

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2<sup>ND</sup> 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.
3 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
SUBJECT PROPERTY ADDRESS: 1825 Collins Avenue, Miami Beach, Florida 33139
EGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"  OLIO NUMBER (S) 02-3234-071-0001

1. APPLICANT: XOWNER OF THE SUBJECT PROPERTY	☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT			
	ER			
NAME Quadrum Miami Beach, LLC				
ADDRESS 407 Lincoln Road, Suite 304, Miami Beach, Florida 33139				
	CELL PHONE 415-627-8487			
E. WALE ADDRESS <u>sschumer@quadrumgiobal.com</u>				
OWNER IF DIFFERENT THAN APPLICANT:				
NAME_Same				
ADDRESS				
BUSINESS PHONE	CELL PHONE			
E-MAIL ADDRESS				
	* 1.00 mm ( ) 1.00			
2. AUTHORIZED REPRESENTATIVE(S):				
ATTORNEY:				
NAME_James Rauh, Esq., Greenspoon Marder, P.				
ADDRESS 1601 Washington Avenue, Suite 300, M	liami Beach, Florida 33139			
BUSINESS PHONE (305) 602-8245	CELL PHONE (305) 510-4077			
E-MAIL ADDRESS james.rauh@gmlaw.com				
□ AGENT:				
NAME				
ADDRESS				
BUSINESS PHONE	CELL PHONE			
E-MAIL ADDRESS	OLLE PHONE			
☐ CONTACT:				
NAME				
ADDRESS	Constant of the Constant of th			
	CELL PHONE			
E-MAIL ADDRESS				
3. PARTY RESPONSIBLE FOR PROJECT DESIGN:				
☑ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐	ENGINEER   CONTRACTOR   OTHER:			
NAME Cary Press, Arquitectonica				
ADDRESS 2900 Oak Avenue, Miami, Florida 33133	3			
	CELL PHONE N/A			
E-MAIL ADDRESS _cpress@arquitectonica.com				
	FILE NO			

1. APPLICANT: ☐ OWNER OF THE SUBJECT PROP	PERTY   TENANT   ARCHITECT   LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR	OTHER
ADDRESS	
RUSINESS PHONE	
F-MAIL ADDRESS	CELL PHONE
OWNER IF DIFFERENT THAN APPLICANT:	
NAME	
ADDRESS.	
BUSINESS PHONE	CELL PHONE
E-MAIL ADDRESS	
2. AUTHORIZED REPRESENTATIVE(S):	
ATTORNEY:	
ADDRESS	
RUSINESS PHONE	
E-MAIL ADDRESS	CELL PHONE
	The state of the s
AGENT:	
NAME	
ADDRESS	
BUSINESS PHONE	CELL PHONE
E-MAIL ADDRESS	
CONTACT:	
ADDRESS	
BUSINESS PHONE	CELL PHONE
E-MAIL ADDRESS	
3. PARTY RESPONSIBLE FOR PROJECT DESIGN:	
NAME Peter Nedev	CT DENGINEER DECONTRACTOR DESCRIPTION OTHER:
ADDRESS 111 East Flagler Street #205, Miam	
BUSINESS PHONE 305-377-0082	CELL PHONE N/A
-MAIL ADDRESS pn@nc-office.com	
	FILE NO

4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE	™ YES	□ NO
4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR	R DEMOLITION	TXNO
4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILI	DING (IF APPLICABLE)	SQ. FT.
4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NE		
USEABLE FLOOR SPACE)		

- 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.		
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- 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.

	AUTHORIZED REPRESENTATIVE
SIGNATURE: So Si	
PRINT NAME: Seth Schumer, President of Qu	uadrum Miami Beach, LLC

THE AFOREMENTIONED IS ACKNOWLEDGED BY: 3 OWNER OF THE SUBJECT PROPERTY

#### OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF

COUNTY OF	
I, Not Applicable being first duly sworn, deposition property that is the subject of this application. (2) This application application, including sketches, data, and other supplementary knowledge and belief. (3) I acknowledge and agree that before heard by a land development board, the application must be thereof must be accurate. (4) I also hereby authorize the City purpose of posting a Notice of Public Hearing on my proper removing this notice after the date of the hearing	fore this application may be publicly noticed and complete and all information submitted in support of Miami Beach to enter my property for the color
	Not Applicable
Sworn to and subscribed before me this day of acknowledged before me by who have personally known to me and who did/did not take an oath.	SIGNATURE 20_ The foregoing instrument was as produced as identification and/or is
NOTARY SEAL OR STAMP	Not Applicable
NOTATION OF THE STATE OF THE ST	NOTARY PUBLIC
My Commission Expires:	Not Applicable PRINT NAME
	PRINT NAME
ALTERNATE OWNER AFT CORPORATION, PARTNERSHIP, OR (LIN (Circle one)	MITED LIABILITY COMPANY
COUNTY OF	
I, Seth Schumer, being duly sworn, depose and certify as title) of Quadrum Miami Beach, LLC. (print name of corporate entity behalf of such entity (3) This application and all information sketches, data, and other supplementary materials, are true belief. (4) The corporate entity named herein is the owner of application (5) I acknowledge and agree that, before this applicant development board, the application must be complete and be accurate. (6) I also hereby authorize the City of Miami purpose of posting a Notice of Public Hearing on the proper removing this notice after the date of the hearing	submitted in support of this application on submitted in support of this application, including and correct to the best of my knowledge and retenant of the property that is the subject of this lication may be publicly noticed and heard by a fall information submitted in support thereof must beach to enter the subject property for the sole.
	Set S
	SIGNATURE
Sworn to and subscribed before me this 20 day of	he foregoing instrument was acknowledged before me by min Beach, LLC, on behalf of such entity, who has produced as
NOTARY SEAL OR STAMP:	
My Commission Expires  ZILA SANTANA  MY COMMISSION #FF150691  EXPIRES August 13, 2018  [407] 398-0153 FioridaNotaryService.com	NOTARY PUBLIC  NOTARY PUBLIC  PRINT NAME  FILE NO.

#### OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF

COUNTY OF	
I. Not Applicable	aterials are true and correct to the best of my this application may be publicly noticed and amplete and all information submitted in support Miami Beach to enter my property for the color
	Not Applicable
Sworn to and subscribed before me this day of acknowledged before me by . who has personally known to me and who did/did not take an oath.	SIGNATURE . 20 _ The foregoing instrument was producedas identification and/or is
NOTARY SEAL OR STAMP	Not Applicable
NOTART SEAL OR STAMP	NOTARY PUBLIC
My Commission Expires:	Not Applicable
	PRINT NAME
ALTERNATE OWNER AFFID.  CORPORATION PARTNERSHIP, OR LIMIT  (Circle one)	AVIT FOR ED LIABILITY COMPANY
COUNTY OF	
I. Seth Schumer	t name of corporate entity). (2) I am authorized ion and all information submitted in support of y materials, are true and correct to the best erein is the representative of the owner of the and agree that, before this application may be ication must be complete and all information authorize the City of Miami Beach to enter Public Hearing on the property, as required ate of the hearing.
	SIGNATURE
Sworn to and subscribed before me this ? Oday of	foregoing instrument was acknowledged before me by ub Hotel Condominium Association, Inc. on behalf of such no did/sid not take an oath.
NOTARY SEAL OR STAMP:	
My Commission Expires:    Commission   Expires	NOTARY PUBLIC PRINT NAME FILE NO.

POWER OF ATT	ORNEY AFFIDAVIT
STATE OF COUNTY OF	
authorize the City of Miami Beach to enter the subi	and deposed, certify as follows: (1) I am the owner or that is the subject of this application.(2) I hereby presentative before the Manning—Board. (3) I also hereby ect property for the sole purpose of posting a Notice of I am responsible for removing this notice after the date of
th Schumer, President of Quadrum Minim Beach, LLC PRINT NAME (and Title, if applicable)	Signature Signature
Sworn to and subscribed before me this	, 20 C. The foregoing instrument was acknowledged before me has produced as ke an oath.  NOTARY PUBLIC ST. 15000.  NOTARY PUBLIC ST. 15000.
CONTRACT F	OR PURCHASE
contract purchasers below, including any and all princip of the contract purchasers are corporations, partnershi entities, the applicant shall further disclose the identity ownership interest in the entity. If any contingency	the applicant is a party to a contract to purchase the this application, the applicant shall list the names of the real officers, stockholders, beneficiaries, or partners. If any ips, limited liability companies, trusts, or other corporate of the individual(s) (natural persons) having the ultimate clause or contract terms involve additional individuals, rusts, or other corporate entities, list all individuals and/or
Not Applicable	Not Applicable
NAME	DATE OF CONTRACT
NAME, ADDRESS, AND OFFICE	% OF STOCK
Not Applicable	Not Applicable
Application of the state of the	

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.

 lt	NO		
			1000

POWER OF AT	TTORNEY AFFIDAVIT
STATE OF	
COUNTY OF	
authorize the City of Miami Beach to enter the suf-	n and deposed, certify as follows: (1) I am the owner or ty that is the subject of this application (2) I hereby epresentative before the Planning—Board. (3) I also hereby eject property for the sole purpose of posting a Notice of 4) I am responsible for removing this notice after the date of
Seth Schumer, Director of The Nautilus Club Hotel Condomnium: Association, Inc.	5.5
PRINT NAME (and Title, if applicable)	SIGNATURE
Sworn to and subscribed before me this 20 day of by Seth Schumer Director identification and/or is personally known to me and who did/did not INOTARY SEAL OR STAMP	NOTARY PUBLIC
My Commission Expires  MY COMMISSION #F  EXPIRES August 1  (407) 398-0153  FloridaNotaryService	3, 2018 CALL OCT TARAGE
If the applicant is not the owner of the property, but property, whether or not such contract is contingent or contract purchasers below, including any and all principle of the contract purchasers are corporations, partnershentities, the applicant shall further disclose the identity	FOR PURCHASE  If the applicant is a party to a contract to purchase the n this application, the applicant shall list the names of the pal officers, stockholders, beneficiaries, or partners. If any hips, limited liability companies, trusts, or other corporate y of the individual(s) (natural persons) having the ultimate clause or contract terms involve additional individuals.
corporations, partnerships, limited liability companies, corporate entities, *	trusts, or other corporate entities, list all individuals and/or
Not Applicable	Not Applicable
NAME	DATE OF CONTRACT
NAME. ADDRESS, AND OFFICE	% OF STOCK
Not Applicable	Not Applicable
and the designation of the second	When the state of

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.

111	NO.	
		0.000

## 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.\*

Quadrum Miami Beach, LLC	
NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See Attached Exhibit "B"	See Attached Exhibit "B"
The Nautilus Club Hotel Condominium Association, Inc.	
NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
See Attached Exhibit "C"	See Attached Exhibit "C"
TUEDE ADE ADDITIONAL CORDON	

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUNG 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.\*

#### TRUST NAME

NAME AND ADDRESS	% INTEREST
Not Applicable	Not Applicable

NOTE: Notarized signature required on page 9

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3.	COMP	PENSA	TED L	OBE	SYIST:

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. <u>lames E. Rauh, Greenspoon Marder, P.A.</u> b c.	1601 Washington Avenue, Suite 300, Miami Beach, Florida 33139	(305) 789-2732
Additional names can be placed on a separate page a	attached to this form.	
*Disclosure shall not be required of any entity, the ed securities market in the United States or other country a limited partnership or other entity, consisting of m entity holds more than a total of 5% of the ownership	, or of any entity, the ownership intere ore than 5,000 separate interests, w	sts of which are held in
APPLICANT HEREBY ACKNOWLEDGES AND AGRE DEVELOPMENT BOARD OF THE CITY SHALL BE SUI BOARD AND BY ANY OTHER BOARD HAVING JURIS WITH THE CODE OF THE CITY OF MIAMI BEACH A LAWS.	BJECT TO ANY AND ALL CONDITIONS DICTION, AND (2) APPLICANT'S PRO	S IMPOSED BY SUCH
APPLICA	NT AFFIDAVIT	
STATE OF		
COUNTY OF		
I, Seth Schumer, President , being first duly sworn, de representative of the applicant. (2) This application a including disclosures, sketches, data, and other supple knowledge and belief.	spose and certify as follows: (1) I am and all information submitted in supplementary materials, are true and corr	ort of this application
Sworn to and subscribed before me this $20$ day of acknowledged before me by, who has produced as did/did not take an oath.	President of Quadrum Miami B	SIGNATURE
1 1 1 1 2	SANTANA SION #FF150691	NOTARY PUBLIC
EXPIRES A	August 13, 2018 taryService.com	PRINT NAME

FILE NO.

#### EXHIBIT "A" LEGAL DESCRIPTION

#### Parcel "A":

Lots 3, 4, 11 and 12, Block 1 of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Miami Dade County, Florida, excepting there from that part of said Lot 4 described as follows:

Begin at the Northeast of Lot 4, of Block 1 of FISHER'S FIRST SUB DIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Miami-Dade County, Florida; thence run Southerly along the Easterly line of said Lot 4 a distance of 10.14 feet; thence Westerly parallel to the Northerly line of said Lot 4 a distance of 75 feet; thence Northerly parallel to the Easterly line of said Lot 4 a distance of 10.14 feet to a point on the Northerly line of said Lot 4, said point being 75 feet Westerly from the Point of Beginning; thence Easterly along the Northerly line of said Lot 4 a distance of 75 feet to the Point of Beginning.

#### TOGETHER WITH Parcel "B":

A portion of the 30 foot wide right-of-way as shown on said FISHER'S FIRST SUB DIVISION OF ALTON BEACH, according to the plat there of, as recorded in Plat Book 2 at Page 77 of said Public Records of Miami Dade County, Florida, said 30 foot right-of-way vacated referred in O.R.B. 22398, at Page 1784 of said Public Records, said right-of-way adjoins the East line of said Lots 3 and 4 and bounded on the North by the Easterly extension of the Eastern most North line of said Parcel 1 as described above and produced Easterly and bounded on the South by the Easterly extension of the South line of said Lot 3.

#### TOGETHER WITH Parcel "C":

A Parcel of land which adjoins the East line of said 30 foot wide vacated right-of-way referred in O.R.B. 22398, at Page 1784 of said Public Records and bounded on the North by the Easterly extension of the Eastern most North line of said Parcel I as described above and bounded on the South by the Easterly extension of the South line of said Lot 3 and bounded on the East by the Erosion Control Line as recorded in Plat Book 105 at Page 62 of said Public Records of Miami Dade County, Florida.

#### ALL OF THE ABOVE being more particularly described as follows:

Begin at the Northwest corner of said Lot 11, said point lying on the Easterly right-of-way line of Collins Avenue, also known as State Road A-1-A; thence North 88'04'53" East along the North line of said Lots 11 and 4 for 325.00 feet to a point on said North line of Lot 4 being 75.00 feet Westerly from the Northeast corner of said Lot 4, as measured along said North line; thence South 07'34'45" West along a line parallel with the Easterly line of said Lot 4 for 10.14 feet; thence North 88'04'53" East along a line parallel with the Northerly line of said Lot 4 and the Easterly extension thereof for 324.48 feet to a point on the Erosion Control Line as recorded in Plat Book 105, Page 62 of said Public Records of Miami-Dade County, Florida; thence South 09'22'27" West along said Erosion Control Line for 91.61 feet; thence South 88'04'53" West along the South line of said lots 3 and 12 and the Easterly extension thereof for 646.57 feet to a point on said Easterly right-of-way line of Collins Avenue, also known as State Road A-1-A; thence North 07'34'45" East along said Easterly right-of-way line for 101.23 feet to the Point of Beginning.

## EXHIBIT "B" DISCLOSURE OF INTEREST QUADRUM MIAMI BEACH, LLC

## CITY OF MIAMI BEACH DEVELOPMENT REVIEW BOARD APPLICATION

#### **DISCLOSURE OF INTEREST**

#### 1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

 Quadrum Miami Beach, LLC	
CORPORATION NAME	

#### Name and Address

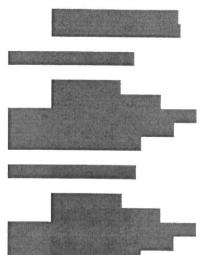
% of Ownership

Quadrum Miami Beach, LLC (Florida)

Miami Beach Nautilus, LP (Delaware) Impirl Holdings Limited (BVI)

100.0% less \$1,000,000 investment \$1,000,000 fixed investment

Impirl Holdings Limited (BVI)



100.0%

50.0% 50.0%

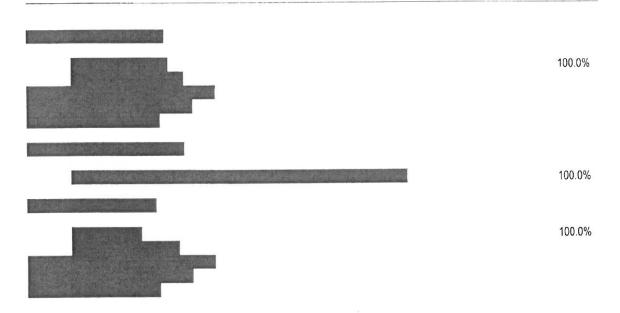
100.0%

#### Miami Beach Nautilus, LP (Delaware)

Miami Beach Nautilus Corp (Delaware)	89.8%
Quadrum US Corp (Delaware)	0.2%
Amathea US Trust (Delaware)	5.0%
Europa US Trust (Delaware)	5.0%

Miami Beach Nautilus Corp (Delaware)	
	100.0%
Quadrum US Corp (Delaware)	
Quadrum Global Management Ltd (Guernsey)	100.0%
Amathea US Trust (Delaware)	
	100.0%
Europa US Trust (Delaware)	
The state of the s	100.0%
Quadrum Global Management (Guernsey)	
Michael Betley (contact person) PO Box 665, The Grange	100.0%
St. Peter Port Guernsey GY1 3SJ	
Outilisty of 1 333	
BASSANI A SECTION AND A CONTRACTOR OF A SECTION ASSESSMENT ASSESSMENT ASSESSMENT OF A SECTION ASSESSMENT AS	
	50.0%
	25.0% 25.0%
	50.0%
	50.0%
	100.0%
	100.076
	100.0%
	100.070
	100.0%
	100.070

Page 3 of 3



## EXHIBIT "C" DISCLOSURE OF INTEREST THE NAUTILUS CLUB HOTEL CONDOMINIUM ASSOCIATION, INC.

#### CITY OF MIAMI BEACH

#### **DEVELOPMENT REVIEW BOARD APPLICATION**

#### **DISCLOSURE OF INTEREST**

#### 1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.\*

The Nautilus Club Hotel Condominium Association, Inc.

#### CORPORATION NAME

Name and Address	% of Ownership
Seth Schumer, as Director 407 Lincoln Road, Suite 304 Miami Beach, Florida 33139	0%
Bryan Davis, as Director 407 Lincoln Road, Suite 304 Miami Beach, Florida 33139	0%
Amir Setayesh, as Director 407 Lincoln Road, Suite 304 Miami Beach, Florida 33139	0%

# GreenspoonMarder

From the desk of: James E. Rauh, Esq. 1601 Washington Avenue, Suite 300 Miami Beach, Florida 33139

> Phone: 305.789.2732 Fax: 305.448.5566 Direct Phone: 305.510.4077 Direct Fax: 305.537.3928 Email: james.rauh@gmlaw.com

May 23, 2016

Chair and Members of the Planning Board City of Miami Beach 1700 Convention Center Drive, 2nd Floor Miami Beach, Florida 33139

Re: CUP Modification - Letter of Intent for Planning Board File No. 2227

Dear Chair and Members of the Planning Board:

Our Law Firm represents Quadrum Miami Beach, LLC (the "Applicant"), the owner of the property located at 1825 Collins Avenue (the "Property"). The Planning Board previously approved a Conditional Use Permit ("CUP") for a Neighborhood Impact Establishment and an Outdoor Entertainment Establishment at the Property under Planning Board File No. 2227, a copy of which is attached hereto.

The purpose of this application is to modify Condition No. 6(a)(i) of the existing CUP to make the Occupant Content recited in the CUP order consistent with the Fire Marshall's calculation of the Occupant Content following the completion of the renovations at the Property. Condition No. 6(a)(i) of the CUP states "The food and beverage areas of the hotel shall have a maximum occupant content of 996 persons or any lesser such occupant content as determined by the Fire Marshal."

The 996 person occupancy was based on the architect's calculations <u>prior to</u> the completion of the renovations at the property. The Fire Marshall's calculation of the 1098 person occupancy was calculated <u>after</u> renovations. As a result, the Fire Marshall's calculations were slightly higher than the architect's preconstruction estimates. There are no changes to the square footage, uses, or operational program previously approved under the existing CUP.

In light of the foregoing, we respectfully request the Planning Board's approval of the modification to the venue's previously approved CUP

Very Respectfully Submitted,

James E Rauh For the Firm

enclosures



CFN 2015R0116027 OR Bk 29510 Pss 3195 - 3200; (6p: RECORDED 02/23/2015 14:04:40 HARVEY RUVIN, CLERK OF COURT MIAMI-DADE COUNTY, FLORIDA

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

PROPERTY: 1825 Collins Avenue – The Nautilus Hotel

FILE NO. 2227

IN RE: The applicant, Quadrum Miami Beach, LLC, is requesting Conditional Use

approval for a Neighborhood Impact Establishment with an occupant content exceeding 300 persons, and for an Outdoor Entertainment Establishment,

pursuant to Section 142, Article V.

LEGAL

**DESCRIPTION:** See "Exhibit A"

MEETING DATE: January 28, 2015

#### **CONDITIONAL USE PERMIT**

The applicant, Quadrum Miami Beach, LLC, is requesting a Conditional Use Permit pursuant Chapter 118, Article IV, "Conditional Use Procedure," of the Land Development Regulations of the Code of the City of Miami Beach, Florida. Notice of the request for a Conditional Use Permit was 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 of the record for this matter:

That the property in question is located in the RM-3, Residential Multi-family, High Intensity zoning district;

That the Use is consistent with the Comprehensive Plan for the area in which the property is located;

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 Ordinance;

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.

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



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recommendation, that a Conditional Use Permit as requested and set forth above be GRANTED, subject to the conditions below, which have been accepted by the applicants:

- The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 90 days from the issuance of the BTR. 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).
- 2. This Conditional Use Permit is issued to Quadrum Miami Beach, LLC, as owner of the Nautilus Hotel, for a Neighborhood Impact Establishment and for an Outdoor Entertainment Establishment consisting of a lobby lounge, restaurant, patio, and pool deck area. Any change of operator or ownership shall require review and approval by the Planning Board as a modification to this Conditional Use Permit.
- The conditions of approval for this Conditional Use Permit are binding on the applicant, the 3. property owners, operators, and all successors in interest and assigns.
- 4. 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.
- 5. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
- 6. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, quests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
  - a. As proposed by the applicant, the project authorized by this Conditional Use Permit includes the creation and operation of the proposed 524 seat lobby lounge, restaurant, patio, and pool deck area with the criteria listed below:
    - i. The food and beverage areas of the hotel shall have a maximum occupant content of 996 persons or any lesser such occupant content as determined by the Fire Marshal.
    - ii. The lobby lounge may operate until 5:00 AM and all other areas shall not operate past 2:00 AM.
    - iii. The outdoor areas associated with this venue shall not have music, whether live or recorded, whether amplified or non-amplified, which is played at a



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volume that is louder than ambient background music (defined as a sound level that does not interfere with normal conversation).

- iv. The house sound system shall be installed and set in such a manner as to limit the acoustical output of the system and have password protected security on all controls at all times. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls shall be submitted for the review and approval of the Planning Department. 60 day after opening, the sound systems in the facility shall be tested by a qualified acoustic professional, and a report shall be submitted to the Planning Department for review.
- b. Delivery trucks shall only be permitted to park in the driveway at the front of the building or within a freight loading zone designated by the City of Miami Beach. Delivery trucks shall not be permitted to block pedestrians on the sidewalk or vehicular traffic on Collins Avenue.
- Delivery trucks shall not be allowed to idle in the driveway or within freight loading zones.
- Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.
- e. Trash collections may occur daily between 8:00 AM and 5:00 PM.
- 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.
- f. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Sufficient interior space must be provided so that doors can remain closed while trash and trash bags are being deposited in dumpsters. Doors shall remain closed and secured when not in active use.
- g. Trash room(s)/garbage room(s) shall be large enough, or sufficient in number to accommodate enough dumpsters so that more than one pick up of garbage per day will not be necessary. A high-level trash/garbage compacting device shall be located in an air-conditioned trash/garbage holding room within the facility.
- h. Garbage dumpster covers shall be closed at all times except when in active use.
- Restaurant personnel shall take measures to enforce the Patron Age Restriction of the City Code during the hours of operation of all alcoholic beverage establishments.
- No patrons shall be allowed to queue on public rights-of-way, or anywhere on the exterior premises of the subject property.

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- k. The owner/operator shall be responsible for maintaining the areas adjacent to the facility, including the sidewalk, and all areas around the perimeter of the property. These areas shall be kept free of trash, debris and odor, and shall be swept and hosed down at the end of each business day
- I. Street flyers and handouts shall not be permitted, including handbills from third-party promotions.
- m. Special Events may occur on the premises, subject to City ordinances, rules or regulations existing at the time, and may exceed the hours of operation and occupancy loads specified herein, if permitted by the Fire Marshal, subject to the review and approval of staff.
- 7. If the proposed valet storage facility (237 20th Street) changes, the applicant shall submit a revised Traffic Study to the Transportation Division of Public Works for staff approval.
- 8. The applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as determined by the Transportation/Concurrency Management Division, prior to obtaining a Certificate of Occupancy or Business Tax Receipt, whichever may occur first, and any other fair share cost that may be due and owing. Without exception, all concurrency fees, mitigation fees and concurrency administrative costs shall be paid prior to the issuance of a Certificate of Occupancy or Business Tax Receipt.
- 9. A bicycle parking plan shall be submitted for staff review and approval prior to the issuance of a Building Permit.
- The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of an occupational license to operate this entertainment establishment.
- The applicant shall obtain a full building permit within 18 months from the date of the 11. meeting, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.
- 12 The Planning Board shall retain the right to call the owner or operator back before them and modify the hours of operation or the occupant load should there be valid complaints about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
- 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, Code of the City of Miami Beach, Florida.
- 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



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			Page	5	of 6

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 executed Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant and returned to the Planning Department. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.
- 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 Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. 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.

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

Dated this /3 day of February , 2015

PLANNING BOARD OF THE CITY OF MIAMI BEACH FLORIDA

BY: Michael Belush, Planning and Zoning Manager For Chairman

STATE OF FLORIDA ) COUNTY OF MIAMI-DADE )



[NOTARIAL SEAL]

Notary:
Print Name: /easa Madia

Notary Public, State of Florida

My Commission Expires: / 2 - 2 - / Commission Number:

Approved As To Form:
Legal Department (Author) 3/12/2015

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#### EXHIBIT "A" LEGAL DESCRIPTION

Parcel "A":

Lots 3, 4, 11 and 12, Block 1 of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Misuni Dade County, Florida, excepting there from that part of said Lot 4 described as follows:

Begin at the Northeast of Lot 4, of Block 1 of FISHER'S FIRST SUB DIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Miami-Dade County, Florida; thence run Southerly along the Easterly line of said Lot 4 a distance of 10.14 feet; thence Westerly parallel to the Northerly line of said Lot 4 a distance of 75 feet; thence Northerly parallel to the Easterly line of said Lot 4 a distance of 10.14 feet to a point on the Northerly line of said Lot 4, said point being 75 feet Westerly from the Point of Beginning; thence Easterly along the Northerly line of said Lot 4 a distance of 75 feet to the Point of Beginning.

TOGETHER WITH Parcel "B":

A portion of the 30 foot wide right-of-way as shown on said FISHER'S FIRST SUB DIVISION OF ALTON BEACH, according to the plat there of, as recorded in Plat Book 2 at Page 77 of said Public Records of Miami Dade County, Plorida, said 30 foot right-of-way vacated referred in O.R.B. 22398, at Page 1784 of said Public Records, said right-of-way adjoins the East line of said Lots 3 and 4 and bounded on the North by the Easterly extension of the Eastern most North line of said Parcel 1 as described above and produced Basterly and bounded on the South by the Easterly extension of the South line of said Lot 3.

TOGETHER WITH Parcel "C":

A Parcel of land which adjoins the East line of said 30 foot wide vacated right-of-way referred in O.R.B. 22398, at Page 1784 of said Public Records and bounded on the North by the Easterly extension of the Eastern most North line of said Parcel 1 as described above and bounded on the South by the Easterly extension of the South line of said Lot 3 and bounded on the East by the Erosion Control Line as recorded in Plat Book 105 at Page 62 of said Public Records of Miami Dade County, Florida.

ALL OF THE ABOVE being more particularly described as follows:

Begin at the Northwest corner of said Lot 11, said point lying on the Easterly right-of-way line of Collins Avenue, also known as State Road A-1-A; thence North 88'04'53" East along the North line of said Lots 11 and 4 for 325.00 feet to a point on said North line of Lot 4 being 75.00 feet Westerly from the Northeast corner of said Lot 4, as measured along said North line; thence South 07'34'45" West along a line parallel with the Easterly line of said Lot 4 for 10.14 feet; thence North 88'04'53" East along a line parallel with the Northerly line of said Lot 4 and the Easterly extension thereof for 324.48 feet to a point on the Erosion Control Line as recorded in Plat Book 105, Page 62 of said Public Records of Miami-Dade County, Florida; thence South 09'22'27" West along said Erosion Control Line for 91.61 feet; thence South 88'04'53" West along the South line of said lots 3 and 12 and the Easterly extension thereof for 646.57 feet to a point on said Easterly right-of-way line of Collins Avenue, also known as State Road A-1-A; thence North 07'34'45" East along said Easterly right-of-way line for 101.23 feet to the Point of Beginning.

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# OCCUPANT CONTENT CITY OF MIAMI BEACH FIRE DEPARTMENT



is \* persons. The minimum number of approved independent exits to The maximum legal occupant content for this place of business the exterior of the building accessible to this occupancy is  $\underline{5}$ .

Location: 1825 COLLINS AV. / MIAMI BEACH / FL.

"NAUTILUS HOTEL"

RESTAURANT: INDOOR DINING = 89, PRIVATE DINING = 20, OUTDOOR DINING = 185 \*LOBBY LOUNGE = 146, CONFERENCE RM#1 = 93, CONFERENCE RM#2 = 69 POOL DECK = 403, POOL BAR = 139, BACK YARD = 116

Diwision Fire Chief Juan Meizoso

Date Issued: 10/14/15

Activity Number: BMS1600053

It shall be unlawful to remove or deface this notice. If the occupant content number(s) above is exceeded (individual rooms, floors, total), the business license holder will be held liable and subject to the penaltics stated in the City of Miami Beach Code, Chapter 50 for violating the Florida Fire Prevention Code,