

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.GOV
305-673-7550

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.

- ☐ BOARD OF ADJUSTMENT
 - ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
 - ☐ APPEAL OF AN ADMINISTRATIVE DECISION
- ☐ DESIGN REVIEW BOARD
 - ☐ DESIGN REVIEW APPROVAL
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.
- ☐ HISTORIC PRESERVATION BOARD
 - ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
 - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
 - ☐ HISTORIC DISTRICT / SITE DESIGNATION
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.
- ☒ PLANNING BOARD
 - ☒ CONDITIONAL USE PERMIT
 - ☐ LOT SPLIT APPROVAL
 - ☐ AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
 - ☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- ☐ FLOOD PLAIN MANAGEMENT BOARD
 - ☐ FLOOD PLAIN WAIVER

☒ OTHER Modification of PB17-0053

SUBJECT PROPERTY ADDRESS: 1045 5th Street, 1031 5th Street, 527 Lenox Avenue
& 543 Lenox Avenue

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S) 02-4204-002-0040 ; 02-4203-009-7840 ; 02-4203-009-7850
02-4204-002-0030

1. APPLICANT: ☒ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME MAC 1045 5TH ST, LLC

ADDRESS 1261 20th Street, Miami Beach, FL 33139

BUSINESS PHONE (305) 532-0433

CELL PHONE _____

E-MAIL ADDRESS _____

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME Michael W. Larkin, Esq. & Matthew Amster, Esq., Bercow Radell Fernandez & Larkin, PLLC

ADDRESS 200 S. Biscayne Blvd, Suite 850, Miami, FL 33181

BUSINESS PHONE (305) 374-5300

CELL PHONE _____

E-MAIL ADDRESS mlarkin@brzoninglaw.com & mamster@brzoninglaw.com

☐ AGENT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

☐ CONTACT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☒ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER: _____

NAME Suria Yaffar, Zyscovich Architects

ADDRESS 100 Biscayne Blvd, Suite 2700, Miami, FL 33132

BUSINESS PHONE (305) 372-5222

CELL PHONE _____

E-MAIL ADDRESS suria@zyscovich.com

FILE NO. _____

4. SUMMARY OF APPLICATION – PROVIDE BRIEF SCOPE OF PROJECT:

Modification of prior approval PB17-0053 for a 4-level commercial parking garage with retail, specifically to introduce a left turn into the garage from Lenox Avenue and add minor amount (approximately 1,484 sf) retail space and associated required parking.

See letter of intent for more details.

- 4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE ☒ YES ☐ NO
- 4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION ☒ YES ☐ NO
- 4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICABLE) _____ SQ. FT.
- 4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE). _____ SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ _____

- 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 FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- 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 A PROJECT 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, LANDSCAPE ARCHITECTS, ENGINEERS, 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.

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FROM 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

SIGNATURE: _____

PRINT NAME: Michael Comras, Manager

FILE NO. _____

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 removing 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
(Circle one)

STATE OF
COUNTY OF

I, Michael Comras, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of MAC 1045 5th Street, 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 25 day of August, 2017. The foregoing instrument was acknowledged before me by Michael Comras, Manager of MAC 1045 5th Street, LLC, on behalf of such entity, 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:



LORRIE DIAMOND
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF048660
Expires 10/5/2017

NOTARY PUBLIC

PRINT NAME

FILE NO.

POWER OF ATTORNEY AFFIDAVIT

STATE OF
COUNTY OF

I, Michael Comras, Manager, being duly sworn and deposed, 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 Larkin & Matthew Amster to be my representative before the PB Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Michael Comras
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this 25 day of August, 2017. The foregoing instrument was acknowledged before me by Michael Comras, Manager of MAC 1045 5TH ST, LLC 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



LORRIE DIAMOND
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF048660
Expires 10/5/2017

[Signature]
NOTARY PUBLIC
Lorrie Diamond
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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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.*

<u>N/A</u>	
NAME	DATE OF CONTRACT
NAME, ADDRESS, AND OFFICE	% OF STOCK
_____	_____
_____	_____
_____	_____

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

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

MAC 1045 5TH ST, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Michael Comras, Manager

100%

1261 20th Street

Miami, FL 33139

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this 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

N/A

% INTEREST

NOTE: Notarized signature required on page 9

FILE NO. _____

3. 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 #
a.	Michael Larkin, Esq.	200 S. Biscayne Blvd, Suite 850, Miami	(305) 374-5300
b.	Matthew Amster	200 S. Biscayne Blvd, Suite 850, Miami	(305) 374-5300
c.	Suria Yaffar	100 Biscayne Blvd, Suite 2700, Miami	(305) 372-5222

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

*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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
COUNTY OF

I, Michael Comras, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

SIGNATURE

Sworn to and subscribed before me this 25 day of August, 2017. 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



LORRIE DIAMOND
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF048660
Expires 10/5/2017

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

FILE NO. _____

Exhibit A

MC GUIRES SUB PB 6-83 LOTS 9, 10 & 11 BLK 98 &
OCEAN BEACH ADDN NO 3 PB 2-81 LOT 12, 13 & 14 BLK 98.



BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6236
E-Mail: MAMster@BRZoningLaw.com

VIA ELECTRONIC SUBMITTAL & HAND DELIVERY

August 3, 2017

Thomas Mooney, Planning Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **PB17-0152** – Request for Modification of Conditional Use Permit PB16-0053 for the
Properties located at 1045 5 Street, 1031 5 Street, 527 Lenox Ave & 543 Lenox Ave

Dear Tom:

This law firm represents MAC 1045 5th Street, LLC and MAC 1031 5th Street, LLC¹ (the "Applicants") in their application concerning the four (4) adjacent parcels located at 1045 5 Street, 1031 5 Street, 527 Lenox Avenue & 543 Lenox Avenue (collectively the "Property"). Please consider this letter the Applicants' letter of intent in support of a modification of Conditional Use Permit (CUP) issued by the Planning Board (PB) as PB Order Number PB16-0053 allowing new construction in excess of 50,000 square in connection with a commercial development on the Property. Specifically, the Applicants seek to introduce a left turn into the driveway entrance on Lenox Avenue, which requires modification of Condition 7(j), and add a small amount of retail square footage to the project.

Property Description. The Property is located along the major 5th Street corridor. It is comprised of approximately 43,500 square feet (approximately 1 acre) located on the northeast corner of the intersection of Lenox Avenue and 5th Street. The Property's four (4) parcels are identified by Miami-Dade County Folio Nos. 02-4204-002-0040, 02-4204-002-0030, 02-4203-009-7840 and 02-4203-009-7850. The Property is located within the Ocean Beach Historic District. The Property is zoned C-PS2, Commercial Performance Standard, General Mixed-use Commercial ("C-PS2"), a zoning district allowing a wide range of commercial uses as a main permitted use. The Property is currently improved

¹ Contract purchaser of 1031 5 Street.

with two buildings, neither of which are listed as "contributing" buildings in the City's Historic Properties Database. The building at 1045 5 Street operates as a nightclub and the building at 1031 5 Street contains commercial uses, including an exotic car rental.

A five (5) story commercial development neighbors the Property to the west. Retail development neighbors the Property to the east. A five (5) story mixed-use office building lies to the south of the Property across 5th Street. Two (2) story multifamily buildings neighbor the Property to the north.

Approved Development Program. The PB, pursuant to PB Order Number PB16-0053, and the Historic Preservation Board (HPB), through HPB Order Number HPB16-0059, approved a 4-story development consisting of a parking garage and multiple retail bays ("Project"). See Composite Exhibit A, Prior Approvals. The first two (2) levels of the structure will serve as solely retail, except for ramps at the north and east to access internal parking. The third level will have retail along the south and west and parking in the interior. There will be two (2) additional levels of parking on the fourth floor and the rooftop level, which is open-air. The majority of the parking fronting each of 5th Street and Lenox Avenue will be lined with retail uses and the remaining will be screened with decorative design features.

The Project will have pedestrian access all along 5th Street and Lenox Avenue, with vehicular access to the parking garage at the northern end of the Property on Lenox Avenue. The parking will be self-parking using an electronic ticketing and payment system; there will not be any valet. Also, there are no tandem parking spaces and mechanical lifts. The core area for the stairs and elevator will be at the southwest corner of the Property. Loading and trash collection will take place through the one-way alley at the east side of the Property. The loading area will be entirely within the private property. Loading and trash collection activities will take place as previously approved between 8:00 AM and 6:00 PM on Mondays through Fridays and between 10:00 AM and 6:00 PM on Saturdays and Sundays.

Modification Request. The Applicant respectfully requests two minor modifications of the CUP as follows:

1. Allow left turn-in from Lenox Avenue and modify Condition 7(j) accordingly. The modified condition would be: "The driveway shall be designed and signed for a right turn-in, left turn-in, and right turn-out only, in a manner to be reviewed and approved by staff."

The City's Transportation Department reviewed and approved a traffic impact analysis for adding the left turn-in² prepared by the traffic engineer for the Project that shows the surrounding area can accommodate the left-turn in without negatively impacting the surrounding area. The analysis and City's review correspondence are included with the application documents.

2. Adding a small amount of retail square footage to the Project. Due to slight programmatic changes and efficiencies since the original approval, the Applicants propose to add 1,481 square feet of retail space to the Project (65,522 SF approved to 67,003 SF proposed). This minor increase, which amounts to a 2% increase to the approved retail square footage, requires 5 additional parking spaces and the Applicants are providing the full required amount of parking (224 spaces).

Conditional Use Criteria. As the total size of new construction exceeds 50,000 square feet, the Project received conditional use approval from the Planning Board pursuant to Section 142-303(a)(10) of the City Code ("Code") on November 15, 2016 through PB16-0053. The Modification requests continue to satisfy the criteria.

- (i) General Guidelines for Conditional Uses. Pursuant to Code Section 118-191(a), review and approval of conditional uses includes evaluation of the proposed use in relation to the following guidelines:

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

A commercial project with on-site parking is consistent with the comprehensive plan and permitted by the underlying C-PS2 district regulations.

- (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.**

The inclusion of the left turn-in will improve access to the Property, improve traffic circulation in the immediate area. The construction of the Project is not expected to have any negative impact in excess of the thresholds of level of service for the surrounding roadways and intersections provided for in the comprehensive plan. This project will satisfy its own required parking supply and loading spaces, and will also provide desired

² Left turn-out will remain prohibited.

retail uses along a mass transit corridor. A traffic study included with the application materials concludes that the proposed project will not adversely impact the traffic in the area.

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

The commercial project with on-site parking is designed to be consistent with the C-PS2 district regulations.

(4) The public health, safety, morals, and general welfare will not be adversely affected.

This redevelopment will benefit the community by beautifying the Property and enhancing the pedestrian experience on 5th Street. The tasteful architecture and enhanced pedestrian experience will attract retailers and spur daytime foot traffic. The new uses created will generate jobs and increase the tax base, thereby stimulating the local economy and jumpstarting consumer activity. Further, by replacing a nightclub, this area will be activated during the daytime and attract more people to the other nearby daytime uses.

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

The Applicants will provide ample off-street parking spaces onsite for use by all land uses on the Property. The Project will have three (3) levels of parking. The structure will offer 224 parking space on-site, where the required parking for the development is 224 parking spaces.

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

The Applicants' design team has taken great care to design a quality development that will provide for the safety and security of the entire area. The inclusion of the left turn-in will increase access to the Property and improve traffic circulation. By continuing to restrict left turn-out, there will be no conflict with the neighboring property to the west regarding traffic circulation or access. The Applicants will be implementing all necessary tools to mitigate any potential harmful effects, including operational constraints such as limited hours. Building and façade articulation ensure a beautiful development that is compatible with the district and with the ground level. The Applicants have taken steps

to design the structure in a way that minimizes scale and massing towards the residential neighbors to the north and northeast, with landscaping and setting back the upper floors, respectively.

- (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 redevelopment of the Property will provide needed retail use and parking adjacent to a major corridor of Miami Beach. The retail and parking will complement and service the surrounding office and residential uses in the area.

- (ii) Supplemental Review Criteria for New Construction. Pursuant to Code Section 118-192(b) of the Code, the Planning Board's review of an application for conditional use for new structures 50,000 square feet and over considers the following supplemental review guidelines:

- (1) Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.**

The Applicants are providing a building with multiple retail bays for leasing to a variety of permitted commercial uses. Like other area retail, the businesses will hire the necessary employees to manage their operations and will generally be open throughout the day and evening to serve their customers. The Proposed Development will consist of three (3) levels of retail use and three (3) levels of parking that serve all patrons visiting the commercial uses. The first floor retail will have pedestrian access all along the street frontage of 5th Street and Lenox Ave.

- (2) Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan will mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.**

As previously approved, the Applicants will utilize the alley along the eastern side of the Property for loading and trash collection. The actual loading and trash collection will take place at an internalized on-site loading area with all 5 required loading spaces. Delivery trucks will access the five (5) large loading bays from the one-way alley by

driving north from 5th Street and backing into the loading spaces, then driving forward to leave. These bays are entirely enclosed inside the Property and off of the right-of-way. The provision of off-street loading will serve to mitigate the impact of new commercial uses.

(3) Whether the scale of the proposed use is compatible with the urban character of the surrounding area and create adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.

The nearby area contains numerous buildings of similar or greater scale and massing. The buildings to the west and south of the Property are both five (5) stories and larger than the development proposed for the Property. The high quality development and street activation are in line with the character of the area. The design of the structure ensures that the Project's massing does not impact the context and scale of the surrounding built environment. The inclusion of the left turn-in will increase access to the Property and improve traffic circulation. Specifically, the Proposed Development minimizes scale and massing towards the multifamily structures to the north and northeast of the Property. The Proposed Development also incorporates architectural and artistic design features to beautify the structure facing the multifamily structures to the north and northeast.

(4) Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.

A parking plan has been included along with the traffic study. The proposed structure will provide 224 on-site parking spaces, for self-parking. Access to the parking garage will be at the northern portion of the Property along Lenox Avenue. The inclusion of the left turn-in will increase access to the Property and improve traffic circulation for the neighborhood. The parking garage will be for self-parking, serviced by a ticket machine at the entrance and exit for payment; there will not be any valet operation.

(5) Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.

The Project is designed to allow for maximum pedestrian activity and access to the retail along the street frontages at 5th Street and Lenox Avenue. The Applicants have maximized the amount of retail on the first floor to service the pedestrian activity. The southwest corner of the Property will have the elevator and stair access to facilitate

circulation within the building and between the street level, the retail and the parking garage.

- (6) Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.**

Safety on the Property will be maintained by onsite security personnel, as well as a comprehensive security system employing video camera monitoring within all areas throughout the Property.

- (7) Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.**

The Applicants have engaged a traffic engineer to determine the effect of the Project on the roads and traffic. The original report produced by Kimley-Horn, Inc. was submitted with the prior application and peer reviewed. Kimley-Horn, Inc. prepared subsequent reports to address the left turn-in and small amount of additional square footage and the Applicants are including these reports and correspondence from the City's Transportation Department with the application. The proposed modifications to the Project, including the incorporation of the left turn-in, will not adversely impact the neighborhood.

- (8) Whether a noise attenuation plan has been provided that addresses how noise will be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.**

The Applicants propose off-street loading areas, which will serve to buffer noise and visual impacts. Much of the loading will occur within the building's enclosed, concrete walls, thus noise impacts will be minimized. Other safeguards will be employed to dampen and control noise from these operations, including limiting the hours.

- (9) Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.**

The Applicants will contract with a waste collection company for refuse collection as needed during daytime hours only from a trash room with direct access to Michigan Court. Internally, cleaning and maintenance staff will monitor the Property and its adjoining rights-of-way to maintain the areas clean and free from debris.

(10) Whether the proximity of the proposed structure to similar sized structures and to residential uses creates adverse impacts and how such impacts are mitigated.

The Project is smaller in size compared to other existing structures and approved projects along 5th Street and in the nearby area, and its unique design reduces the building's presence when viewed from the north, northeast and east. The inclusion of the left turn-in and continued restriction of left turn-out will not conflict with the neighboring properties, and will actually enhance traffic circulation in the neighborhood.

(11) Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect will be addressed.

This urban, mixed-use area is active with a variety of uses, pedestrian activity and automobile activity. As already approved, the Proposed Development will add to this environment and service the area without negative impact by improving vehicular access and circulation, providing all required parking on-site and providing ample bicycle parking.

Conclusion. We believe that the approval of the proposed modification requests will promote quality infill redevelopment on the Property. We look forward to your favorable review of the Project. Please contact me on my direct line at (305) 377-6236 should you have any questions or concerns.

Sincerely,



Matthew Amster

Attachment

cc: Michael Comras
Michael W. Larkin, Esq.
Gregory Fontela, Esq.

EXHIBIT A

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

PROPERTY: 1045 5TH Street

FILE NO: PB16-0053

IN RE: The applicants, MAC 1045 5th Street, LLC, and MAC 1031 5th Street, LLC, requested Conditional Use approval for the construction of a new 4-story commercial development exceeding 50,000 square feet, including a parking garage, pursuant to Chapter 142, Article II and Chapter 118, Article IV of the City Code.

**LEGAL
DESCRIPTION:** (Parcel 1) 1031 5TH Street

LOTS 9, BLOCK 98, MCGUIRE'S SUBDIVISION BEING A RESUBDIVISION OF LOTS 6, 7, 8, 9, 10, AND 11, BLOCK 98 OF OCEAN BEACH ADDITION NUMBER 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

and

(Parcel 2) 1045 5th Street

LOTS 12, THROUGH 14, INCLUSIVE, BLOCK 98, OF OCEAN BEACH, FLORIDA ADDITION NUMBER 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 81, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

LOTS 10 AND 11, OF MCGUIRE'S RESUBDIVISION OF LOTS 6 THROUGH 11, BLOCK 98 OF OCEAN BEACH, FLORIDA ADDITION NUMBER 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 83, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

MEETING DATE: November 15, 2016

CONDITIONAL USE PERMIT

The applicants, MAC 1045 5th Street, LLC, and MAC 1031 5th Street, LLC, filed an application for Conditional Use approval for the construction of a new 4-story commercial development exceeding 50,000 square feet, including a parking garage, pursuant to Chapter 142, Article II and Chapter 118, Article IV of the City Code. Notice of the request for Conditional Use was

mb

given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property, upon which the application was made.

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

That the property in question is located in the Commercial Performance Standards District, General Mixed-Use Commercial (C-PS2);

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

That structures and Uses associated with the request are consistent with the City Code;

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

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values if the following conditions are met.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations which were amended by the Board, that the Conditional Use Permit as requested and set forth above be GRANTED, subject to the following conditions to which the applicant has agreed:

1. This Conditional Use Permit is issued to MAC 1045 5th Street, LLC, and MAC 1031 5th Street, LLC, as the applicant and owner of the property. Any change of operator or 50% (fifty percent) or more stock ownership, partnership interest, or the equivalent, shall require review and approval by the Planning Board as a modification to this Conditional Use Permit. Subsequent owners and operators shall be required to appear before the Board to affirm their understanding of the conditions listed herein.
2. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney, prior to the issuance of a building permit.
3. 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.
4. The plans shall be revised to ensure compliance with the Land Development Regulations prior to obtaining a building permit.
5. Prior to the issuance of a building permit for the project, the applicant shall submit an operational plan and narrative for the operation the parking garage. This operational plan

and narrative shall be subject to the review and approval of staff and, at a minimum, shall satisfy the following:

- a) That the garage may be in operation 24 hours per day, seven days a week, as proposed by the applicant.
 - b) ~~There shall be monitoring of the garage during all hours of operation.~~
 - c) Warning signs prohibiting horn honking or car alarm sounding shall be posted prominently in a location, subject to the review and approval of staff.
6. The following shall apply to the operation of the entire facility:
- a) All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
 - b) Adequate air-conditioned and noise baffled trash room space shall be provided, in a manner to be approved by the Planning staff. Doors shall remain closed and secured when not in active use.
 - c) Trash dumpster covers shall be closed at all times except when in active use.
 - d) Delivery trucks shall not be allowed to idle in loading areas or in the alley.
 - e) Trash pick-ups and deliveries shall only take place between 8:00 AM and 6:00 PM on Mondays through Fridays; and 10:00 AM and 6:00 PM on Saturdays and Sundays.
 - f) Except as may be required for security, fire or building code/Life Safety Code purposes, no speakers affixed to or otherwise located on the exterior of the building shall be permitted.
7. Prior to the issuance of any Building Permit for the project, the applicant shall address the following Concurrency, Traffic and Parking requirements:
- a) There shall be sufficient area queuing in the entrance ramps to accommodate ~~anticipated traffic without extending onto Lenox Avenue, prior to a vehicle's~~ arrival at an entry gate.
 - b) The applicant shall comply with mitigation measures as may be deemed necessary by the City as a result of the traffic study peer review process, prior to any retail tenant obtaining a Business Tax Receipt.
 - c) A mountable curb shall be utilized for vehicles to enter the building to improve pedestrian flow along Lenox Avenue, in a manner to be reviewed and approved by staff.
 - d) A Method of Transportation (MOT), as applicable, shall be submitted to Public

Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.

- e) If applicable, the applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, ~~as may be determined as determined by the Concurrency Management Division.~~
 - f) A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs, if required, shall be paid prior to the issuance of any Building Permit.
 - g) Prior to the issuance of a Building Permit, calculations for required parking for the project shall be determined by the Planning Department. A final determination for the required parking shall be conducted prior to the issuance of a Certificate of Occupancy or Business Tax Receipt, whichever comes first. If required, a one-time fee in lieu of providing the required parking on site or in combination with an annual fee, as determined by staff, shall be paid prior to the issuance of the Certificate of Occupancy.
 - h) The applicant shall provide 40 short-term bicycle parking spaces on the site that are available to customers and employees on the site, in a manner to be reviewed and approved by staff.
 - i) The applicant shall provide transit information to the public, including route schedules and maps within the lobby of the building in a manner to be reviewed and approved by the Transportation Department.
 - j) The driveway shall be designed and signed for a right turn-in and right turn-out only, in a manner to be reviewed and approved by staff.
 - k) A Transportation Demand Management Plan (TDM) shall be provided for review and approval of the Transportation Department prior to the issuance of a building permit for the interior build-out of individual tenant spaces.
8. The Planning Board shall retain the right to call the owner or operator, both now and in ~~the future, back before the Board and modify this Conditional Use should there be valid~~ complaints or violations (as determined by Code Compliance) about loud, excessive, unnecessary, or unusual noise related to parking or loading operations.
9. The applicant, operator and/or owner, both now and in the future, shall abide by all the documents and statements submitted with this application, as well as all conditions of this Order.
10. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 180 days from the time 75% of the commercial space is in operation. The progress report shall include, but not be limited to, updated information on traffic conditions surrounding the

site. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).

11. ~~The conditions of approval for this Conditional Use Permit are binding on the applicant,~~ the property owners, operators, and all successors in interest and assigns. Any substantial modifications to the plans submitted and approved as part of this application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans.
12. The applicant shall resolve all outstanding violations and fines on the property, if any, prior to the issuance of a building permit for the project.
13. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 118-194, of the City Code.
14. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the ~~remaining conditions or impose new conditions.~~
15. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
16. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the City Code, and shall be subject to enforcement procedures set forth in Section 114-8 of the Code and such other enforcement procedures as are permitted by law. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
17. ~~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.~~
18. As voluntarily proffered by the Applicant, no more than fifty percent (50%) of the ground floor may be aggregated with the second floor for a single tenant, unless otherwise approved by the Planning Board at a public hearing.
19. As voluntarily proffered by the Applicant, a minimum of three (3) separate retail establishments shall be located on the ground floor facing 5th Street, unless otherwise approved by the Planning Board at a public hearing.

Dated this 19th day of JANUARY, 2017.

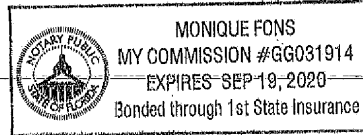
PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush

Michael Belush, Planning and Zoning Manager
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 19th day of January, 2017, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



{NOTARIAL SEAL}

Monique Fons
Notary:
Print Name MONIQUE FONS
Notary Public, State of Florida
My Commission Expires: SEP. 19 2020
Commission Number:

Approved As To Form:
Legal Department

Just Buck 11/18/17

Filed with the Clerk of the Planning Board on 1/19/2017 (MB)

MB

HISTORIC PRESERVATION BOARD
City of Miami Beach, Florida

MEETING DATE: December 13, 2016

FILE NO: HPB16-0059

PROPERTY: 1045 5th Street, 1031 5th Street, 527 Lenox Avenue & 543 Lenox Avenue

APPLICANT: MAC 1045 5th Street, LLC & MAC 1031 5th Street, LLC

LEGAL: Parcel 1: Lot 9, Block 98 of MCGUIRE'S SUBDIVISION being a resubdivision of Lots 6, 7, 8, 9, 10, 11, Block 98 of OCEAN BEACH ADDITION NO.3 according to the plat thereof recorded in Plat Book 6, Page 83 of the public records of Miami Dade County, Florida.

Parcel 2: Lots 12 through 14, inclusive, Block 98 of OCEAN BEACH ADDITION NO. 3, according to the plat thereof recorded in Plat Book 6, Page 83 of the public records of Miami Dade County, Florida.

Lots 10 and 11 of MCGUIRE'S SUBDIVISION of Lots 6 through 11, Block 98 of OCEAN BEACH ADDITION NO. 3, according to the plat thereof recorded in Plat Book 6, Page 83 of the public records of Miami Dade County, Florida.

IN RE: The application for a Certificate of Appropriateness for the total demolition of two 'Non-Contributing' buildings and for the design of a new 4-story commercial building, including variances to exceed the maximum permitted building height and to eliminate the open court requirement.

ORDER

The City of Miami Beach Historic Preservation 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. Certificate of Appropriateness

~~A. The subject site is located within the Ocean Beach Local Historic District.~~

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:

- ~~1. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.~~
2. Is consistent with Certificate of Appropriateness Criteria in Section 118-564(a)(2) of the Miami Beach Code.
3. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'e' & 'f' in Section 118-564(a)(3) of the Miami Beach Code.



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4. Is not consistent with Certificate of Appropriateness Criteria 'a-e' for Demolition in Section 118-564(f)(4) of the Miami Beach Code.

C. The project would be consistent with the criteria and requirements of section 118-564 if the following conditions are met:

1. Revised elevations, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The design for the North elevation shall be consistent with the revised sheets 26, 49 and 50 submitted by the Applicant to the Board on December 13, 2016, entitled "BLVD at Lenox" as prepared by Zyscovich Architects, dated 12/09/16, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The ground floor shall be setback a minimum of 12" from the Lenox Avenue property line in order to increase the Lenox Avenue sidewalk to a minimum of 10'-6" in width, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. The final design and details of all exterior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board. Lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding historic district.
 - e. The internal garage lighting shall be shielded to inhibit direct views of all internal light sources from either the street or adjacent properties, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- f. All kitchen venting and other venting shall be chased to the roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- g. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Signage shall consist of reverse channel, back-lit letters, in a manner to be approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- h. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and

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vault rooms, and all other related devices and fixtures, shall not be provided within the interior of the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

- i. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - j. In the event that the City Commission renames or co-names 5th Street as "Miami Beach Boulevard", the Applicant shall provide a bronze plaque, which includes a brief biography of former City of Miami Beach Mayor John H. Levi, at the property, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, 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 plan 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 garage, 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.
 - d. Within 6 months of BTRs being issued for at least 75% of the retail areas, the applicant shall prepare a bicycle use analysis for the property to determine if additional bicycle racks are needed and, if warranted, install up to an additional 6 city-wide standard bicycle racks subject to the review and approval of staff.

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- e. Canopy shade street trees shall be required within the sidewalk along Lenox Avenue and 5th Street, spaced approximately 20'-0" on center if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- f. 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.
- g. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- h. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow prevention devices. Backflow prevention devices shall not be permitted within any required yard or any area fronting a street or sidewalk, unless otherwise permitted by the Land Development Regulations. The location of all backflow prevention devices, and how they are screened 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. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all post-indicator valves (PIV), fire department connections (FDC) and all other related devices and fixtures, which shall be clearly indicated on the site and landscape plans.

In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s), which were either approved by the Board with modifications, or denied (Underlying denotes new language and ~~strikethrough~~ denotes stricken language):
 - 1. A variance to exceed by 2'-1" the maximum allowed building height of 50'-0" in order to construct a new 4-story commercial building up to 52'-1" as measured from 13.0' NGVD.
 - 2. A variance to eliminate the requirement to provide an open court area at the front of the property, in order to construct a new 4-story commercial building without an open court along 5th Street.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

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The applicant has submitted plans and documents with the application that also indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

That 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;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That 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.

C. The Board hereby **Approves** the Variance requests as noted in II.A.1 and II. A.2, and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:

1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
2. All rooftop lighting fixtures shall be designed in manner to preclude light from spilling over to adjacent properties and the number and location of rooftop light poles great than 10'-0" in height shall be consistent with number and location light poles shown on sheets 26 and 27 of the plans entitled "The BLVD at Lenox" as prepared by Zyscovich Architects, dated 10-24-2016, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

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3. Approval from the public Works department shall be required in order to construct the canopy and building projections over the public right of way facing Lenox Avenue and the alley.

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

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. Where one or more parcels are unified for a single development, the property owner shall execute and record an unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- B. Applicant agrees that in the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
- C. 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.
- A. The Final Order shall be recorded in the Public Records of Miami-Dade County, within 30 days of the Board approval.
- B. Applicant shall submit revised plans pursuant to Board conditions no later than 60 days after Board approval, as required.
- C. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- D. The Final Order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- E. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

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- F. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

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

PROVIDED, the applicant shall build substantially in accordance with the plans entitled "The BLVD at Lenox" as prepared by Zyscovich Architects, dated 10-24-2016 and plans entitled "BLVD at Lenox" as prepared by Zyscovich Architects, dated 12/09/16, and as modified and approved by the Historic Preservation 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 set forth in this Order. No building permit may be issued unless and until all 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 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 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 should 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 15 day of December, 2016.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

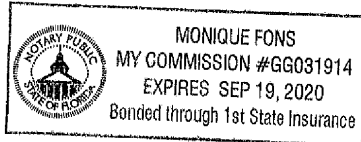


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 HPB16-0059
 Meeting Date: December 13, 2016

BY: *[Signature]*
 DEBORAH TACKETT
 CHIEF OF HISTORIC PRESERVATION
 FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 15th day of December 2016 by Deborah Tackett, Chief of Historic Preservation, 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: 9/19/2020

Approved As To Form *[Signature]* (12/14/16)
 City Attorney's Office:

Filed with the Clerk of the Historic Preservation Board on *[Signature]* (12/15/16)

F:\PLAN\HPB\16HPB\12-13-2016\Final Orders\HPB16-0059_1045 5th St.Dec16.FO.docx



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www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

June 25, 2017

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

Re: Property Owners List within 375 feet of:

SUBJECT: 1045 5 Street, Miami Beach, FL 33139

FOLIO NUMBER: 02-4204-002-0040

LEGAL DESCRIPTION: MC GUIRES SUB PB 6-83 LOTS 10 & 11 BLK 98

SUBJECT: 527 Lenox Ave, Miami Beach, FL 33139

FOLIO NUMBER: 02-4203-009-7840

LEGAL DESCRIPTION: 5TH & ALTON CONOD OCEAN BEACH ADDN NO 3 PB 2-81 LOT 12 BLK 98

SUBJECT: 543 Lenox Ave, Miami Beach, FL 33139

FOLIO NUMBER: 02-4203-009-7850

LEGAL DESCRIPTION: 3-4 54 42 34 53 42 OCEAN BEACH ADDN NO 3 PB 2-81 LOTS 13 & 14 BLK 98

SUBJECT: 1031 5 Street, Miami Beach, FL 33139

FOLIO NUMBER: 02-4204-002-0030

LEGAL DESCRIPTION: MC GUIRES SUB PB 6-83 LOT 9 BLK 98

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

Sincerely,

RDR | Diana B. Rio

Total number of property owners without repetition: 81, including 0 international

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and hat local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

1000 FIFTH ST CORPORATION %
CHRISTOPHER LANGEN
PO BOX 398570
MIAMI BEACH, FL 33239

1019 FIFTH STREET EQUITIES LLC C/O TIME
EQUITIES INC 1019 FIFTH STREET TEA LLC
55 5 AVE 15 FL
NEW YORK, NY 10003

1725 JAMES AVE NO 26 LLC
1354 WASHINGTON AVE STE 223
MIAMI BEACH, FL 33139

532 MICHIGAN AVE LLC
945 PENNSYLVANIA AVE
MIAMI BEACH, FL 33139-6318

550 MICHIGAN AVENUE CORP
150 SE 2 AVE 1010
MIAMI, FL 33131

560 MICHIGAN AVENUE CORP
245 18 ST # 603
MIAMI BEACH, FL 33139

610 MICHIGAN AVE LLC
1602 ALTON RD # 599
MIAMI BEACH, FL 33139

624 MICHIGAN LLC
212 NE 24th St # 3
Miami, FL 33137-4508

629 LENOX HOLDINGS LLC
2800 BISCAYNE BLVD PH FLOOR
MIAMI, FL 33137

ACE ON SOBE LLC
5201 BLUE LAGOON DR STE 100
MIAMI, FL 33126

AET INVESTMENTS I LLC
2721 EXECUTIVE PARK DR STE 4
WESTON, FL 33331

AHMED ALASHWAH
601 MICHIGAN AVE UNIT 2
MIAMI BEACH, FL 33139

AHMED ALASHWAH LYNNE MARLETTE
601 MICHIGAN AVE #5
MIAMI BEACH, FL 33139

ALBERT STRIGNANO
1003 6 ST 3
MIAMI BEACH, FL 33139

ALDEA LLC
557 MICHIGAN AVE 215
MIAMI BEACH, FL 33139

ALE REAL ESTATE LLC
850 OCEAN DR #203
MIAMI BEACH, FL 33139

BENJAMIN CHAOUAT
611 MICHIGAN AVE #2
MIAMI BEACH, FL 33139

CAREFREE 5TH ST LLC
1031 5 ST
MIAMI BEACH, FL 33139-6504

CARIBE LIFE CORP
557 MICHIGAN AVE APT 112
MIAMI BEACH, FL 33139

CARIBE LIFE CORP
557 MICHIGAN AVE 222
MIAMI BEACH, FL 33139

CELESTE RENEE VEZOLLES
2642 COLLINS AVE #507
MIAMI BEACH, FL 33140

CIERVO PROPERTIES LLC
234 MOSHER AVE
WOODMERE, NY 11598

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

CLAUDE IMAZ
551 MICHIGAN AVE 121
MIAMI BEACH, FL 33139

CLAUDE IMAZ
557 MICHIGAN AVE 212
MIAMI BEACH, FL 33139

DAVID REDLER & ADELA SMOLARCHIK
18051 BISCAYNE BLVD APT#403
AVENTURA, FL 33160

DESIRE GROUP LLC
557 MICHIGAN AVE 214
MIAMI BEACH, FL 33139

EDUARDO HANONO
717 NW 131 AVE
MIAMI, FL 33182

EDW A MCCARTHY-ARCHBISHOP
9401 BISC BLVD
MIAMI, FL 33138

ERICA A PORTER
612 MICHIGAN AVE #7
MIAMI BEACH, FL 33139-6086

FERNANDEZ PROPERTIES INC
PO BOX 191511
MIAMI BEACH, FL 33119

FLORIDA POWER & LIGHT CO ATTN PROPERTY
TAX DEPT
700 UNIVERSE BLVD, PSX/JB
JUNO BEACH, FL 33408

FRYD FAMILY ASSOCIATES LTD
523 MICHIGAN AVE
MIAMI BEACH, FL 33139-6317

GARRETT ZOELLER
2409 SW MONTGOMERY DR
PORTLAND, OR 97201

GATEWAY MB LLC
140 WEST 86 ST 4A
NEW YORK CITY, NY 10024

GERARD GAUBE
1406 MICHIGAN AVE
MIAMI BEACH, FL 33139

GIG VAOI FIFTH AND LENOX LLC
3390 PEACHTREE RD STE 1200
ATLANTA, GA 30326

GILBERTO BROTONS & W VIVIAN
619 MICHIGAN AVE UNIT 3
MIAMI BEACH, FL 33139-6048

GUY GERBER
15260 VENTURA BLVD STE 2100
SHERMAN OAKS, CA 91403

KAREN D GALLOWAY
16321 PACIFIC COAST HWY UNIT #A
PACIFIC PALISADES, CA 90272

KENT FRANK CELIA FRANK
619 MICHIGAN AVE #1
MIAMI BEACH, FL 33139-6048

LEEMAN ACQUISITION COMPANY LLC
711 NW 23 TERR SUITE 100
MIAMI, FL 33137

LEO KINGSTON
2239 NW 39 ST
OKLAHOMA CITY, OK 73112

LEO KINGSTON
PO BOX 12920
OKLAHOMA CITY, OK 73157

LINNEA JOHNSON
610 MICHIGAN AVE 3
MIAMI BEACH, FL 33139-6064

LORE USA LLC
860 COLLINS AVE
MIAMI BEACH, FL 33139

LULAV SQUARE APARTMENTS LP
2206 JO-AN DR
SARASOTA, FL 34231

LYSA PHAN JTRS THU PHAN JTRS
600 MICHIGAN AVE APT 1
MIAMI BEACH, FL 33139

MAC 1045 5TH ST LLC
1261 20 ST
MIAMI BEACH, FL 33139

MANUEL ANGEL ACOSTA ELSA A CAMPOS
JTRS SARA CAMPOS JTRS
16857 NW 91 CT
HIALEAH, FL 33018

MARIUS JOHANNES SLUIJTERS TRS C/O HAMIA
LLC BREMER FAMILY 2017 IRREVOCABLE TR
1602 ALTON RD #599
MIAMI BEACH, FL 33139

MELI INVESTMENT CORP
6500 SW 67 AVE
MIAMI, FL 33143-3112

MICCOMIAMI INC
1680 MICHIGAN AVE 910
MIAMI BEACH, FL 33139

MICHAEL CORTICCHIA ANNA MARIA
CORTICCHIA
33 06 92 ST 1N
JACKSON HEIGHTS, NY 11372

MICHAEL E HUGHES
9160 BYRON AVE
SURFSIDE, FL 33154

MICHIGAN 551 PROPERTY LLC
557 MICHIGAN AVE APT 111
MIAMI BEACH, FL 33139

MIGUEL FONSECA
619 MICHIGAN AVE UNIT 5
MIAMI BEACH, FL 33139-6048

MONTIGNY AND PARTNERS LLC
44 W FLAGLER ST 2300
MIAMI, FL 33130

NELLIE DAHER CHIARA J SOLLOA
619 MICHIGAN AVE #4
MIAMI BEACH, FL 33139-6048

NF FIFTH ST LLC & BK FIFTH ST LLC
1665 WASHINGTON AVE 4TH FL
MIAMI BEACH, FL 33139

NINA BERNSTEIN
415 E 52ND ST APT 1HC
NEW YORK, NY 10022-9005

PADOVA CONSTRUCTION LLC
2601 SOUTH BAYSHORE DR #700
COCONUT GROVE, FL 33133

PADOVA CONSTRUCTION LLC
1007 6 ST APT 5
MIAMI BEACH, FL 33139

PHILIP R MELTING FAMILY TRUST
251 AMHERST ST
BROOKLYN, NY 11235

RAYLA GUIMARAES JACUNDA
610 MICHIGAN AVE # 2
MIAMI BEACH, FL 33139

RG MICHIGAN 2014 LLC
11251 NW 20 ST STE 106
MIAMI, FL 33172

ROBIN ROSENBAUM
619 MICHIGAN AVE #2
MIAMI BEACH, FL 33139-6048

SANDRA VARELA
601 MICHIGAN AVE #3
MIAMI BEACH, FL 33139-6089

SANZ MANAGEMENT INC
762 SW 18 AVE
MIAMI, FL 33135

SARA E HERNANDEZ
619 MICHIGAN AVE 6
MIAMI BEACH, FL 33139

SCULL INVESTMENT LLC
848 BRICKELL AVE #PH1
MIAMI, FL 33131

SHADOW ME LLC
557 MICHIGAN AVE APT 115
MIAMI BEACH, FL 33139

STRIPEY LLC
557 MICHIGAN AVE # 113
MIAMI BEACH, FL 33139

SUNSHINE GASOLINE DISTRIBUTORS INC
1650 NW 87 AVE
MIAMI, FL 33172

SUZANNE CAMILLE JOLY FABRICE JOLY
551 MICHIGAN AVE 122
MIAMI BEACH, FL 33139

TIAPASIL LLC
557 MICHIGAN AVE 213
MIAMI BEACH, FL 33139

TOPLOCATION INC
150 SE 2 AVE #1010
MIAMI, FL 33131

TOWER TRADING SAGL
557 MICHIGAN AVE APT 114
MIAMI BEACH, FL 33139

ULISES LLC
551 MICHIGAN AVE 123
MIAMI BEACH, FL 33139

VF MIAMI INVESTMENT INC
1680 MICHIGAN AVE 910
MIAMI BEACH, FL 33139

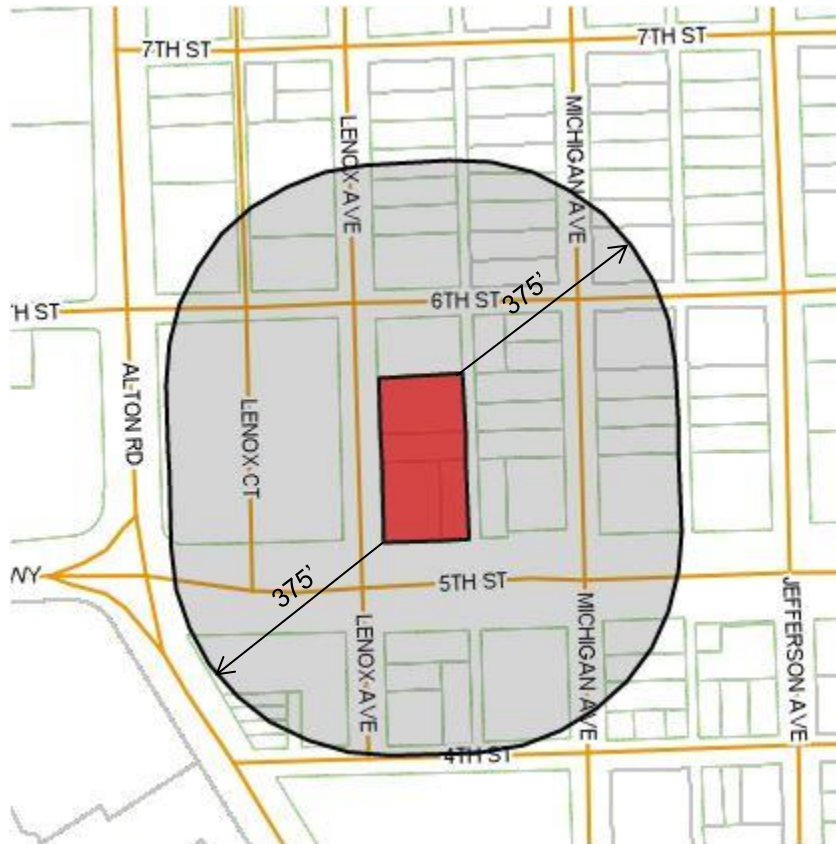
VINICIUS LLC
551 MICHIGAN AVE 124
MIAMI BEACH, FL 33139

Name	Address	City	State	Zip	Country
1000 FIFTH ST CORPORATION % CHRISTOPHER LANGEN	PO BOX 398570	MIAMI BEACH	FL	33239	USA
1019 FIFTH STREET EQUITIES LLC C/O TIME EQUITIES INC 1019 FIFTH STREET TEA LLC	55 5 AVE 15 FL	NEW YORK	NY	10003	USA
1725 JAMES AVE NO 26 LLC	1354 WASHINGTON AVE STE 223	MIAMI BEACH	FL	33139	USA
532 MICHIGAN AVE LLC	945 PENNSYLVANIA AVE	MIAMI BEACH	FL	33139-6318	USA
550 MICHIGAN AVENUE CORP	150 SE 2 AVE 1010	MIAMI	FL	33131	USA
560 MICHIGAN AVENUE CORP	245 18 ST # 603	MIAMI BEACH	FL	33139	USA
610 MICHIGAN AVE LLC	1602 ALTON RD # 599	MIAMI BEACH	FL	33139	USA
624 MICHIGAN LLC	212 NE 24th St # 3	Miami	FL	33137-4508	USA
629 LENOX HOLDINGS LLC	2800 BISCAYNE BLVD PH FLOOR	MIAMI	FL	33137	USA
ACE ON SOBE LLC	5201 BLUE LAGOON DR STE 100	MIAMI	FL	33126	USA
AET INVESTMENTS I LLC	2721 EXECUTIVE PARK DR STE 4	WESTON	FL	33331	USA
AHMED ALASHWAH	601 MICHIGAN AVE UNIT 2	MIAMI BEACH	FL	33139	USA
AHMED ALASHWAH LYNNE MARLETTE	601 MICHIGAN AVE #5	MIAMI BEACH	FL	33139	USA
ALBERT STRIGNANO	1003 6 ST 3	MIAMI BEACH	FL	33139	USA
ALDEA LLC	557 MICHIGAN AVE 215	MIAMI BEACH	FL	33139	USA
ALE REAL ESTATE LLC	850 OCEAN DR #203	MIAMI BEACH	FL	33139	USA
BENJAMIN CHAOUAT	611 MICHIGAN AVE #2	MIAMI BEACH	FL	33139	USA
CAREFREE 5TH ST LLC	1031 5 ST	MIAMI BEACH	FL	33139-6504	USA
CARIBE LIFE CORP	557 MICHIGAN AVE APT 112	MIAMI BEACH	FL	33139	USA
CARIBE LIFE CORP	557 MICHIGAN AVE 222	MIAMI BEACH	FL	33139	USA
CELESTE RENEE VEZOLLES	2642 COLLINS AVE #507	MIAMI BEACH	FL	33140	USA
CIERVO PROPERTIES LLC	234 MOSHER AVE	WOODMERE	NY	11598	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CLAUDE IMAZ	551 MICHIGAN AVE 121	MIAMI BEACH	FL	33139	USA
CLAUDE IMAZ	557 MICHIGAN AVE 212	MIAMI BEACH	FL	33139	USA
DAVID REDLER & ADELA SMOLARCHIK	18051 BISCAYNE BLVD APT#403	AVENTURA	FL	33160	USA
DESIRE GROUP LLC	557 MICHIGAN AVE 214	MIAMI BEACH	FL	33139	USA
EDUARDO HANONO	717 NW 131 AVE	MIAMI	FL	33182	USA
EDW A MCCARTHY-ARCHBISHOP	9401 BISC BLVD	MIAMI	FL	33138	USA
ERICA A PORTER	612 MICHIGAN AVE #7	MIAMI BEACH	FL	33139-6086	USA
FERNANDEZ PROPERTIES INC	PO BOX 191511	MIAMI BEACH	FL	33119	USA
FLORIDA POWER & LIGHT CO ATTN PROPERTY TAX DEPT	700 UNIVERSE BLVD, PSX/JB	JUNO BEACH	FL	33408	USA
FRYD FAMILY ASSOCIATES LTD	523 MICHIGAN AVE	MIAMI BEACH	FL	33139-6317	USA
GARRETT ZOELLER	2409 SW MONTGOMERY DR	PORTLAND	OR	97201	USA
GATEWAY MB LLC	140 WEST 86 ST 4A	NEW YORK CITY	NY	10024	USA
GERARD GAUBE	1406 MICHIGAN AVE	MIAMI BEACH	FL	33139	USA
GIG VAOI FIFTH AND LENOX LLC	3390 PEACHTREE RD STE 1200	ATLANTA	GA	30326	USA
GILBERTO BROTONS &W VIVIAN	619 MICHIGAN AVE UNIT 3	MIAMI BEACH	FL	33139-6048	USA
GUY GERBER	15260 VENTURA BLVD STE 2100	SHERMAN OAKS	CA	91403	USA
KAREN D GALLOWAY	16321 PACIFIC COAST HWY UNIT #A	PACIFIC PALISADES	CA	90272	USA
KENT FRANK CELIA FRANK	619 MICHIGAN AVE #1	MIAMI BEACH	FL	33139-6048	USA
LEEMAN ACQUISITION COMPANY LLC	711 NW 23 TERR SUITE 100	MIAMI	FL	33137	USA
LEO KINGSTON	2239 NW 39 ST	OKLAHOMA CITY	OK	73112	USA
LEO KINGSTON	PO BOX 12920	OKLAHOMA CITY	OK	73157	USA
LINNEA JOHNSON	610 MICHIGAN AVE 3	MIAMI BEACH	FL	33139-6064	USA
LORE USA LLC	860 COLLINS AVE	MIAMI BEACH	FL	33139	USA

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MANUEL ANGEL ACOSTA ELSA A CAMPOS JTRS SARA CAMPOS JTRS	16857 NW 91 CT	HIALEAH	FL	33018	USA
MARIUS JOHANNES SLUIJTERS TRS C/O HAMIA LLC BREMER FAMILY 2017 IRREVOCABLE TR	1602 ALTON RD #599	MIAMI BEACH	FL	33139	USA
MELI INVESTMENT CORP	6500 SW 67 AVE	MIAMI	FL	33143-3112	USA
MICCOMIAMI INC	1680 MICHIGAN AVE 910	MIAMI BEACH	FL	33139	USA
MICHAEL CORTICCHIA ANNA MARIA CORTICCHIA	33 06 92 ST 1N	JACKSON HEIGHTS	NY	11372	USA
MICHAEL E HUGHES	9160 BYRON AVE	SURFSIDE	FL	33154	USA
MICHIGAN 551 PROPERTY LLC	557 MICHIGAN AVE APT 111	MIAMI BEACH	FL	33139	USA
MIGUEL FONSECA	619 MICHIGAN AVE UNIT 5	MIAMI BEACH	FL	33139-6048	USA
MONTIGNY AND PARTNERS LLC	44 W FLAGLER ST 2300	MIAMI	FL	33130	USA
NELLIE DAHER CHIARA J SOLLOA	619 MICHIGAN AVE #4	MIAMI BEACH	FL	33139-6048	USA
NF FIFTH ST LLC & BK FIFTH ST LLC	1665 WASHINGTON AVE 4TH FL	MIAMI BEACH	FL	33139	USA
NINA BERNSTEIN	415 E 52ND ST APT 1HC	NEW YORK	NY	10022-9005	USA
PADOVA CONSTRUCTION LLC	2601 SOUTH BAYSHORE DR #700	COCONUT GROVE	FL	33133	USA
PADOVA CONSTRUCTION LLC	1007 6 ST APT 5	MIAMI BEACH	FL	33139	USA
PHILIP R MELTING FAMILY TRUST	251 AMHERST ST	BROOKLYN	NY	11235	USA
RAYLA GUIMARAES JACUNDA	610 MICHIGAN AVE # 2	MIAMI BEACH	FL	33139	USA
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ROBIN ROSENBAUM	619 MICHIGAN AVE #2	MIAMI BEACH	FL	33139-6048	USA
SANDRA VARELA	601 MICHIGAN AVE #3	MIAMI BEACH	FL	33139-6089	USA
SANZ MANAGEMENT INC	762 SW 18 AVE	MIAMI	FL	33135	USA
SARA E HERNANDEZ	619 MICHIGAN AVE 6	MIAMI BEACH	FL	33139	USA
SCULL INVESTMENT LLC	848 BRICKELL AVE #PH1	MIAMI	FL	33131	USA
SHADOW ME LLC	557 MICHIGAN AVE APT 115	MIAMI BEACH	FL	33139	USA
STRIPEY LLC	557 MICHIGAN AVE # 113	MIAMI BEACH	FL	33139	USA
SUNSHINE GASOLINE DISTRIBUTORS INC	1650 NW 87 AVE	MIAMI	FL	33172	USA
SUZANNE CAMILLE JOLY FABRICE JOLY	551 MICHIGAN AVE 122	MIAMI BEACH	FL	33139	USA
TIAPASIL LLC	557 MICHIGAN AVE 213	MIAMI BEACH	FL	33139	USA
TOPLOCATION INC	150 SE 2 AVE #1010	MIAMI	FL	33131	USA
TOWER TRADING SAGL	557 MICHIGAN AVE APT 114	MIAMI BEACH	FL	33139	USA
ULISES LLC	551 MICHIGAN AVE 123	MIAMI BEACH	FL	33139	USA
VF MIAMI INVESTMENT INC	1680 MICHIGAN AVE 910	MIAMI BEACH	FL	33139	USA
VINICIUS LLC	551 MICHIGAN AVE 124	MIAMI BEACH	FL	33139	USA

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www.rdrmiami.com | diana@rdrmiami.com | 305.498.1614

375' RADIUS MAP



SUBJECT: 1045 5 Street, Miami Beach, FL 33139

FOLIO NUMBER: 02-4204-002-0040

LEGAL DESCRIPTION: MC GUIRES SUB PB 6-83 LOTS 10 & 11 BLK 98

SUBJECT: 527 Lenox Ave, Miami Beach, FL 33139

FOLIO NUMBER: 02-4203-009-7840

LEGAL DESCRIPTION: 5TH & ALTON CONOD OCEAN BEACH ADDN NO 3 PB 2-81 LOT 12 BLK 98

SUBJECT: 543 Lenox Ave, Miami Beach, FL 33139

FOLIO NUMBER: 02-4203-009-7850

LEGAL DESCRIPTION: 3-4 54 42 34 53 42 OCEAN BEACH ADDN NO 3 PB 2-81 LOTS 13 & 14 BLK 98

SUBJECT: 1031 5 Street, Miami Beach, FL 33139

FOLIO NUMBER: 02-4204-002-0030

LEGAL DESCRIPTION: MC GUIRES SUB PB 6-83 LOT 9 BLK 98