

MIAMI BEACH

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

LAND USE BOARD HEARING APPLICATION

THE FOLLOWING APPLICATION IS SUBMITTED FOR REVIEW AND CONSIDERATION OF THE PROJECT DESCRIBED HEREIN BY THE LAND USE BOARD SELECTED BELOW. A SEPARATE APPLICATION MUST BE COMPLETED FOR EACH BOARD REVIEWING THE PROPOSED PROJECT.

- ☐ BOARD OF ADJUSTMENT
 - ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
 - ☐ APPEAL OF AN ADMINISTRATIVE DECISION

- ☒ DESIGN REVIEW BOARD
 - ☒ DESIGN REVIEW APPROVAL
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.

- ☐ HISTORIC PRESERVATION BOARD
 - ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
 - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
 - ☐ HISTORIC DISTRICT / SITE DESIGNATION
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.

- ☐ PLANNING BOARD
 - ☐ CONDITIONAL USE PERMIT
 - ☐ LOT SPLIT APPROVAL
 - ☐ MENDMENT 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: 1824 Alton Road

LEGAL DESCRIPTION: ISLAND VIEW SUB PB 6-115 LOTS 1 TO 3 INC BLK 12 LOT SIZE IRREGULAR OR 19475-3503
0101 6

FOLIO NUMBER (S) 02-3233-012-0130

FILE NO. _____

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

NAME Saber 1800 Alton, LLC
 ADDRESS 20900 NE 30th Avenue, Suite 812, Aventura, FL 33180
 BUSINESS PHONE (786) 406-1762 CELL PHONE (305) 968-4468
 E-MAIL ADDRESS c/o Michael Klinger – klinger@saberfund.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME Same as above
 ADDRESS Same as above
 BUSINESS PHONE Same as above CELL PHONE Same as above
 E-MAIL ADDRESS Same as above

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME Michael Larkin
 ADDRESS Bercow Radell & Fernandez, PLLC, 200 South Biscayne Blvd., Suite 850, Miami, FL 33131
 BUSINESS PHONE (305) 374-5300 CELL PHONE _____
 E-MAIL ADDRESS MLarkin@BRZoningLaw.com

☒ ATTORNEY:

NAME Monika Entin
 ADDRESS Bercow Radell & Fernandez, PLLC, 200 South Biscayne Blvd., Suite 850, Miami, FL 33131
 BUSINESS PHONE (305) 374-5300 CELL PHONE _____
 E-MAIL ADDRESS MLarkin@BRZoningLaw.com

☐ CONTACT:

NAME _____
 ADDRESS _____
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☐ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME Kobi Karp Architecture & Interior Design, Inc
 ADDRESS 2915 Biscayne Boulevard, Suite 200, Miami, FL 33137
 BUSINESS PHONE (305) 573-1818 CELL PHONE _____
 E-MAIL ADDRESS kobikarp@kobikarp.com

FILE NO. _____

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

The Applicant is desirous of introducing a nationally recognized tenant as the principal tenant for this project.

The Applicant seeks approval of the design of the signage with the tenants nationally recognized brand.

4A IS THERE AN EXISTING BUILDING(S) ON THE SITE

☐ YES ☒ NO

4B DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION

☐ YES ☒ NO4C PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICANT) N/A SQ. FT.4D PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USABLE FLOOR SPACE). N/A SQ. FT.

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

- A SEPARATE DISCLOSURE OF INTEREST FORM MUST BE SUBMITTED WITH THIS APPLICATION IF THE APPLICANT OR OWNER IS A CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR TRUSTEE.
- ALL APPLICABLE AFFIDAVITS MUST BE COMPLETED AND THE PROPERTY OWNER MUST COMPLETE AND SIGN THE "POWER OF ATTORNEY" PORTION OF THE AFFIDAVIT IF THEY WILL NOT BE PRESENT AT THE HEARING, OR IF OTHER PERSONS ARE SPEAKING ON THEIR BEHALF.
- TO REQUEST THIS MATERIAL IN ALTERNATE FORMAT, SIGN LANGUAGE INTERPRETER (FIVE-DAY NOTICE IS REQUIRED), INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY CITY-SPONSORED PROCEEDINGS, CALL 305.604.2489 AND SELECT (1) FOR ENGLISH OR (2) FOR SPANISH, THEN OPTION 6; TTY USERS MAY CALL VIA 711 (FLORIDA RELAY SERVICE).

PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- PUBLIC RECORDS NOTICE – ALL DOCUMENTATION, SUBMITTED FOR THIS APPLICATION IS CONSIDERED A PUBLIC RECORD SUBJECT TO CHAPTER 119 OF THE FLORIDA STATUTES AND SHALL BE DISCLOSED UPON REQUEST.
- IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-482 OF THE CODE OF THE CITY OF MIAMI BEACH, ANY INDIVIDUAL OR GROUP THAT WILL BE COMPENSATED TO SPEAK OR REFRAIN FROM SPEAKING IN FAVOR OR AGAINST A PROJECT BEING PRESENTED BEFORE ANY OF THE CITY'S LAND USE BOARDS, SHALL FULLY DISCLOSE, PRIOR TO THE PUBLIC HEARING, THAT THEY HAVE BEEN, OR WILL BE COMPENSATED. SUCH PARTIES INCLUDE: ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS, OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVES ATTORNEYS OR AGENTS AND CONTACT PERSONS WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY; SUCH INDIVIDUALS MUST REGISTER WITH THE CITY CLERK PRIOR TO THE HEARING.

FILE NO. _____

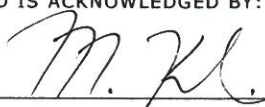
- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT DESIGN REVIEW BOARD/HISTORIC PRESERVATION BOARD), OR THE BOARD OF ADJUSTMENT SHALL DISCLOSE, AT THE COMMENCEMENT (OR CONTINUANCE) OF THE PUBLIC HEARING(S), ANY CONSIDERATION PROVIDED OR COMMITTED, DIRECTLY OR ON ITS BEHALF, FOR AN AGREEMENT TO SUPPORT OR WITHHOLD OBJECTION TO THE REQUESTED APPROVAL, RELIEF OR ACTION, EXCLUDING FROM THIS REQUIREMENT CONSIDERATION FOR LEGAL OR DESIGN PROFESSIONAL SERVICES RENDERED OR TO BE RENDERED. THE DISCLOSURE SHALL; (I) BE IN WRITING, (II) INDICATE TO WHOM THE CONSIDERATION HAS BEEN PROVIDED OR COMMITTED, (III) GENERALLY DESCRIBE THE NATURE OF THE CONSIDERATION, AND (IV) BE READ INTO THE RECORD BY THE REQUESTING PERSON OR ENTITY PRIOR TO SUBMISSION TO THE SECRETARY/CLERK OF THE RESPECTIVE BOARD. UPON DETERMINATION BY THE APPLICABLE BOARD THAT THE FOREGOING DISCLOSURE REQUIREMENT WAS NOT TIMELY SATISFIED BY THE PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION AS PROVIDED ABOVE, THEN (I) THE APPLICATION OR ORDER, AS APPLICABLE, SHALL IMMEDIATELY BE DEEMED NULL AND VOID WITHOUT FURTHER FORCE OR EFFECT, AND (II) NO APPLICATION FROM SAID PERSON OR ENTITY FOR THE SUBJECT PROPERTY SHALL BE REVIEWED OR CONSIDERED BY THE APPLICABLE BOARD(S) UNTIL EXPIRATION OF A PERIOD OF ONE YEAR AFTER THE NULLIFICATION OF THE APPLICATION OR ORDER. IT SHALL BE UNLAWFUL TO EMPLOY ANY DEVICE, SCHEME OR ARTIFICE TO CIRCUMVENT THE DISCLOSURE REQUIREMENTS OF THIS SECTION AND SUCH CIRCUMVENTION SHALL BE DEEMED A VIOLATION OF THE DISCLOSURE REQUIREMENTS OF THIS SECTION.
- WHEN THE APPLICABLE BOARD REACHES A DECISION A FINAL ORDER WILL BE ISSUED STATING THE BOARD'S DECISION AND ANY CONDITIONS IMPOSED THEREIN. THE FINAL ORDER WILL BE RECORDED WITH THE MIAMI-DADE CLERK OF COURTS. THE ORIGINAL BOARD ORDER SHALL REMAIN ON FILE WITH THE CITY OF MIAMI BEACH PLANNING DEPARTMENT. UNDER NO CIRCUMSTANCES WILL A BUILDING PERMIT BE ISSUED BY THE CITY OF MIAMI BEACH WITHOUT A COPY OF THE RECORDED FINAL ORDER BEING INCLUDED AND MADE A PART OF THE PLANS SUBMITTED FOR A BUILDING PERMIT.

THE AFOREMENTIONED IS ACKNOWLEDGED BY:

☒ OWNER OF THE SUBJECT PROPERTY

☐ AUTHORIZED REPRESENTATIVE

SIGNATURE: _____



PRINT NAME: Michael Klinger as the Manager of Saber 1800 Alton, LLC

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, N/A, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for removing this notice after the date of the hearing.

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

SIGNATURE

NOTARY SEAL OR STAMP

NOTARY PUBLIC

PRINT NAME

My Commission Expires:

**ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY**

(Circle one)

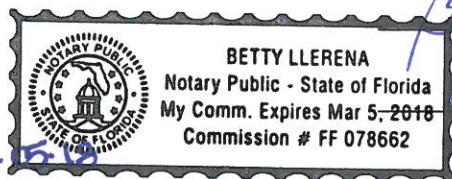
STATE OF FloridaCOUNTY OF Miami-Dade

I, Michael Klinger, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Saber 1800 Alton, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner or tenant of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

Michael Klinger as the Manager
Saber 1800 Alton, LLC

Sworn to and subscribed before me this 15 day of July, 2016. The foregoing instrument was acknowledged before me by Michael Klinger, Manager (print title) of Saber 1800 Alton LLC, who has produced A FL DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

PRINT NAME

My Commission Expires: 03.15.18

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

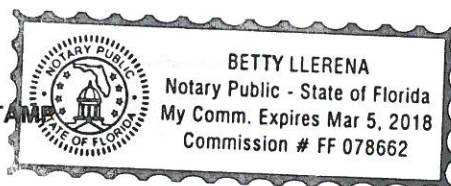
STATE OF Florida
 COUNTY OF Miami-Dade

I, Michael Klinger, being duly sworn, depose and certify as follows: (1) I am the Manager of the Saber 1800 Alton, LLC owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell & Fernandez, PLLC to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Michael Klinger
 Michael Klinger as the Manager
 Saber 1800 Alton, LLC

Sworn to and subscribed before me this 15 day of July, 2016. The foregoing instrument was acknowledged before me by Michael Klinger, Manager (print title) of Saber 1800 Alton LLC, who has produced AFL DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



NOTARY PUBLIC

Betty Llerena
 Betty Llerena

PRINT NAME

My Commission Expires 03.05.18

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries, or partners. If any of the contract purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.*

Not applicable

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE

% OF STOCK

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

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership, or limited liability company, list ALL of the owners, shareholders, partners, managers, and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

Saber 1800 Alton, LLC - 20900 NE 30th Avenue Aventura, FL 33180

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Refer to Exhibit A, attached hereto

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

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

NOTE: Notarized signature required on page 9

FILE NO. _____

**CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST**

2. TRUSTEE

If the property that is the subject of this application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

Not applicable

TRUST NAME

NAME AND ADDRESS

% OF INTEREST

NOTE: Notarized signature required on page 9

FILE NO. _____

3. COMPENSATED LOBBYIST:

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE #
a. <u>Michael Larkin</u>	<u>200 S. Biscayne Blvd., Ste. 850, Miami, FL 33131</u>	<u>(305)374-5300</u>
b. <u>Monika Entin</u>	<u>200 S. Biscayne Blvd., Ste. 850, Miami, FL 33131</u>	<u>(305)377-6237</u>

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

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

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE, AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

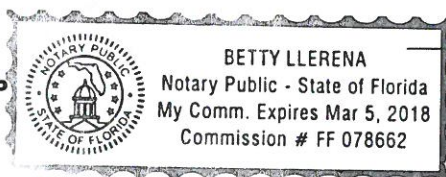
COUNTY OF Miami-Dade

I, Michael Klinger, being duly sworn, depose and certify as follows: (1) I am the Manager of the Saber 1800 Alton, LLC, the applicant; and (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

M. Klinger
 Michael Klinger as the Manager
 Saber 1800 Alton, LLC

Sworn to and subscribed before me this 15 day of July, 2016. The foregoing instrument was acknowledged before me by Michael Klinger, Manager (print title) of Saber 1800 Alton LLC, who has produced a FL DL as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



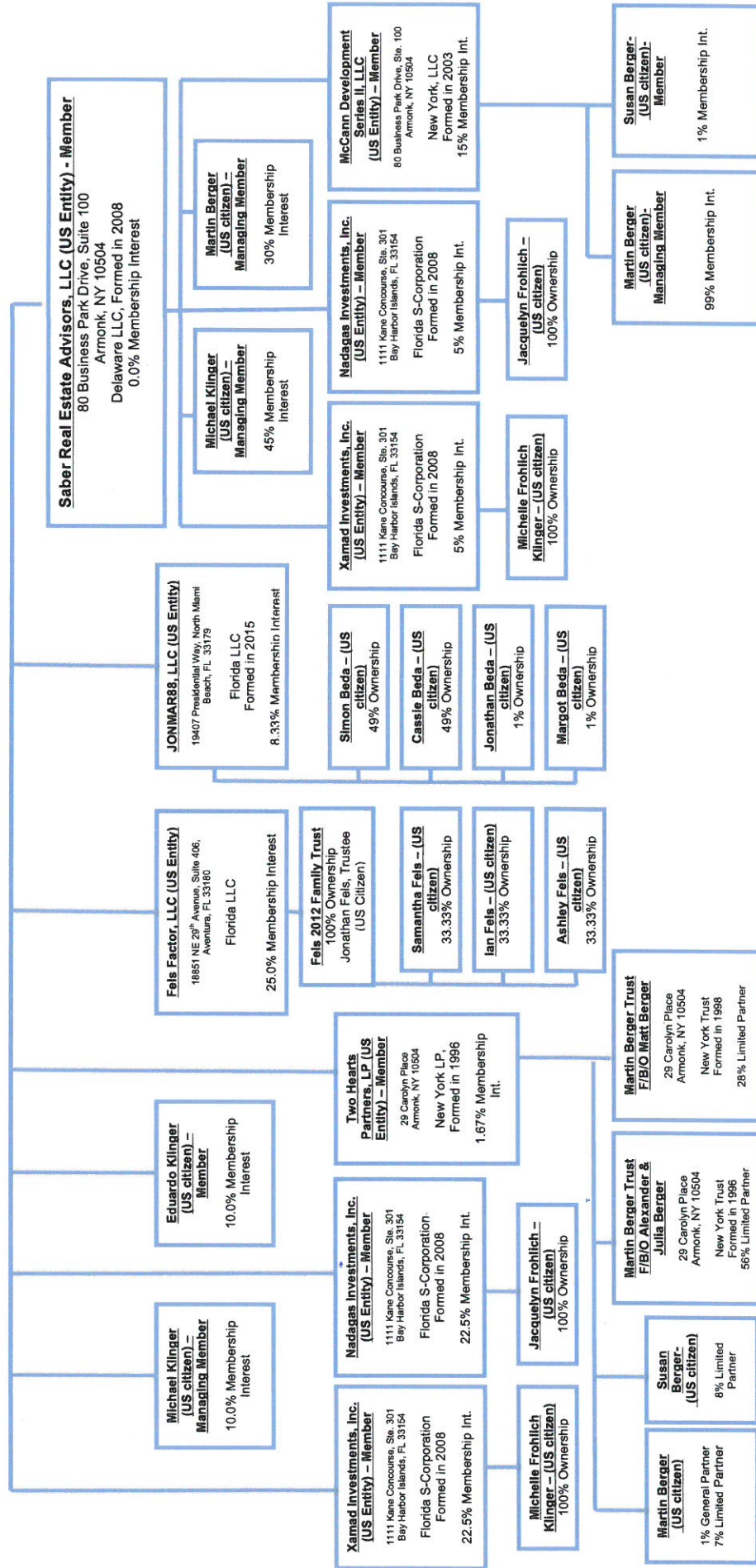
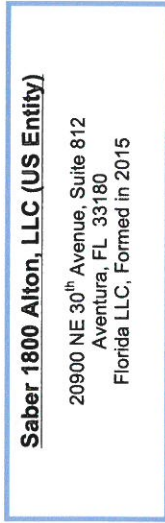
Betty Llerena
 NOTARY PUBLIC

My Commission Expires:

03.05.18

Betty Llerena
 PRINT NAME

FILE NO. _____



CITY OF MIAMI BEACH
CERTIFICATE OF USE, ANNUAL FIRE FEE, AND BUSINESS TAX RECEIPT

1700 Convention Center Drive
Miami Beach, Florida 33139-1819

TRADE NAME: LARRY'S CHEVRON
IN CARE OF: MARK RAYBON
ADDRESS: 19341 NW 5TH ST
PEMBROKE PINES, FL 33029

RECEIPT NUMBER: RL-87016592
Beginning: 10/01/2014
Expires: 09/30/2015
Parcel No:

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business.

A certificate of Use / Business Tax Receipt issued under this article does not waive or supersede other City laws, does not constitute City approval of a particular business activity and does not excuse the licensee from all other laws applicable to the licensee's business.

This Receipt may be transferred:

A. Within 30 days of a bonafide sale, otherwise a complete annual payment is due.

B. To another location within the City if proper approvals and the Receipt are obtained prior to the opening of the new location.

Additional Information

TRADE ADDRESS: 1800 ALTON RD

Code	Certificate of Use/Occupation
005102	25 CENTS AND OVER MACHINES
007700	FOOD SALES
012065	MERCHANTS SALES
017100	SERVICE STATION

CERTIFICATE OF USE	600
# OF OVER 25 CENT	2
RETAIL INVENTORY	\$ 3000
# OF PUMPS	8
PREVIOUS BALANCE	\$ 0.00
C_U # OF UNITS	1
FOOD INVENTORY	\$ 1000

Storage Locations

FROM: CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139-1819

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
MIAMI BEACH, FL
PERMIT No 1525

LARRY'S CHEVRON
1800 ALTON RD
MIAMI BEACH, FL 33139-1505





BERCOW RADELL & FERNANDEZ
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6237
E-Mail: MEntin@BRZoningLaw.com

VIA HAND DELIVERY

August 12, 2016

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

Re: Design Review Approval for the Signage at the Property Located at 1824
Alton Road, Miami Beach, Florida

Dear Tom:

As you know, this law firm represents Saber 1800 Alton, LLC (the "Applicant"), the owner of the above-referenced property (the "Property"). Please allow the following to serve as the required letter of intent in connection with the request for design review approval for proposed signage for the Property.

Description of the Property. The Property, which is identified by Miami-Dade Tax Folio No. 02-3233-012-0130, is located at the northwest corner of Alton Road and 18th Street. Pursuant to the City of Miami Beach ("City") Zoning Map, the Property is zoned CD-2, Commercial Medium Intensity District, and is not located within a Local Historic District. The Property is approximately 24,000 square feet in size, and previously housed a Chevron gasoline and service station with surface parking.

As the Property is located at the intersection of Alton Road and 18th Street, it is bordered on two (2) sides by public rights-of-way. To the north of the Property is the Miami Beach Animal Hospital, Texaco gasoline and service station, and Goodyear Tires. To the east of the Property are a Chase Bank and Walgreens store. To the west is the South Beach Hand Car Wash.

Description of the Development Program. While the Property had been maintained in general good repair, in light of the recent redevelopments along the Alton Road corridor, it was overdue for some upgrading. Considering the prominence of Alton Road for the City, the Property has been exceptionally underutilized for decades. On March 1, 2016 the Applicant presented a proposal

for the redevelopment of the Property, which was welcomed and approved by the Design Review Board (DRB), as well as by the Planning Board (PB) on January 26, 2016.

Part of the approved development anticipated one principal tenant located on the second floor as well as the northeast corner of the Property. That tenant has been identified as Michael's, a nationally recognized arts and crafts store. The Applicant's team has worked to design signage for the tenant which is, not only consistent with its national brand, but also complies with the City of Miami Beach zoning regulations.

The current City regulations, allow for properties in the CD-2 zoning district One (1) sign per street frontage for each licensed principal and licensed accessory use. Corner buildings are permitted to have one (1) building identification sign per façade or a combined sign, instead of the two (2) permitted signs. The building identification signs are to be located on the building parapet and cannot exceed one percent (1%) of the wall area on which it is placed. In addition to building identification signs, the Code also permits signs for each accessory use. The area of each accessory use sign shall not exceed one square foot per linear foot of frontage, not to exceed twenty square feet (20SF).

Signage for this project complies with the Code regulations. In this instance the building is situated on a corner and measures one-hundred fifty feet (150') in width by one-hundred sixty feet (160') in depth and is fifty feet (50') tall. This would allow for building identification signs on each façade of forty square feet (40SF). The Applicant could also opt to have one combined corner identification sign. In this instance, the Applicant is seeking to proceed with two building identification signs, located on the building parapet, each of which is forty square feet (40SF), as permitted by Code. The Applicant is using the Michael's signage as the building identification sign, as that will be the largest tenant in the building. In addition, each licensed business is also permitted to have signage, in addition to any building identification. Therefore, Michael's would be permitted to have signage not to exceed twenty square feet (20 SF), as an accessory use. The Applicant is proposing to have a blade sign along Alton Road which measures nine square feet (9 SF) and a second sign along the Alton Road entrance, measuring approximately 10.98 square feet. All of the proposed signage for this project complies with what is allowable under the current Code regulations. This signage is necessary for multiple reasons. First, the four-story structure is located in a highly trafficked area of the City, where visibility is critical for a business' viability. Also, the Property is located on a corner parcel. Furthermore, the tenant is a nationally recognized brand and their logo is part of their brand recognition.

Mr. Thomas Mooney, Planning Director

August 12, 2016

Page 3 of 3

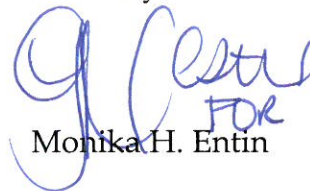
Design Review Request. The Applicant is requesting design review approval pursuant to Section 118-252 of the City Code which states that "all building permits for new construction, public interior areas, interior areas that face a street or sidewalk, demolitions and wrecking, alterations, or additions to existing buildings, including fences, parking lots, walls and signs, whether new or change of copy, and exterior surface finishes and materials, shall be subject to review under the design review procedures," pursuant to the criteria set forth in Section 118-252 of the Code (*emphasis added*).

Conclusion: Signage is a critical component of the success of any business. The success of any business relies, in part, in providing signage which is clearly visible and identifiable. In this instance, the architecture of the building provides aesthetic screens and protruding landscape, which serve to mask the interior uses. The Property is also located in an area where vehicular traffic is prominent. Therefore, visible signage is critical. The proposed signage complies with all City regulations and provides the necessary visibility to make this a successful site.

The Project's contemporary and modern design is consistent with the neighborhood and the proposed signage works with the design of the project, its location, and is within the parameters of the current zoning code.

This area will greatly benefit from the proposed redevelopment of the Property. Part of the success of this project requires viable tenants that are prepared to make a long term commitment to Miami Beach. In order for those tenants to be able to succeed in this City then they need visibility and name recognition. The proposed signage meets all the requirements of the Code and affords the tenant visibility for vehicular and pedestrian traffic and provides the brand recognition, which draws in the clientele. This project will help to enhance the appeal of both 18th Street and Alton Road. We look forward to your favorable recommendation. If you have any questions or comments, please call me at 305-377-6237.

Sincerely,



Monika H. Entin

cc: Mr. James Murphy
Ms. Laura Camayd



zoning public notification packages | ownership lists + mailing labels + radius maps
diana@rdrmiami.com | 305.498.1614

July 27, 2016

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

Re: Property Owners List within 375 feet of:

SUBJECT: 1824 Alton Road, Miami Beach, FL 33139

FOLIO NUMBER: 02-3233-012-0130

LEGAL DESCRIPTION: ISLAND VIEW SUB PB 6-115 LOTS 1 TO 3 INC BLK 12

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

Sincerely,

Rio Development Resources, LLC

A handwritten signature in blue ink, reading 'Diana B. Rio', is positioned below the company name.

Diana B. Rio

Total number of property owners without repetition: **29**

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

375' RADIUS MAP



SUBJECT: 1824 Alton Road, Miami Beach, FL 33139

FOLIO NUMBER: 02-3233-012-0130

LEGAL DESCRIPTION: ISLAND VIEW SUB PB 6-115 LOTS 1 TO 3 INC BLK 12

Name
1229 PARTNERS LLC % JONATHAN D BELOFF
1790 ALTON HOLDINGS LLC
1850 ALTON RD HOLDINGS LLC
ALTON ROAD ANIMAL HOSPITAL JON J RAPPAPORT P A
ALTON ROAD SUPREME SERVICES INC
FLORIDA POWER & LIGHT CO ATTN PROPERTY TAX DEPT
GOLDWATER REALTY II INC
GOLDWATER REALTY V INC
GOLDWATER REALTY XV
GOLDWATER RLTY X INC
GOLDWATER RLTY XXII CORP
KATZ FAMILY PARTNERSHIP % AMERICAN PLUMBING SUPPLY CO INC
KESTREL INVESTMENTS LLC % KEVIN GUTKIN
LEONEL P LIMONTE
MARCO SEGATO VITTORIA RUZZI
MARTIN L WILES
MARTIN WILES
MIAMI AVENUE HOLDCO LLC
MIDLAND TRADING COMPANY
MIDLAND TRADING II INC
PUBLIX SUPER MARKETS INC % EXPENSE PAYABLES LEASE
PUBLIX SUPER MARKETS INC
SABER 1800 ALTON LLC C/O SABER REAL EST ADVISORS LLC
SANTA ELENA HOLDINGS LLC
SOBE 17 OWNER LLC
SOBE ALTON LLC
SOUTH BEACH ASSOCIATES DEPT PT FL 28351
TALMUDIC COLLEGE OF FL INC
THE GEORGE JAY II LTD PRTNRSHP

Address	City	State	Zip	Country
1691 MICHIGAN AVE STE 320	MIAMI BEACH	FL	33139-2439	USA
2800 BISCAYNE BLVD, PH FLOOR	MIAMI	FL	33137	USA
8107 NW 33 ST	DORAL	FL	33122	USA
1828 ALTON RD	MIAMI BCH	FL	33139-1505	USA
1840 ALTON ROAD	MIAMI BEACH	FL	33139-1505	USA
700 UNIVERSE BLVD, PSX/JB	JUNO BEACH	FL	33408	USA
PO BOX 190816	MIAMI BEACH	FL	33119	USA
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1735 ALTON RD	MIAMI BEACH	FL	33139-2411	USA
1442 COMMODORE WAY	HOLLYWOOD	FL	33019	USA
PO BOX 398419	MIAMI BEACH	FL	33239	USA
1760 LENOX AVE	MIAMI BEACH	FL	33139	USA
1780 LENOX AVE	MIAMI BEACH	FL	33139-2415	USA
1770 LENOX AVE	MIAMI BEACH	FL	33139-2415	USA
525 LINCOLN RD	MIAMI BEACH	FL	33139	USA
PO BOX 190816	MIAMI BCH	FL	33119	USA
PO BOX 190816	MIAMI BEACH	FL	33119	USA
PO BOX 32025	LAKELAND	FL	33802-2025	USA
PO BOX 407	LAKELAND	FL	33802	USA
80 BUSINESS PARK DR #100	ARMONK	NY	10504	USA
1230 STILLWATER DR	MIAMI BEACH	FL	33141	USA
9425 HARDING AVE	SURFSIDE	FL	33154	USA
9425 HARDING AVE	MIAMI	FL	33154	USA
PO BOX 25025	GLENDALE	CA	91201-5025	USA
4000 ALTON ROAD	MIAMI BEACH	FL	33140	USA
6507 GRANADA BLVD	CORAL GABLES	FL	33146-3428	USA

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BELOFF
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PROPERTY TAX DEPT
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LAKELAND, FL 33802-2025

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GLENDALE, CA 91201-5025

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4000 ALTON ROAD
MIAMI BEACH, FL 33140

THE GEORGE JAY II LTD PRTRNSHP
6507 GRANADA BLVD
CORAL GABLES, FL 33146-3428

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: March 1, 2016

FILE NO: 23233

PROPERTY: 1824 Alton Road

APPLICANT: Saber 1800 Alton LLC

LEGAL: Lots 1-3 of Block 12, of "Island View Subdivision", according to Plat thereof as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County.

IN RE: The Application for Design Review Board approval for the construction of a new four-story commercial building including a variance to reduce the minimum required rear setback to replace a one-story gasoline and service station. This item will also require a Conditional Use application to be reviewed and approved by the Planning Board.

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, 3, 5, 8, 9, 11, 14, and 17 contained in Section 118-251 of the Miami Beach Code.

C. The project would be consistent with the criteria and requirements contained in section 118-251 if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings for the proposed commercial building at 1824 Alton Road shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
 - a. The design for the proposed aluminum brise soleil screen shall be further detailed, 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 window frames shall be composed of brushed anodized aluminum frames. All windows shall consist of clear glass and incorporate the minimum tint required by the energy code, 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 stone cladding proposed along the façades of the building shall consist of a natural stone, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. Final details of all exterior surface finishes and materials shall be required, including the aluminum brise soleil screen, stone wall cladding and architectural ceramic tile wall finishes, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - e. All interior fixtures, including, but not limited to, shelving, partitions, and checkout counters, if parallel to the exterior wall, shall be setback a minimum of ten (10') feet from any window area along the east and south walls of the building on the first and second levels, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board. This shall not prohibit substantially transparent fixtures for display purposes; however, shelving, partitions, and checkout counters, or similar objects, shall not be permitted to be flush to the east and south walls of the building on the first and second levels.
 - f. The final design and details of all exterior and interior lighting 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. Interior lighting shall be designed in a manner to not have an adverse overwhelming impact upon the surrounding area. No florescent or intensive 'white' lighting (or similar intensive lighting) visible from the adjacent public rights of way or adjacent properties shall be permitted.
 - g. 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.

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- h. 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.
 - i. The rooftop light poles located along the perimeter of the building edge shall be eliminated or replaced with a lighting fixture that is affixed to, and no higher than, the rooftop parapet wall. All rooftop light poles shall be limited to a maximum height of 10'-0". All roof-top lighting fixtures shall be designed to preclude light from spilling over to adjacent properties, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - j. 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.
 - k. 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.
 - l. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall configured to be as close to the center of the roof as possible and screened from view on all sides, in a manner to be approved by staff.
 - m. All building signage shall require a separate permit. A uniform sign plan for the new building shall be required. Such sign plan shall be consistent in materials, method of illumination and sign location, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - n. Final details of all proposed storefront systems and associated details shall be provided for all of the structures on the project site, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - o. 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.
 - p. A high quality finish for the loading area roll-down door shall be required which shall remain in the closed position except when delivery is in service; the location of all housing, as well as the dimensions of the door shall be subject to the review and approval of staff.

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- q. 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.
 - r. 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. Pavers and concrete banding shall be utilized for the entire entry drive and loading zone area, including alternate colors of concrete banding in place of painted striping, 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 applicant shall install an additional six (6) bicycle racks to be distributed along Alton Road subject to review and approval of FDOT and the Public Works and Planning Department, 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 applicant shall install an additional six bicycle racks on the ground floor at the northeast portion of the site, proximate to the entry vestibule and northernmost elevator, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
 - d. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, or in conflict with ADA requirements, in a manner to be reviewed and approved by the Public Works Department.
 - e. 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.
 - f. The utilization of Silva Cells shall be used along both street frontages for all plantings and clearly delineated on a revised landscape plan.
 - g. The applicant shall install street trees on all sides of the project consistent with the City's Street Tree Master Plan, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board, and root barriers shall be installed along the sidewalk in conjunction with structural soils.

- h. 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.
- i. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
- j. 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. The applicant filed an application with the Planning Department for the following variance(s):
 - 1. A variance to reduce by 5'-0" the minimum required rear setback of 5'-0" in order to construct a four (4) story commercial building at 0'-0" from the rear (west) property line.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts, allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

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

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

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

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

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

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

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

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

C. The Board hereby grants the requested variance and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:

1. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval of the modified plans, even if the modifications do not affect variances approved by the Board.
2. Revised plans shall be submitted to clearly indicate the area counted in the required parking calculations.

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

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

- A. 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.
- B. 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.

- C. Vacant or unoccupied structures shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign obtained from the City's Police Department.
- D. 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
- 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 final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. 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.
- I. 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. 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 "1824 Alton Road", as prepared by Kobi Karp Architecture, signed, sealed and dated November 13, 2015, 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.

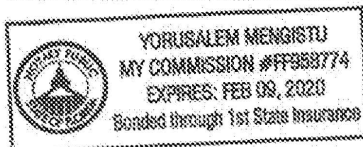
Dated this 3rd day of March, 2016.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: [Signature]
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.



[Signature]
NOTARY PUBLIC
Miami-Dade County, Florida

Meeting Date: March 1, 2016

DRB File No. 23233

My commission expires: 2-9-20

Approved As To Form:

City Attorney's Office:

[Signature]

(3/2/2016)

Filed with the Clerk of the Design Review Board on

[Signature]

(3-3-16)

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

PROPERTY: 1824 Alton Road

FILE NO. 2293

IN RE:

The applicant, Saber 1800, LLC., requested Conditional Use approval for the construction of a new commercial building exceeding 50,000 square feet including a parking garage and a restaurant with an occupant content exceeding 100 persons, pursuant to Chapter 118, Article IV and Chapter 142 Article II of the City Code.

LEGAL

DESCRIPTION: Lots 1, 2 and 3 of Block 12, of "Island View Subdivision", according to the Plat thereof, as recorded in Plat Book 6, page 115 of the public records of Miami-Dade County, Florida.

MEETING DATE: January 26, 2016

CONDITIONAL USE PERMIT

The applicant, Saber 1800, LLC., requested Conditional Use approval for the construction of a new commercial building exceeding 50,000 square feet including a parking garage and a restaurant with an occupant content exceeding 100 persons, pursuant to Chapter 118, Article IV and Chapter 142 Article II of the City Code. Notice of the request 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 CD-2 – Commercial, Medium 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 Land Development Regulations;

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.

MB

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

1. This Conditional Use Permit is issued to Saber 1800, LLC. to construct a 4-story commercial building including a parking garage, with a 160 seat restaurant and retail space on the first floor, retail space on the 2nd floor, and parking on the 3rd floor, 4th floor, and rooftop. Any proposed change of use shall require the review and approval of the Planning Board.
2. 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 progress report shall include, but not be limited to, updated information on traffic conditions surrounding the site. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
3. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property applicants, operators, and all successors in interest and assigns. Any change of operator or 50% (fifty percent) or more stock ownership, partnership interest or equivalent, shall require review and approval by the Planning Board as a modification to this Conditional Use Permit. Subsequent owners and operators shall be required to appear before the Board, in advance, to affirm their understanding of the conditions listed herein.
4. The Planning Board shall retain the right to call the owner or operator back before them and make modifications to this Conditional Use Permit 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.
5. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, shall require the applicant to return to the Board for approval.
6. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
7. The following shall apply to the operation of the proposed parking garage:
 - a. There shall be 24-hour video surveillance of all portions of the parking garage. Emergency call boxes shall be located in the garage in locations determined by the applicant's security consultant in a manner to be reviewed and approved by staff.
 - b. Signs prohibiting tire-screwing and unnecessary horn-honking shall be posted at the garage entrance.

- c. Signs to minimize vehicle conflict in the driveways in and out of the property shall be posted in appropriate locations.
 - d. The minimum parking required by the land development regulations shall be provided.
8. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, 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:
- b. As proposed by the applicant, the project authorized by this Conditional Use Permit includes the creation and operation of the proposed 160 seat restaurant.
 - c. 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.
 - d. Adequate air-conditioned and noise baffled trash room space shall be provided, in a manner to be approved by the Planning staff. Doors shall remain closed and secured when not in active use.
 - e. Trash dumpster covers shall be closed at all times except when in active use.
 - f. Delivery trucks shall not be allowed to idle in the loading areas.
 - g. Delivery and trash trucks shall only be permitted to park in the designated loading bays.
 - h. Deliveries and trash pick-ups only shall take place daily between 7:00 AM and 5:00 PM on weekdays and no earlier than 9:00 AM on weekends.
 - i. The number of loading spaces required by the land development regulations shall be provided.
 - j. Loading doors shall be provided and shall remain closed at all times except for during the actual vehicle maneuvering into and out of the loading spaces.
9. A mountable curb shall be utilized for vehicles to enter the garage and loading and trash areas to improve pedestrian flow along 18th Street, in a manner to be reviewed and approved by staff.
10. Except as may be required for fire or building code/Life Safety Code purposes, no speakers shall be affixed to or otherwise located on the exterior of the premises.
11. The applicant shall address the following Concurrency and Traffic requirements, as applicable:

- a. A Method of Transportation (MOT) shall be submitted to Public Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.
 - b. Prior to the issuance of a building permit, the applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as may be determined as determined by the Concurrency Management Division.
 - c. A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs, if required, shall be paid prior to the issuance of any Building Permit.
 - d. The applicant shall coordinate with the Miami-Dade County Traffic Engineering Department and the City of Miami Beach to develop a strategy in order to provide modified and acceptable signal timing plans for the intersections at Alton Road and Dade Boulevard and Alton Road and Michigan Avenue within 90 days from the issuance of a BTR (Business Tax Receipt).
12. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a Building permit.
 13. The applicant shall obtain a full building permit within 18 months from the date of approval of this Conditional Use Permit, 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.
 14. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
 15. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
 16. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the 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.
 17. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.
 18. A unity of title or covenant in lieu of unity of title shall be required prior to obtaining a building permit.

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19. Any use for the retail portion of the property that exceeds the current traffic projections in the traffic study shall require approval from the Planning Board. Any single use that is greater than 23,000 square feet shall also require Planning Board approval.

Dated this 8th day of February, 2016.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush,
Planning and Zoning Manager
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 8th day of February, 2016, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



{NOTARIAL SEAL}

Steven Greene
Notary:
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number: 07-26-2017

Approved As To Form:
Legal Department

Filed with the Clerk of the Planning Board on 2/23/2016 JS

MB

Planning Department, 1700 Convention Center Drive
Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Address: **1824 Alton Rd - Sign**
File Number:

Date: **7/11/16**

BOARD APPLICATION CHECK LIST

A pre-application meeting must be scheduled with Board staff to review all submittals. Pre-application meetings are scheduled on a first come first serve basis and must occur no later than five (5) business days PRIOR to the First Submittal deadline. Incomplete or submittals found to be insufficient will not be placed on a Board agenda.

ITEM #	FIRST SUBMITTAL CHECK LIST	Required	Provided
	ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE		
1	Make an appointment with Board Liaison at least 2 days in advance of the submittal deadline	X	
2	Completed Board Application, Affidavits & Disclosures of Interest (original signatures)	X	
3	Copies of all current or previously active Business Tax Receipts		
4	Letter of Intent with details of application request, hardship, etc.	X	
5	Application Fee	X	
6	Mailing Labels - 2 sets and a CD including: Property owner's list and Original certified letter from provider.	X	
7	School Concurrency Application, for projects with a net increase in residential units (no SFH)		
8	Provide four (4) 11"x17" collated sets, <u>two (1)</u> of which are signed & sealed, to include the following:	X	
9	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date	X	
10	All Applicable Zoning Information (see Zoning Data requirements)	X	
11	Location Plan, Min 4"x 6" Aerial 1/2 mile radius, colored with streets and project site identified	X	
12	Survey (original signed & sealed) dated less than 6 months old at the time of application (lot area shall be provided by surveyor), identifying grade (If no sidewalk, provide a letter from Public Works, establishing grade) , spot elevations and Elevation Certificate	X	
13	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)		
14	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X	
15	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths)	X	
15a	Indicate any backflow preventer and FPL vault if applicable	X	
16	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X	
17	Current, dated color photographs, min 4"x6" of interior space (no Google images)		
18	Current color photographs, dated, Min 4"x 6" of context, corner to corner, across the street and surrounding properties with a key directional plan (no Google images)	X	
19	Existing Conditions Drawings (Floor Plans & Elevations with dimensions)		
20	Demolition Plans (Floor Plans & Elevations with dimensions)		
21	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks	X	
22	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X	
23	Proposed Section Drawings - second floor slab & parapet	X	
24	Landscape Plan - street and onsite - identifying existing, proposed landscape material, lighting, irrigation, raised curbs, tree survey and tree disposition plan, as well as underground and overhead utilities when street trees are required.	X	
25	Hardscape Plan, i.e. paving materials, pattern, etc.	X	
26	Color Renderings (elevations and three dimensional perspective drawings) morning / night	X	
27	Sign Program		
28			

Indicate N/A If Not Applicable

Initials: 

MIAMI BEACH

Planning Department, 1700 Convention Center Drive
Miami Beach, Florida 33139, www.miamibeachfl.gov
305.673.7550

Address:

File Number:

ITEM #	FIRST SUBMITTAL ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE APPLICATION MEETING	Required	Provided
27	Vacant or Unoccupied structures or sites shall provide recent photographic evidence that the site and structure are secured and maintained. The applicant shall obtain and post a No Trespassing Sign from the City's Police Department		
28	Copy of original Building Permit Card, & Microfilm, if available		
29	Historic Resources Report (This report shall include, but shall not be limited to, copy of the original Building Permit Card and any subsequent evolution, Microfilm, existing condition analysis, photographic and written description of the history and evolution of the original building on the site, all available historic data including original plans, historic photographs and permit history of the structure)		
30	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated)	X	
31	Line of Sight studies		
32	Structural Analysis of existing building including methodology for shoring and bracing		
33	Proposed exterior and interior lighting plan, including photometric calculations		
34	Exploded Axonometric Diagram (showing second floor in relationship to first floor)		
35	Neighborhood Context Study	X	
36	Open Space calculations and shaded diagrams		
37	Proposed Operational Plan		
38	Traffic Study (Hard copy), Site plan(s) and AutoCAD in 3 CDs, including calculations for peer review. Send digital version as an attachment via e mail to: Xfalconi@miamibeachfl.gov		
39	Sound Study report (Hard copy) with 1 CD		
40	Set of plans 24"x 36" (when requested by staff)		
41	Copies of previous Recorded Final Orders		
42	Location Plan, Aerial or survey indicating width of canals (Dimension shall be certified by a surveyor)		
43	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation)		
44	Site Plan (Identify streets and alleys)		
a	Identify: setbacks _____ Height _____ Drive aisle widths _____ Streets and sidewalks widths _____		
b	# parking spaces & dimensions _____ Loading spaces locations & dimensions _____		
c	# of bicycle parking spaces _____		
d	Interior and loading area location & dimensions _____		
e	Street level trash room location and dimensions _____		
f	Delivery route _____ Sanitation operation _____ Valet drop-off & pick-up _____ Valet route in and out _____		
g	Valet route to and from _____ auto-turn analysis for delivery and sanitation vehicles _____		
45	Floor Plan (dimensioned)		
a	Total floor area		
a	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____		
b	Occupancy load indoors and outdoors per venue _____ Total when applicable _____		

Indicate N/A If Not Applicable

Initials: 

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46	In the Letter of Intent for Planning Board include and respond to all review guidelines in the code as follows:		
47	For Conditional Use -Section 118-192 (a)(1)-(7) + (b)(1)-(11)		
48	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)		
49	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)		
50	CU - Structures over 50,000 SQ.FT. - Section 118-192(b) (1)-(11)		
51	CU - Religious Institutions - Section 118-192 (c) (1)-(11)		
52	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions		
Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A			

ITEM #	FINAL SUBMITTAL CHECK LIST:	Required	Provided
53	One (1) signed and sealed 11"X17" bound collated set of all the required documents , as revised and/or supplemented to address Staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. With a CD of this document 11"X17" as a PDF compatible with Adobe 8.0 or higher at 300 DPI resolution.	X	
54	14 collated copies of all the above documents	X	
55	One (1) CD/DVD with electronic copy of entire final application package	X	

NOTES:

- A. Other information/documentation required for first submittal will be identified during pre-application meeting.
- B. Is the responsibility of the applicant to make sure that the sets, 14 copies and electronic version on CD are consistent.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. ALL DOCUMENTS ARE TO BE PDF'D ON TO A MASTER DISK, WHICH DISK SHALL BE CONSIDERED THE OFFICIAL FILE COPY TO BE USED AT HEARING. ALL MODIFICATIONS, CORRECTIONS, OR ALTERATIONS MUST BE REFLECTED ON THE MASTER DISK. APPLICANT CERTIFIES COMPLIANCE WITH THE FOREGOING. FAILURE TO COMPLY MAY RESULT IN A REHEARING BEFORE THE APPLICABLE BOARD
- E. Please note that the applicant will be required to submit revised plans pursuant to applicable Board Conditions no later than 60 days after Board Approval, as applicable.

APPLICANT'S OR DESIGNEE'S SIGNATURE

Date

Indicate N/A If Not Applicable

Initials