

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: May 3, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: Design Review File No. 23249
1300 Monad Terrace

The applicant, Monad Terrace Property Owner LLC, is requesting Design Review Approval for the construction of a new fifteen story residential condominium building to replace all existing structures on site.

RECOMMENDATION:

Approval with conditions

LEGAL DESCRIPTION:

See Attached Exhibit "A".

SITE DATA:

Zoning: RM-3
Future Land Use: RM-3
Lot Size: 70,720 SF
Proposed FAR: 194,396 SF (2.75)*
Permitted FAR: 194,480 SF (2.75)
*As represented by the applicant
Height:
Proposed: **149'-0" / 13-Story**
Maximum: 150'-0" / 16-Story
Highest Projection: 174'-0"
Retail: 2,767 SF
Residential Units: 53 Units
Required Parking: 121 Spaces
Provided Parking: 121 Spaces

Grade: +3.34' NGVD*

Base Flood Elevation: +8.00' NGVD

Difference: 2.33' NGVD

Adjusted Grade: +5.67' NGVD

Finished First Floor Elevation: 11.00' NGVD

* As part of the road work on West Avenue CMB Grade will be raising to a range of 5.26' NGVD to 6.0' NGVD.

Surrounding Properties:

East: Two-story residential buildings

North: Waverly, 29- and 35-story residential building (2001)

South: Bay Garden Manor, 15-story Residential Building (1964)

West: Biscayne Bay

EXISTING STRUCTURES:

1300 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD160169
1305 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD150286
1310 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD150287
1315 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD160081
1320 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD160075
1325 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD150288
1335 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | N/A
1340 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD160080
1345 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD150289
1355 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD150290
1360 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD160079

1365 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD160076
1370 Monad Terrace—1955 M.S. Weintraub | 2-story Multi-Family | 4 units | BD160077
1375 Monad Terrace—1940 Joseph J. DeBrita | 1-Story Single Family Home | BD160078

THE PROJECT:

The applicant has submitted plans entitled "1300 Monad Terrace", as designed by **Ateliers Jean Nouvel**, and prepared by **Kobi Karp Architecture and Interior Design**, dated, signed, and sealed March 14, 2016.

The applicant is proposing to construct a thirteen-story, fifty-three unit, residential building over one level of subterranean parking on a bayfront site.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be inconsistent with the following sections of the City Code:

1. Projections. In all districts, every part of a required yard shall be open to the sky, except as authorized by these land development regulations. The following may project into a required yard for a distance not to exceed 25% of the required yard up to a maximum projection of six feet (6'-0"), unless otherwise noted: Porches, platforms and terraces (up to 30" above the elevation of the lot, as defined in subsection 142-105(a)(1)e.). Depending on the final grade elevation the steps leading to the side yards may or may not be in compliance.
2. Walkways: Maximum 44". May be increased to a maximum of five feet (5'-0") for those portions of walkways necessary to provide Americans with Disabilities Act (ADA) required turn around areas and spaces associated with doors and gates. Walkways in required yards may exceed these restrictions when approved through the **Design Review** procedures.
3. Tandem parking spaces may be utilized for self-parking in multi-family residential buildings and shall have a restrictive covenant, approved as to form by the City Attorney's office and recorded in the public records of the County as a covenant running with the land, limiting the use of each pair of tandem parking spaces to the same unit owner.

The above noted comments shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

CONSISTENCY WITH COMPREHENSIVE PLAN:

A preliminary review of the project indicates that the proposed **residential use is consistent** with the Future Land Use Map of the 2025 Comprehensive Plan and the proposed Public Baywalk is **consistent** with several Objectives and Policies within the 'RECREATION AND OPEN SPACE ELEMENT' and 'TRANSPORTATION ELEMENT' of the City's Comprehensive Plan.

ACCESSIBILITY COMPLIANCE

Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, Section 11 (Florida Accessibility Code for Building Construction). These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

CONCURRENCY DETERMINATION:

In accordance with Chapter 122 of the Code of the City of Miami Beach, the Transportation and Concurrency Management Division has conducted a preliminary concurrency evaluation and determined that the project does not meet the City's concurrency requirements and level-of-service standards. However, the City's concurrency requirements can be achieved and satisfied through payment of mitigation fees or by entering into an enforceable development agreement with the City. The Transportation and Concurrency Management Division will make the determination of the project's fair-share mitigation cost.

A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.

COMPLIANCE WITH DESIGN REVIEW CRITERIA:

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria are found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.
Satisfied
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
Partially Satisfied; due to the current road work on West Avenue, the sidewalk elevation will be changing. The steps proposed on the side yards may or may not be in compliance.
3. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
Satisfied
4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.

Satisfied

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

Partially Satisfied; due to the current road work on West Avenue, the sidewalk elevation will be changing. The steps proposed on the side yards may or may not be in compliance.

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.

Satisfied

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

Satisfied

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

Satisfied

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

Not Satisfied; a lighting plan has not been submitted.

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

Satisfied

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

Satisfied

12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
Satisfied
13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the parking structure from the surrounding area and is integrated with the overall appearance of the project.
Satisfied
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Satisfied
15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).
Satisfied
16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.
Satisfied
17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
Satisfied

STAFF ANALYSIS:
DESIGN REVIEW

The subject site consists of an aggregation of previously individually platted lots along a private street, Monad Terrace, which is perpendicular to West Avenue and Biscayne Bay. The applicant is proposing to unify the parcels and construct a new residential building consisting of two residential towers above a semi-underground parking garage. The tallest tower, 149'-0" in height, is proposed towards the front of the site and spans the south yard of the site. The smaller tower, 69'-0" in height, is located towards the northwest portion of the site. A central "lagoon" occupies the space in between the two towers.

The project consists of 53 residential units, a small ground floor retail component and 121 parking spaces (many of which are tandem space). Both towers contain an amenity roof deck.

The ground floor of the two residential towers has been elevated to a finished first floor of base flood elevation + freeboard (+3'-0"), which is +11'-0" NGVD. The overall proposed height of the front tower is consistent with the heights and the scale of the neighboring residential towers along West Avenue. The property to the north of the subject site, the Waverly, is a 29- and 35-story building and the property to the south, the Bay Garden Manor, is a 15-story building. Further, the density is compatible and it is in keeping with the large massing associated with the surrounding high density multi-family district, including the other existing structures on the west side of West Avenue.

The distribution of the massing into two towers is responsive to the neighboring context in term of massing and scale while allowing light and air within the site. The separation of the towers allows for the lagoon and outdoor landscaping features to become the true center of the design proposal. The incorporation of water features, landscaping and the development of view corridors were created to the design concept of this building. The approach to the site focuses on the relationship between nature and the built environment from the ground floor upwards. The upper floor plans of the residential units contain views towards the Bay with vertical "fin" windows on the interior façades that frame the views of the water from multiple rooms within each individual unit. The buildings also feature expansive private balconies with built-in planters and additional reflecting pools at each level. The incorporation of the water features and landscaping throughout each level of the tower further connects the building to the natural environment of South Florida and to the Bay.

The façade of the towers is well articulated with a layering glass system that offers privacy to the residents and the neighboring buildings, while creating a dynamic layered finish to the buildings. The exterior façades are further enriched by the use of stainless steel "nets" along the open balconies and outdoor areas along the north and south façades of the buildings. These nets are envisioned to hold a live green vegetated "wall" that partially screens the outdoor balconies from the neighboring buildings.

The Public Works Department is in the process of several street improvement projects within the immediate area of the subject site. The work includes elevating the roadway, construction of new curbs, gutters, and sidewalks, installation of new storm water drainage systems and pump stations, among other work related to signage and lighting. The applicant has designed the proposed towers and site conditions taking into consideration the proposed changes to the road and sidewalk along West Avenue. The new sidewalk elevation is estimated to be approximately 1.92' to 2.66' higher than current sidewalk elevation. This new elevation will affect the proposed development on the site, particularly the underground garage and the grading of the site. The applicant is proposing a front garden area with meandering paths leading from the sidewalk to the main lobby area with two, one-way drives and two additional sidewalks within the north and south yards that lead to the proposed Public Baywalk.

The proposed Public Baywalk is 15'-7" wide at the southern portion of the site, narrows to 13'-0" at the center of the site and widens again to 17'-8" at the northern edge due to the contour of the rear property line which is slightly concave at the center of the lot. The Baywalk is adjacent to the private elevated lap pool and deck area with stairs leading to the ground floor terraces and porches leading to another elevated level designed with reflective

pools and gardens.

The landscape architect and design team have created a diverse landscape experience for the entirety of the site, with particular attention and detail to each side yards, focusing on how the residents will interact with these spaces, as well as softening the building(s) perception by the public.

TRANSPORTATION REVIEW

On January 13, 2016 the City Commission approved a new ordinance requiring all new constructions in excess of 5,000 SF to submit a Traffic Transportation Study as part of their Design Review Board application. The applicant has submitted a traffic study which has been peer reviewed, with no outstanding issues preventing the approval.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review.

TRM/JGM/LC

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EXHIBIT "A"

EXISTING ADDRESSES:

1305 Monad Terrace, Miami Beach, Florida 33139
1315 Monad Terrace, Miami Beach, Florida 33139
1325 Monad Terrace, Miami Beach, Florida 33139
1345 Monad Terrace, Miami Beach, Florida 33139
1355 Monad Terrace, Miami Beach, Florida 33139
1365 Monad Terrace, Miami Beach, Florida 33139
1375 Monad Terrace, Miami Beach, Florida 33139
1300 Monad Terrace, Miami Beach, Florida 33139
1310 Monad Terrace, Miami Beach, Florida 33139
1320 Monad Terrace, Miami Beach, Florida 33139
1340 Monad Terrace, Miami Beach, Florida 33139
1360 Monad Terrace, Miami Beach, Florida 33139
1370 Monad Terrace, Miami Beach, Florida 33139.

LEGAL DESCRIPTION:

Parcels 1, 2, 3, 4, 5 and 6, all being a portion of Lot 2, Block 80, of "ALTON BEACH REALTY COMPANY'S SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Parcel 1

The East 79.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 6320 sq. ft. and/or 0.145 acres. more or less, by calculations.

AND Parcel 2

The West 64.0 feet of the East 143.00 feet, of Lot 2, Block 80, SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY A PART OF ALTON BEACH BAY FRONT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An Undivided one sixth(1/6th) Interest in and Lot 2, Block 80, SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY A PART OF ALTON BEACH BAY FRONT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, less the East 399.0 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 3

The West 64.00 feet of the East 207.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth ($1/6^{\text{th}}$) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 4

The West 64.00 feet of the East 271.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth ($1/6^{\text{th}}$) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 5

The West 64.00 feet of the East 335.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth ($1/6^{\text{th}}$) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 6

The West 64 feet of the East 399.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 7

(For Undivided 1/6th Interest) Containing 4480 sq.ft. and/or 0.192 acres, more or less, by calculations to the original westerly boundary of Block 80 as shown on Plat Book 6, Page 12.

Containing 4692 sq.ft. and/or 0.108 acres, more or less, by calculations to the property line as per proposed new MHWL.

AND

The East 65 feet of the South 70 feet of Lot 1, Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 4550 sq. ft. and/or 0.104 acres, more or less, by calculations.

AND

The West 50.00 feet of the East 115.00 feet of the South 70.00 feet of Lot 1, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 165 feet of the South 70 feet of Lot 1, LESS the South 14 feet, in Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 265 feet of the South 70 feet of Lot 1, Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION", , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 315 feet of the South 70 feet of Lot 1, Block 80 of "ALTON

BEACH REALTY COMPANY'S SUBDIVISION", , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 365 feet of South 70 feet of Lot 1, less the South 14 feet, in Block 80 of ALTON BEACH REALTY COMPANY'S SUBDIVISION, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations,

AND

The West 135.04 feet of the South 70.00 feet of Lot 1, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

ALSO KNOWN AS:

The South 70.00 feet of Lot 1, LESS the East 365.00 feet thereof, and LESS the South 14.00 feet thereof. Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 8366 sq. ft. and/or 0.192 acres, more or less, by calculations to the property line as per proposed new MHWL.

Containing a Total of 70,316 sq.ft. and/or 1.614 acres, more or less by calculations to the original westerly boundary of Block 80 as shown on Plat Book 6, Page 12.

Containing a Total of 70,720 sq.ft. and/or 1.623 acres, more or less by calculations to the property line as per proposed new MHWL.

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: May 3, 2016

FILE NO: 23249

PROPERTY: **1300 Monad Terrace**

APPLICANT: Monad Terrace Property Owner LLC

LEGAL: See Attached "Exhibit A"

IN RE: The Application for Design Review Approval for the construction of a new fifteen-story residential condominium building to replace all existing structures on site.

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 a 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, 5, and 9 in Section 118-251 of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-251 if the following conditions are met:
 - 1. Revised elevation, site plan and floor plan drawings for the proposed residential development at 1300 Monad Terrace shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. Any fence or gate proposed shall be designed in a manner consistent with the architecture of the new structure, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. Hardwired speakers shall not be permitted on the roof deck.

- c. All roof top lighting shall be located below the parapet level, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- d. An exterior lighting plan shall be designed and demonstrate that all site lighting shall be contained within the subject property and that none shall shine into the neighboring properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- e. The interior walls of the first level of the parking garage entrance, ramps and loading areas, shall be fully detailed on revised plans. Such interior areas shall consist of high quality, non-stucco surface materials which have a well finished appearance commensurate with the primary façade of the building, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- f. All internal garage lighting shall be shielded to buffer views of all direct light sources from outside of the structure, as well as on the roof deck, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. The FPL transformer shall be not be permitted within any area fronting a street or sidewalk or the waterway and shall comply with all required setbacks, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- h. Any future kitchen ventilation shall be chased through the interior of the building to the roof. No exhaust ducts or vents shall be permitted on any building elevations.
- i. A fully enclosed, air-conditioned trash room shall be provided, which is sufficient to handle the maximum uses intended for the proposed structure. External dumpsters shall not be permitted.
- j. The recycling and trash system, consisting of separate chutes for trash and recyclables, shall be located in a centralized location that is less visible from view, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- k. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff consistent with the Design Review Criteria and/or the directions from the Board.
- l. Material samples for all exterior paving areas shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

- m. The final design and details, including materials, exterior finishes, glazing, railings, and any architectural projections and features, shall be provided in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. 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.
 - o. 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 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. The proposed planters along the edge of the projecting balconies shall have a minimum interior depth of 1'-6" in width and 2'-0" in depth and they shall be built-in planters with irrigation systems, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. All exterior walkways and drives shall consist of decorative pavers, set in sand or other semi-pervious material, 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 proposed sidewalk shall be consistent in width and design with the established sidewalk along West Avenue, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - 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. The use of sod in the south yard shall not be permitted, instead a low lying ground cover shall be installed, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - f. The proposed Backflow prevention device located in the front of the property shall not be permitted within any area fronting a street or sidewalk and shall be relocated, in a manner to be reviewed and

approved by staff consistent with the Design Review Criteria and/or the directions from the Board

- g. 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.
 - h. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
 - i. 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.
 - j. Due to the constraints of the site, the utilization of root barriers and/or Silva Cells, as applicable, shall be required around all canopy shade trees which are in close proximity to access ramps and/or other hardscape areas with limiting planting areas, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - k. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures. The location of backflow preventors, 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.
 - l. 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 wall shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
 - m. 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.
3. The applicant has voluntarily offered, proffered and agreed to provide a public bay walk ("Public Baywalk") east of the existing seawall along the rear of the subject site in accord with the following conditions. This proffer and its acceptance are based on a particularized evaluation and assessment of the subject project, the rational nexus between such project and impacts to the local transportation network, and the rational nexus and rough proportionality between the project and impacts to the transportation network and the bay walk proffered. The following conditions pertain to the Public Baywalk. These

conditions are subject to change upon further review by the City Attorney Office and other departments:

- a. The Public Baywalk shall be designed, permitted and built by the applicant. All costs associated with the design, permitting and construction of the Public Baywalk, as described herein, shall be borne by the applicant.
- b. Prior to the issuance of a building permit for any work approved by the Design Review Board, as it relates to the subject development project, the applicant shall enter into and record a restrictive covenant, approved by the Miami Beach City Attorney, which runs with the land, confirming the applicant's agreement to design, permit, construct and maintain a Public Baywalk including any required easements, in perpetuity, and confirming public access to such Public Baywalk, in accordance with the conditions herein. The restrictive covenant shall be recorded in the public records, at the expense of the applicant.
- c. The Public Baywalk shall commence at the southwest corner of the property, via a direct connection to the public sidewalk facing West Avenue. The Public Baywalk shall continue northwesterly along the rear of the property to the north property line. At the northwest corner of the site, the Public Baywalk shall continue connect to the existing Public Baywalk at the 'Waverly' condominium.
- d. The Public Baywalk shall connect directly to any future Public Baywalk to the south of the property.
- e. The Public Baywalk shall be consistent with the dimensions shown in the approved site plan, at all points. The location, design details and material of the Public Baywalk shall be subject to the review and approval of staff.
- f. The Public Baywalk may be secured and segregated from the upland portions of the site, in a manner to be reviewed and approved by staff.
- g. The Public Baywalk shall be shall be open to the public from 6:00 am to 9:00 pm, 7 days a week, or as otherwise determined by the City Commission, upon the City Commission's adoption of uniform rules relating to public baywalks. The applicant may install an operable fence, gate or other operable barrier to restrict public access to the Public Baywalk, subject to the review and approval of staff; such operable fence, gate or barrier shall include some form of automatic timing device, in order to ensure that the Public Baywalk is open between the hours of 6:00 am and 9:00 pm. Access by the public to the Public Baywalk shall only be restricted between the hours of 9:00 pm and 6:00 am, and otherwise, as determined by the Planning Director, in the event of an emergency, dangerous condition or other circumstance that would render usage of the Public Baywalk a safety risk. Any violation of this condition shall be subject to a notice of violation and enforcement by the Special Master or any alternative remedy available to the City.

- h. The applicant shall be responsible for the maintenance, repair and, if necessary, the replacement, if destroyed in whole or part, of the full Public Baywalk, including the seawall, and shall establish reserves and insurance to accomplish this obligation.
- i. The applicant shall complete all design development and permit drawings for the proposed Public Baywalk as part of the building permit for the project approved by the Design Review Board in this application. The Public Baywalk shall be substantially completed prior to the issuance of any TCO, Partial CO or Final CO for any work approved by the Design Review Board in this application.
- j. All Public Baywalk access points shall be posted with standard "Public Baywalk" signs. The overall design, number, dimensions, placement and color of such signs shall be subject to the review and approval of staff.
- k. The installation of fences, gates or other barriers, which permanently block public access to the Public Baywalk shall be prohibited.
- l. If the applicant sells, leases or otherwise conveys the property, these conditions shall run with the land, and the applicant's successors shall be obligated to comply with these conditions.

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.

I. Variance(s)

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

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

- A. 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.
- B. Tandem parking spaces utilized for self-parking in multi-family residential buildings shall have a restrictive covenant, approved as to form by the city attorney's office and recorded in the public records of the county as a covenant running with the land, limiting the use of each pair of tandem parking spaces to the same unit owner.
- C. Site plan approval is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a

proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.

- D. 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, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.
- E. 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.
- F. The proposed elimination of the on-street parking spaces will require the review and approval of the Parking Department. The costs, if any, associated with the removal of the parking spaces will be the responsibility of the developer.
- G. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- H. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- I. 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.
- J. 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.
- K. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- L. 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 "1300 Monad Terrace", as designed **Ateliers Jean Nouvel** and prepared by **Kobi Karp Architecture**

and Interior Design dated, signed, and sealed March 14, 2016, and as approved by the Design Review Board, as determined by staff.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions 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 _____ day of _____, 20_____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH J. TACKETT
DESIGN AND PRESERVATION MANAGER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this _____ day of
_____ 20____ by Deborah J. Tackett, Design and Preservation Manager,

Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ ()

Filed with the Clerk of the Design Review Board on _____ ()

F:\PLAN\DRB\DRB16\05-03-2016\MAY16 Final Orders\DRFT DRB 23249 1300 Monad Terrace.MAY16.docx

EXHIBIT "A"

EXISTING ADDRESSES:

1305 Monad Terrace, Miami Beach, Florida 33139
1315 Monad Terrace, Miami Beach, Florida 33139
1325 Monad Terrace, Miami Beach, Florida 33139
1345 Monad Terrace, Miami Beach, Florida 33139
1355 Monad Terrace, Miami Beach, Florida 33139
1365 Monad Terrace, Miami Beach, Florida 33139
1375 Monad Terrace, Miami Beach, Florida 33139
1300 Monad Terrace, Miami Beach, Florida 33139
1310 Monad Terrace, Miami Beach, Florida 33139
1320 Monad Terrace, Miami Beach, Florida 33139
1340 Monad Terrace, Miami Beach, Florida 33139
1360 Monad Terrace, Miami Beach, Florida 33139
1370 Monad Terrace, Miami Beach, Florida 33139.

LEGAL DESCRIPTION:

Parcels 1, 2, 3, 4, 5 and 6, all being a portion of Lot 2, Block 80, of "ALTON BEACH REALTY COMPANY'S SUBDIVISION", according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Parcel 1

The East 79.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 6320 sq. ft. and/or 0.145 acres. more or less, by calculations.

AND Parcel 2

The West 64.0 feet of the East 143.00 feet, of Lot 2, Block 80, SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY A PART OF ALTON BEACH BAY FRONT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An Undivided one sixth(1/6th) Interest in and Lot 2, Block 80, SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY A PART OF ALTON BEACH BAY FRONT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida, less the East 399.0 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 3

The West 64.00 feet of the East 207.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 4

The West 64.00 feet of the East 271.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 5

The West 64.00 feet of the East 335.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 6

The West 64 feet of the East 399.00 feet of Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

TOGETHER WITH:

An undivided one-sixth (1/6th) interest in and Lot 2, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida, LESS the East 399.00 feet thereof.

Containing 5120 sq. ft. and/or 0.118 acres, more or less, by calculations.

AND Parcel 7

(For Undivided 1/6th Interest) Containing 4480 sq.ft. and/or 0.192 acres, more or less, by calculations to the original westerly boundary of Block 80 as shown on Plat Book 6, Page 12.

Containing 4692 sq.ft. and/or 0.108 acres, more or less, by calculations to the property line as per proposed new MHWL.

AND

The East 65 feet of the South 70 feet of Lot 1, Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 4550 sq. ft. and/or 0.104 acres, more or less, by calculations.

AND

The West 50.00 feet of the East 115.00 feet of the South 70.00 feet of Lot 1, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 165 feet of the South 70 feet of Lot 1, LESS the South 14 feet, in Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 265 feet of the South 70 feet of Lot 1, Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION", , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 315 feet of the South 70 feet of Lot 1, Block 80 of "ALTON BEACH REALTY COMPANY'S SUBDIVISION", , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations.

AND

The West 50 feet of the East 365 feet of South 70 feet of Lot 1, less the South 14 feet, in Block 80 of ALTON BEACH REALTY COMPANY'S SUBDIVISION, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 3500 sq. ft. and/or 0.08 acres, more or less, by calculations,

AND

The West 135.04 feet of the South 70.00 feet of Lot 1, Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, , according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

ALSO KNOWN AS:

The South 70.00 feet of Lot 1, LESS the East 365.00 feet thereof, and LESS the South 14.00 feet thereof. Block 80, of SUBDIVISION OF BLOCK 80 OF THE ALTON BEACH REALTY COMPANY, according to the Plat thereof, as recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County, Florida.

Containing 8366 sq. ft. and/or 0.192 acres, more or less, by calculations to the property line as per proposed new MHWL.

Containing a Total of 70,316 sq.ft. and/or 1.614 acres, more or less by calculations to the original westerly boundary of Block 80 as shown on Plat Book 6, Page 12.

Containing a Total of 70,720 sq.ft. and/or 1.623 acres, more or less by calculations to the property line as per proposed new MHWL.