

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: September 04, 2018

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: DRB18-0297
40-200 South Pointe Drive – The Continuum

DRB18-0297, 40-200 South Pointe Drive - The Continuum. The applicant, the Continuum on South Beach Master Association Inc, is requesting exterior Design Review Approval for exterior design modifications to the existing vehicular drives, landscaping, pedestrian pathways, and planter areas at the ground level entrance of the Continuum from the entrance at South Pointe Drive and continuing south to the entrance of South Pointe Park, and including the circular vehicular entrance to the North and South Towers.

RECOMMENDATION:

Approval with conditions

LEGAL DESCRIPTION:

See Exhibit 'A'

HISTORY:

On September 15, 1998, the Design Review Board approved an application for the construction of two condominium towers, a beach club, and retail, restaurant and parking facilities, pursuant to DRB File No. 9611.

SITE DATA:

| | |
|---------------------|-------------------|
| Zoning: | RPS-4 |
| Future Land Use: | RPS-4 |
| East: | Atlantic Ocean |
| Existing Open Space | |
| Landscape: | 31,660 SF (29.8%) |
| Hardscape: | 74,153 SF (69.9%) |
| Proposed Open Space | |
| Landscape: | 33,120 SF (31.2%) |
| Hardscape: | 72,693 SF (68.5%) |

SURROUNDING PROPERTIES:

| | |
|--------|-----------------------------------|
| North: | Surface Parking Lot / Nikki Beach |
| South: | South Pointe Park |
| West: | South Point Tower |

THE PROJECT:

The applicant has submitted plans entitled "Continuum South Beach", as prepared by **Arquitectonica GEO** and dated, signed, and sealed on July 06, 2018.

The applicant is proposing the redesign of the existing vehicular drives, landscaping, pedestrian pathways, and planter areas at the ground level entrance of the Continuum from the entrance at South Pointe Drive and continuing south to the entrance of South Pointe Park, and including the circular vehicular entrance to the North and South Towers.

COMPLIANCE WITH ZONING CODE:

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. 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** appears to be **consistent** with the Future Land Use Map of the 2025 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.

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.
Satisfied
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.
Satisfied

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.
Satisfied
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.
Not Applicable

14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
Not Applicable
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.
Not Applicable
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.
Not Applicable
18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the City Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.
Not Applicable
19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.
Satisfied

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable
- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Satisfied
- (5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional

Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.

Not Applicable

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

Satisfied

- (7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

Not Applicable

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

Not Applicable

- (9) When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

- (10) Where feasible and appropriate, water retention systems shall be provided.

Not Applicable

STAFF ANALYSIS:

DESIGN REVIEW

The applicant is proposing exterior design modifications to the hardscape and landscape of the vehicular drives, pedestrian pathways and planter areas along the ground level and upper rotunda / drop-off level of the Continuum South Beach. Additionally, the redesign project includes replacing the existing monument sign at South Pointe Drive with a new monument sign, as well as the exterior renovation of the existing gatehouse.

The subject area was built in 2002 as part of Phase I of the Continuum South Beach project. The Continuum South Beach is a condominium complex sited at the intersection of Ocean Drive and South Pointe Drive. With retail liners along South Pointe Drive, the oceanside complex is composed of two primary residential towers that sit atop a hidden garage podium. The applicant is looking to provide a contemporary facelift to the existing hardscape and landscape that lines the primary vehicular drives and pedestrian pathways into the property, as well as to upgrade the existing monument sign and gatehouse. All of the proposed improvements occur on private property, with the central "roadway" extension of Ocean Drive that terminates at the Park being part of a public access easement that was part of the original development agreement. The maintenance of all of these areas are the jurisdiction of the Continuum Master Association.

The primary vehicular drive of the Continuum South Beach commences at South Pointe Drive as the continuation of Ocean Drive. As it heads southbound within the property it converts at a roundabout, a circular water feature, into a pedestrian easement that connects to South Pointe Park, as well as to a service road for the Continuum and the Portofino / South Pointe Towers. At the roundabout, the vehicular traffic is redirected east up a ramp with a gatehouse, and to a large rotunda area that serves as the primary entrance to the North and South Towers of the Continuum. The existing hardscape is composed of ruddy,

gray octagon/square patterned vehicular pavers, and red brick pedestrian walkways that are dotted with palmed filled, tall white planters from the entrance at South Pointe Drive down through the pedestrian easement to South Pointe Park. The vehicular ramp and pedestrian sidewalk to the upper entrance rotunda is similarly hardscaped and lined with raised landscape planters.

The applicant proposes to resurface the vehicular drive and ramp with wide bands of light gray shell-crete pavers that alternate with thinner bands of charcoal colored, granite cobbles. The sidewalks flanking the main vehicular drives have also been resurfaced and continue the gray striation of the vehicular drive with linear pavers. New, low-profile square planters are set partially within new strips of landscape that line the curbs of each sidewalk. The roundabout between the vehicular drive and the pedestrian easement has been modified from a water feature to a circular, slightly raised planter of low shrubs with a central multi-branched canopy tree. The pedestrian easement, previously designed as two walkways with a sodded median, has been revised into a 20'-0" wide walkway that is resurfaced with gray linear pavers and bordered on each side with expansive landscape areas of sod and low-profiled raised planters of date palms. In addition, the project includes the replacement of the complex's entrance monument sign at South Pointe Drive with a new, stone clad contemporary monument sign, as well as a new stone finish for the gatehouse structure at the entrance to the upper rotunda / drop off level.

The upper rotunda has been significantly modified in the applicant's proposal. The existing round water feature that dominates the stark, circular drop-off area has been reduced in the redesign to allow for a more dynamic central space with pedestrian walkways and landscaping surrounding a small water feature. The landscape in this area consists primarily of shrubs and palms. Staff recommends the inclusion of canopy trees to this new landscape area in order to provide additional periphery shade to a rather large hardscaped area. The surrounding hardscape has been resurfaced with light gray, shell-crete pavers, contrasted with the gray linear pavers for the pedestrian sidewalks. Additionally, two new trellis structures that are wrapped with flowering vines are introduced at the entrances to the parking.

The proposed renovations will enhance the exterior grounds of the Continuum South Beach with contemporary updates and a desirable increase in green space. Nonetheless, staff finds that the project would benefit from more canopy trees than proposed. In addition to the recommendation for additional canopy trees at the upper rotunda, staff recommends that the Coconut Palms along South Pointe Drive be replaced with a native / salt tolerant canopy shade tree species. Staff would also like to note the inconsistencies between the renderings and the landscape plans. Staff recommends that the multi-trunk canopy tree depicted in the renderings, which is sited within the circular ground level roundabout, be included in the landscape plans. In summary, staff recommends the approval of the design with the noted modifications.

RECOMMENDATION:

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

TRM/FSC

EXHIBIT "A"

03 54 42, BEG 717.266FTE OF SELY COR OF BISCAYNE ST & WASHINGTON AVE TH
S 10 DEG W 165.214FT S 87 DEG W 143.817FT S 26 DEG W 24.53FT S 27
DEG E 18FT N62 DEG E 2FT S27 DEG E 38.33FT S62 DEG W 2FT S27 DEG E
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RESTAURANT PARCEL & PORT LYING EAST & ADJACENT WEST
OF EROSION LINE PER PB 105-62, ACREAGE & UNRECORDED PLATS

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: September 04, 2018

FILE NO: DRB18-0297

PROPERTY: **40-200 South Pointe Drive – The Continuum**

APPLICANT: The Continuum on South Beach Master Association, Inc

LEGAL: See Exhibit 'A'

IN RE: The Application for Design Review Approval for exterior design modifications to the existing vehicular drives, landscaping, pedestrian pathways, and planter areas at the ground level entrance of the Continuum from the entrance at South Pointe Drive and continuing south to the entrance of South Pointe Park, and including the circular vehicular entrance to the North and South Towers.

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 Approval

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Sea Level Rise Criteria in Section 133-50(a) of the Miami Beach Code.
- D. The project would remain consistent with the criteria and requirements of Section 118-251 and/or Section 133-50(a) if the following conditions are met:
 - 1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department, in a manner to be reviewed and approved by staff.

- b. The final design and details of the proposed pergola/shade structures 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.
 - c. The final design and details of the proposed new planters, pavers, and materials and finishes 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.
 - d. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit, and shall be located immediately after the front cover page of the permit plans.
 - e. 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 final landscape selection, which shall include increasing the overall installed size for portions of the landscaping, location, quantity, and specifications of all existing and proposed new landscaping, shall be required, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - b. The landscape design shall include a native / salt tolerant canopy tree within the circular planting area of the ground level roundabout, subject to the review and approval of the City of Miami Beach Urban Forester.
 - c. Overall canopy shade tree coverage is to be increased, to comply with Chapter 126 requirements of the Landscape Code as it pertains to street trees, by replacing the Coconut Palms along South Pointe Drive with native / salt tolerant canopy shade trees, subject to the review and approval of the City of Miami Beach Urban Forester.
 - d. Overall canopy shade tree coverage is to be increased on site by adding native / salt tolerant canopy shade trees within the landscaped areas of the upper rotunda / drop-off area, subject to the review and approval of the City of Miami Beach Urban Forester.
 - e. Suspended pavement for soils, such as Silva Cells and Strata Vault, shall be utilized in order to provide a minimum of 1000 cubic feet per tree of quality

planting soil, subject to the review and approval of staff.

- 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. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or the project architect shall verify, in writing, that the project is consistent with the site and landscape plans approved by the Planning Department for Building Permit.

In accordance with Section 118-262, the applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the Design Review Board by the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

II. Variance(s)

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

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

- A. Any demolition chute(s), dumpster(s) and lift(s) shall be contained on-site within the southern portion of the site and not have any negative affect upon the abutting rights-of-ways subject to review and approval by the Transportation, Public Works and Planning Departments.
- B. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- C. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- D. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- E. 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.
- F. 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.

G. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

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

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

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "Portofino / South Pointe Master Association", as prepared by **LAND** dated, signed, and sealed June 20, 2017, 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 of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of the approval does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board approved plans, this approval does not mean that such handicapped access is not required. When requesting Building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code, the granting of any such extension of time shall be at the discretion of the Board. If the Full Building Permit for the project shall expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the application will expire and become null and void.

In accordance with Chapter 118 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the application to Chapter 118 of the City Code, for revocation or modification of the application.

Dated this _____ day of _____, 20_____.

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