSS).	
	<b>PAPER FINAL SUBMITTAL:</b>	
49	Original application with all signed and notarized applicable affidavits and disclosures.	X
50	Original of all applicable items.	X
51	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	X
52	14 collated copies of all required documents	X
53	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.	X
54	Traffic Study (Hard copy)	
55	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	X

#### ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. \*\* Other information/documentation required for First submittal will be identified during Pre-Application meeting and Development Review Committee Meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CSS, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. All PDF files must be named with the submittal deadline date and the type of document in the following format 'MM-DD-YYYY Document Name'.
- D. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- E. 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.
- F. 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)

Include alternative plan showing that required parking can be provided on site without mechanical parking and no variances are needed see section 130-38.

X

Emily K. Balter

Applicant's or designee's Name

Emily K. Balter

Applicant's or designee's signature

6/15/2022

Date

Indicate N/A If Not Applicable

Initials: AG