

MIAMIBEACH

PLANNING DEPARTMENT

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

LAND USE BOARD HEARING APPLICATION

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

Application Information			
FILE NUMBER DRB21-0676		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)	
Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision <input type="checkbox"/> Modification of existing Board Order		Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
Planning Board <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Lot Split <input type="checkbox"/> Amendment to the Land Development Regulations or Zoning Map <input type="checkbox"/> Amendment to the Comprehensive Plan or Future Land Use Map <input type="checkbox"/> Modification of existing Board Order		Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic District/Site Designation <input type="checkbox"/> Variance <input type="checkbox"/> Modification of existing Board Order	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 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
ZIPCODE 33154			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Applicant Information (if different than owner)			
APPLICANT NAME Sobe 18, LLC			
ADDRESS 1065 Kane Concourse, Suite 200		CITY Bay Harbor Islands	STATE FL
ZIPCODE 33154			
BUSINESS PHONE (305) 861- 3500	CELL PHONE	EMAIL ADDRESS ronald@finvarb.com	
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design review approval for 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 Jennifer McConney-Gayoso		<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 7500 NE 4th Court, Studio 103		CITY Miami	STATE FL
		ZIPCODE 33138	
BUSINESS PHONE (305) 573-2728	CELL PHONE	EMAIL ADDRESS jennifer@studio-mcg.com	
Authorized Representative(s) Information (if applicable)			
NAME Michael W. Larkin		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mlarkin@brzoninglaw.com	
NAME Michael J. Marrero		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mmarrero@brzoninglaw.com	
NAME		<input checked="" 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 forgoing 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:

Ronald J. Finvarb

1E78199B714C40C...

SIGNATURE

Ronald Finvarb

PRINT NAME

4/26/2021

DATE SIGNED

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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 _____, 2021. 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 FLORIDA

COUNTY 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:

Ronald J. Finvarb

1E78199B714C40C...

SIGNATURE

Sworn to and subscribed before me this 26 day of April, 2021. The foregoing instrument was acknowledged before me by Ronald 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: _____



NOTARY PUBLIC

Diana Ramos

PRINT NAME

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POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY 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 * _____ to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Ronald Finvarb, Manager

PRINT NAME (and Title, if applicable)

Ronald J. Finvarb

1E78199B714C40C...

SIGNATURE

Sworn to and subscribed before me this 26 day of April, 2021. The foregoing instrument was acknowledged before me by Ronald 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: _____

[Signature]
Signed on 2021/04/26 13:11:19 -8:00

NOTARY PUBLIC

Diana Ramos

PRINT NAME

*Michael W. Larkin, Michael J. Marrero and Jennifer McConney-Gayoso

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.



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**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.

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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
Michael W. Larkin	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Michael J. Marrero	200 S. Biscayne Boulevard, Suite 300	(305) 374-5300
Jennifer McConney-Gayoso	7500 NE 4th Court, Studio 103	(305) 573-2728

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.

Ronald J. Finvarb

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SIGNATURE

Sworn to and subscribed before me this 26 day of April, 2021. The foregoing instrument was acknowledged before me by Ronald 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: _____



NOTARY PUBLIC

Diana Ramos

PRINT NAME

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





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

www.brzoninglaw.com

305.377.6238 office

305.377.6222 fax

mmarrero@brzoninglaw.com

August 8, 2022

VIA ELECTRONIC SUBMITTAL

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

Re: **DRB21-0676** – Design Review Approval for the
Property Located at 1790 Alton Road, Miami Beach, Florida

Dear Mr. Belush:

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 of a request to the Design Review Board ("DRB") for design review of a new mixed-use building with restaurant spaces and residential units, and associated Waiver for five (5) feet of height and Variance to allow off-street loading within the internal driveway (the "Project"). The Applicant is simultaneously seeking Conditional Use Permit approval from the Planning Board to allow the restaurant on the second level and mechanical parking associated with a new mixed-use building.

Property Description. The Property is generally located on eastern portion of the City block between West Avenue and Alton Road, and south of 18th 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 or opportunities 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 18th 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 three (3) frontages will contain active uses, with enhanced interaction with pedestrian experience.

The design requires a high level of ingenuity to hide the back-of-house, electrical, loading, and parking operations, activate the pedestrian experience, and provide architectural movement along the upper floors for the residential units. 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.

Compliance with Certificate of Appropriateness Criteria. The design, scale and massing of the Project is compatible with the surrounding area, which contains large, non-residential buildings. The Project is within with the CD-2 permitted setbacks, unit sizes, and Floor Area Ratio. .Therefore, this urban infill of residential and restaurant uses are 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.

Waiver Request. Pursuant to Section 142-306(a) of the City Code of Ordinances (the "Code") the DRB may allow up to an additional five (5) feet of height, as measured

from the base flood elevation plus maximum freeboard. The additional height in this case is needed for functional and design purposes. The goal of the Project is to provide more efficient, internalized parking and loading, world-class restaurant venues, and comfortable residential units. The slight increase in massing provides for much needed engineering between the levels. Additionally, in order to continue the architectural elements on the façade, the additional five (5) feet ensures the design is not compromised and mechanical equipment is sufficiently screened. Approval of the Waiver will produce an enhanced design that is consistent with the character of the neighborhood and operations of the site.

The purposed of the CD-2 District is to provide development opportunities for and to enhance the desirability and quality of existing and new medium intensity commercial activities, services, offices and related activities which serve the entire City. The goal of the Project is to comply with this purpose and improve the surrounding mixed use retail, residential, hotel, and office buildings. The additional height is consistent with the Comprehensive Plan and CD-2 land development regulations. It does not reduce the levels of service, and will provide an additional variety of uses of economic opportunity for the surrounding residential neighborhood. The innovative design does the most possible to provide parking and loading within the existing envelope of the irregular site.

Granting of the slight increase in height is necessary for the design and function of the site, and does not reduce levels of service in Miami Beach. Development of the Project will provide leasable restaurant space and additional residential units with sufficient parking within the building envelope and drastically enhance the pedestrian experience at this major intersection.

Variance Request. The Project substantially complies with the Commercial, Medium Intensity District regulations of the Code. The requested Variance is necessary due to the confining characteristic of the irregular lot, need to accommodate and to incorporate an appropriate mix of uses within the Property and minimize pedestrian impacts with vehicular access. In order to fully realize the Project, and due to the Property's confining characteristics, the Applicant requests a Variance of City Code Section 130-103 to permit the two (2) required off-street loading spaces within the twenty-two (22) foot wide, internal driveway.

Satisfaction of Hardship Criteria. The Variance requested satisfies the hardship criteria pursuant to Section 118-353(d) of the City Code, as follows:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The extreme irregularity of the lot shape and multiple frontage are conditions and circumstances that exist which are peculiar to the land and uses. The Variance requested is necessary to accommodate off-street loading within the building envelope from a singular access point. The proposed design ensures back-of-house, electrical, fire, and related areas are accessible on the ground floor, all frontages provide active uses, and the vehicular entrance is limited to the least traversed street side. The layout and frontages are not applicable to other lands and are peculiar to development of this lot with the best possible uses for the neighborhood.

2. The special conditions and circumstances do not result from the action of the applicant;

The special circumstances, in this case, do not result from the actions of the Applicant. Pursuant to the building records, on file with the City's Building Department and included in the application materials, this irregular shaped lot contained stores that were demolished in 1964 and then contained a gas service station. It has since been vacant for over a decade due to the confining characteristics and strict application of the land development regulations.

The site three (3) frontages along heavily two (2) of the most traversed rights of way in the City, and at the entrance of the desirable Sunset Harbour Neighborhood. The Applicant's goal is to make the residential units and restaurants viable with necessary updates and amenities, such as loading within the building envelope, but minimize vehicular interactions with pedestrians by placing loading within the wide, internal driveway.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;

The City Code allows other similarly situated property owners, developing on extreme irregular lots, to seek similar variances to accommodate sensitive development. Allowing loading within the wide, internal driveway is not a special privilege conferred to the Applicant, but rather necessary for the preservation of the Property and residents' experiences. It allows the opportunity for loading when needed, but provides it entirely

within the building envelope, in close proximity to the elevators. The City Code permits other similarly situated property owners to make similar requests to accommodate necessary amenities and designs that contribute to the context of the neighborhood. Therefore, granting of the Variance in this case will not confer any special privilege on the Applicant.

4. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;

A literal interpretation of the provisions of the land development regulations would deprive the Applicant rights enjoyed by other properties in the same zoning district. The Variance is necessary to provide loading within the building envelope, comply with accessibility and life safety requirements, and maintain the existing conditions of the majority of this oasis site from the large commercial structures to the west and north. Strict compliance with the land development regulations would be an unnecessary and undue hardship on the Applicant. It would eliminate any opportunity for off-street loading. The requested Variance produces the most efficient and enhanced design that is consistent with the character of the variety of uses in the neighborhood.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure

The Variance to provide two (2) off-street loading spaces within the internal driveway does not strictly comply with the off-street loading design requirements of the Code. It is the minimum variation of the City Code that will make possible the reasonable use of the Property. Reconfiguration of the floor plans would require significant interactions between the vehicular entrances and the pedestrian experiences, and would reduce the active uses along the three (3) frontages.

6. The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

Granting of the Variances will be in harmony with the general intent and purpose of these land development regulations. The proposed modifications are intended to serve the guests and residents. The new structure preserves frontages and provides an

architecturally interesting building between a variety of new development. The Project is innovative urban infill that will benefit the area.

7. The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.

New restaurant spaces and residential units are consistent with the Comprehensive Plan and permitted by the CD-2 regulations. The purpose of the commercial district is to provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which serve the entire City. Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels are permitted. In accordance with the goals and objectives of the City's Comprehensive Plan, the Applicant is drastically enhancing this vacant lot with businesses and residential uses.

Granting of the Variances is necessary for the design and function of the site, and do not reduce levels of service along Alton Road or Dade Boulevard. Development of the Project will provide local residents with restaurant opportunities in walking distance, with variety of seating, and add to the housing supply of the City within a pedestrian friendly area.

Practical Difficulty. The innovative design does the most possible to provide a functional and viable mixed-use development. The irregular-shaped lot contains three (3) frontages that require architectural interests, pedestrian improvements, all new ground floor mechanical, electrical, and back-of-house areas, and minimal interruptions with vehicular access. These are multiple practical difficulties that must be addressed in order to make practical use of the Property, which has been left vacant for over a decade.

In order to accomplish the Applicant's goal and comply with the provision of required off-street loading, the Applicant is left with one vehicular access point for vehicle and loading. Strict compliance with the land development regulations would contradict the intent and goals of the Code, and prevent redevelopment of this site.

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.

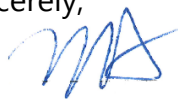
Cool pavement materials and/or porous pavement materials will be utilized.

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. Approval of the Project, with the associated Waiver and Variance, 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

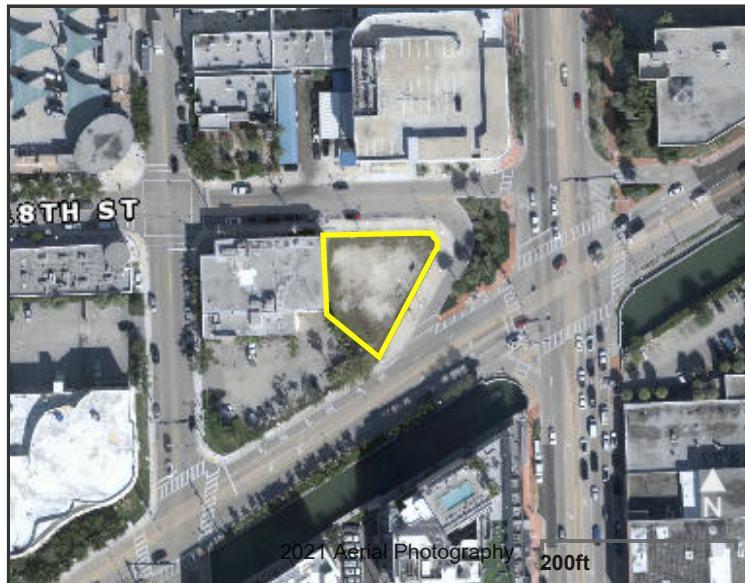


OFFICE OF THE PROPERTY APPRAISER

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 #52911 for Serv. Sta.

Pt. Lot 1 Block 17A

Subdivision ISLAND VIEW

Address 1790 Alton Road

General Contractor

7056

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

PLUMBING Contractor

Sewer Connection

Date

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

Water Closets

Swimming Pool Traps

Down Spouts

Lavatories

Steam or Hot Water Boilers

Wells

Bath Tubs

ROUGH APPROVAL

Showers

FINAL APPROVAL

Urinals

Sinks

GAS Contractor

Date

Dish Washing Machine

Gas Ranges

Gas Frylators

Laundry Trays

Gas Water Heaters

Gas Pressing Machine

Laundry Washing Machines

Gas Space Heaters

Gas Vents for Stove

Drinking Fountains

Gas Refrigerators

Floor Drains

Gas Steam Tables

Grease Traps

Gas Broilers

GAS Rough APPROVAL

Safe Wastes

GAS FINAL APPROVAL

AIR CONDITIONING Contractor

SEPTIC TANK Contractor

OIL BURNER Contractor

SPRINKLER Contractor

ELECTRICAL Contractor

Date

OUTLETS

Switches

Ranges

Temporary Service

Lights

Irons

Neon Transformers

Receptacles

Refrigerators

Sign Outlets

Fans

Meter Change

Motors

Centers of Distributions

HEATERS

Water

Appliances

Service

Space

Violations

FIXTURES

Electrical Contractor

Date

FINAL APPROVAL

By

Date

Alterations or Repairs—Over

#2944

8595

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

#1408 - 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-Amo~~o~~Sign-\$850-12-6-76

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

Plumbing Permits:

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

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

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

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

#66446 Barnett 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-Peeples 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 *Annou*

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.
-

Plumbing Permits:

-
- 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.

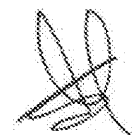
LEGAL: Lot 1, Block 17-A of "ISLAND VIEW SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, at Page 115, of the Public Records of Miami-Dade County, Florida, less beginning at the northwesterly corner of Lot 1; thence south along the westerly line of Lot 1 for 169.41 feet to a point 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

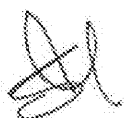
- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information 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 18th 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



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.

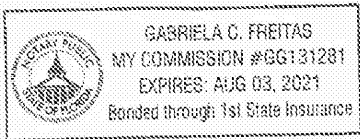
Dated this 20th day of July, 2020

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
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.



[Signature]
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
RD8C888CCAB8460
Filed with the Clerk of the Design Review Board on [Signature] (7/24/20)

[Handwritten mark]

BOARD APPLICATION CHECKLIST

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

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

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

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

Property address: _____ Board: _____ Date: _____

ITEM #	ITEM DESCRIPTION	REQUIRED
CAP FIRST SUBMITTAL		
To be uploaded online (CAP) by the applicant before 12:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.		
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	
a	Is the property the primary residence & homestead of the applicant/property owner? (If yes, provide office of the Property Appraiser Summary Report).	
2	Copy of signed and dated check list issued at Pre-Application meeting.	
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	
4	Signed and dated Letter of Intent. Letter must outline application details and identify hardships if Variances are requested. (see also Items # 42,43 and 44).	
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	
6	Copies of all current or previously active Business Tax Receipts.	
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	
9	Architectural Plans and Exhibits (must be 11"x 17")	
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. Include copies of previous recorded board orders, if applicable.	

Property address: _____ Board: DRB Date: _____

ITEM #	ITEM DESCRIPTION	REQUIRED
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	
d	Context Location Plan, Min 8.5"X11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	
g	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	
h	Site Plan (fully <u>dimensioned</u> with setbacks, existing and proposed, including adjacent right-of-way widths).	
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	
m	Demolition Plans (Floor Plans & Elevations with dimensions)	
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	
p	Proposed Section Drawings	
q	Color Renderings (elevations and three dimensional perspective drawings).	
10	Landscape Plans and Exhibits (must be 11"x 17")	
a	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	
b	Hardscape Plan, i.e. paving materials, pattern, etc.	
11	Copy of original Building Permit Card, & Microfilm, if available.	
12	Copy of previously approved building permits (provide building permit number) and/or Board Orders.	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
14	Vacant/Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Dept.	

Property address: _____ Board: DRB Date: _____

ITEM #	ITEM DESCRIPTION	REQUIRED
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	
23	Required yards section drawings.	
24	Variance and/or Waiver Diagram	
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	
29	Floor Plan Indicating area where alcoholic beverages will be displayed.	
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version and narrative addressing first round of comments from Transportation Department and peer review, provide a narrative. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
40	Site Plan (Identify streets and alleys)	
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____	

FSU

Property address: _____ Board: DRB Date: _____

ITEM #	ITEM DESCRIPTION	REQUIRED
b	# parking spaces & dimensions_____ Loading spaces locations & dimensions_____	
c	# of bicycle parking spaces_____	
d	Interior and loading area location & dimensions _____	
e	Street level trash room location and dimensions_____	
f	Delivery route_____ Sanitation operation _____ Valet drop-off & pick-up_____ Valet route in and out_____	
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles_____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
41	Floor Plan (dimensioned)	
a	Total floor area	
b	Identify # seats indoors_____ outdoors_____ seating in public right of way _____ Total_____	
c	Occupancy load indoors and outdoors per venue_____ Total when applicable_____	
42	The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.	
43	The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:	
a	Section 118-53 (d) of the City Code for each Variance.	
44	The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU - NIE and or outdoor Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A	
Other		
Other		
Other		

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

FBC

Property address: _____ Board: DRB Date: _____

ITEM #	ITEM DESCRIPTION	REQUIRED
FINAL SUBMITTAL (CAP & PAPER) Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Final Submittal Documents must be uploaded to the CAP and hard copies must be submitted to the Planning Department prior to 12:00 P.M. on final submittal deadline. Staff will review and issue a notice to proceed or to continue submittal to a future meeting if the application is found incomplete.		
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	
PAPER FINAL SUBMITTAL:		
46	Original application with all signed and notarized applicable affidavits and disclosures.	
47	Original of all applicable items.	
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	
49	14 collated copies of all required documents	
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	

ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval. (If applicable)

Michael J. Marrero
Applicant or Designee's Name



Applicant or Designee's Signature

04/26/2021
Date

