

**BOARD OF ADJUSTMENT AGENDA**  
**1700 CONVENTION CENTER DRIVE 3RD FL.**  
Friday, July 12, 2019, 9:00 AM | City Commission Chambers

- I. ATTENDANCE
- II. APPROVAL OF MINUTES
- III. CITY ATTORNEY UPDATES
- IV. SWEARING IN OF PUBLIC
- V. REQUESTS FOR CONTINUANCES/WITHDRAWALS
- VI. REQUESTS FOR EXTENSIONS OF TIME
- VII. DISCUSSION ITEMS
- VIII. PROGRESS REPORT
- IX. MODIFICATION OF PREVIOUSLY APPROVED BOARD ORDER
- X. CONTINUED ITEMS
- XI. OPEN AND CONTINUED ITEMS
- XII. NEW APPLICATIONS
- XIII. APPEALS (BOA ONLY)
- XIV. OTHER BUSINESS
- XV. ADJOURNMENT

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**AGENDA ITEMS**

ATTENDANCE

APPROVAL OF MINUTES

- 1. After Action: Friday June 07, 2019 Meeting

REQUESTS FOR CONTINUANCES/WITHDRAWALS

NEW APPLICATIONS

- 2. ZBA19-0094: 1045 5th Street

ADJOURNMENT

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Applications listed herein have been filed with the Planning Department for review by the Board of Adjustments, pursuant Section 118-136 of the City's Land Development Regulations. All persons are invited to attend this meeting or be represented by an agent, or to express their views in writing addressed to the Board of Adjustments c/o the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Applications for items listed herein are available for public inspection at the following

link: or during normal business hours at the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550.

Any items listed in this agenda may be continued. Under such circumstances, additional legal notice would not be provided. Please contact the Planning Department at (305) 673-7550 for information on the status of continued items.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: Appeals of any decision made by this Board with respect to any matter considered at its meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-business 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).

# MIAMI BEACH

## PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: [www.miamibeachfl.gov/planning](http://www.miamibeachfl.gov/planning)

### 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.

<b>Application Information</b>			
FILE NUMBER ZBA19-0094		Is the property the primary residence & homestead of the applicant/property owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (if "Yes," provide office of the Property Appraiser Summary Report)	
<b>Board of Adjustment</b> <input checked="" type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<b>Design Review Board</b> <input type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<b>Planning Board</b> <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<b>Historic Preservation Board</b> <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
<b>Property Information – Please attach Legal Description as "Exhibit A"</b>			
ADDRESS OF PROPERTY 1045 5th Street			
FOLIO NUMBER(S) 02-4204-002-0040			
<b>Property Owner Information</b>			
PROPERTY OWNER NAME MAC 1045 5TH ST LLC			
ADDRESS 1261 20 ST		CITY Miami Beach	STATE FL
ZIP CODE 33139			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Applicant Information (if different than owner)</b>			
APPLICANT NAME Target Corporation			
ADDRESS 1000 nicollet Mall, TPN-12H		CITY Minneapolis	STATE MN
ZIP CODE 55403			
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS Steven.Vandenbossche@target.com	
<b>Summary of Request</b>			
PROVIDE A BRIEF SCOPE OF REQUEST Variance of the distance separation requirement between Pharmacies.			

<b>Project Information</b>			
Is there an existing building(s) on the site?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the project include interior or exterior demolition?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Provide the total floor area of the new construction.		SQ. FT.	
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.	
<b>Party responsible for project design</b>			
NAME Cuhaci & Peterson Architects, Engineers, Planners		<input checked="" type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS 930 Woodcock Road, Suite #101		CITY Orlando	STATE FL
		ZIPCODE 32803	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
<b>Authorized Representative(s) Information (if applicable)</b>			
NAME Steven.Vandenbossche@target.com		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 1000 Nicollet Mall, TPN-12H		CITY Minneapolis	STATE MN
		ZIPCODE 55403	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
NAME Michael Larkin		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Boulevard, Suite 850,		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS Mlarkin@brzoninglaw.com	
NAME Robert Behar		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Boulevard, Suite 850,		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 3053776224	CELL PHONE	EMAIL ADDRESS Rbehar@brzoninglaw.com	

**Please note the following information:**

- 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 fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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 an application 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, engineers, landscape architects, 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.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, 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 service 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 form 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**

Michael Comras

**PRINT NAME**

5/01/2019

**DATE SIGNED**

**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, 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 remove this notice after the date of the hearing.

**SIGNATURE**

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

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

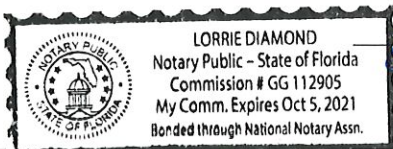
**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami-Dade

I, Michael Comras  
Owner (print title) of Mac 1045 5<sup>th</sup> ST. 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 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 my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

Sworn to and subscribed before me this 1<sup>st</sup> day of May, 2019. The foregoing instrument was acknowledged before me by Michael Comras, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 10/5/2021



**OWNER AFFIDAVIT FOR INDIVIDUAL OWNER**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, 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 remove this notice after the date of the hearing.

**SIGNATURE**

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

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**

My Commission Expires: \_\_\_\_\_

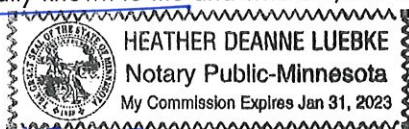
**PRINT NAME****ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF MinnesotaCOUNTY OF Hennepin

I, Steven VandenBossche, being first duly sworn, depose and certify as follows: (1) I am the Sr. Development Manager (print title) of Target Corporation (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 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 my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

**SIGNATURE**

Sworn to and subscribed before me this 3 day of April, 2019. The foregoing instrument was acknowledged before me by Steven VandenBossche, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 1/31/2023**NOTARY PUBLIC**Heather Deanne Luebke

**PRINT NAME****POWER OF ATTORNEY AFFIDAVIT**STATE OF MinnesotaCOUNTY OF Hennepin

I, Steven VandenBossche, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell Fernandez & Larkin to be my representative before the Board of Adjustment Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

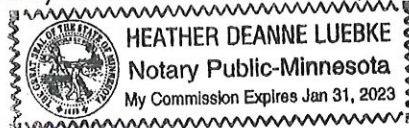
Steven VandenBossche, Sr. Development Manager

Steven VandenBossche  
**SIGNATURE**

**PRINT NAME (and Title, if applicable)**

Sworn to and subscribed before me this 3 day of April, 2019. The foregoing instrument was acknowledged before me by Steven VandenBossche, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



Heather Deanne Luebke  
**NOTARY PUBLIC**

My Commission Expires: 1/31/2023

Heather Deanne Luebke  
**PRINT NAME**

**CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(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.

**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 if

filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

**DISCLOSURE OF INTEREST**  
**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.

**Target Corporation**

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

1000 Nicollet Mall

Minneapolis, MN 55403

% OF OWNERSHIP

100

**NAME OF CORPORATE ENTITY**

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

**DISCLOSURE OF INTEREST**  
**TRUSTEE**

If the property that is the subject of the 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.

<b>TRUST NAME</b>	
NAME AND ADDRESS	% INTEREST



**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
Michael Larkin	200 South iscaayne Boulevard, Suite 850, Miami, FL 33131	(305)377-6231
Roberto Behar	200 South iscaayne Boulevard, Suite 850, Miami, FL 33131	(305)377-6224

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

**APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN 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 Minnesota

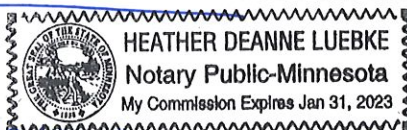
COUNTY OF Hennepin

I, STEVEN VANDEN BOSCH, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (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.

Steven Vanden Bosch  
SIGNATURE

Sworn to and subscribed before me this 30 day of April, 2019. The foregoing instrument was acknowledged before me by Steven Vanden Bosch, who has produced \_\_\_\_\_ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP



My Commission Expires: 1/31/2023

Heather Deanne Luebke  
NOTARY PUBLIC  
Heather Deanne Luebke  
PRINT NAME

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

Property address: 1045 5th St (Target) Board: BOA Date: 4/8/19

## BOARD APPLICATION CHECK LIST

A Pre-Application meeting must be scheduled via CAP to obtain a plan case number and for board staff review of all submittals.
Pre-Application meetings for applications that do not require a traffic study are scheduled on a first come-first served basis and must occur no later than five(5) business days prior to CAP First submittal.
Applications requiring a traffic study must meet with Planning, Transportation, and peer reviewer sixty (60) days* prior to First submittal deadline to determine the methodology for the traffic impact study. This meeting is considered the "Pre-Application meeting" and must be scheduled via CAP to obtain a plan case number for review and payment of fees. Thirty (30) days before First submittal, applicant must provide the traffic study via CAP (see Transportation Department's requirements check list). The Transportation Department/Peer Reviewer will submit first round of comments 15 days prior to First submittal. Applicant must address comments and submit revised traffic study/plans for CAP First submittal deadline.
<b>Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.</b>

ITEM #	FIRST SUBMITTAL (VIA CAP) ** To be uploaded online (CAP) by the applicant before 5:00 pm by First submittal deadline. ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	Required
1	Application Fee and Peer review fees shall be paid after Pre-Application meeting and before the First submittal. It is the applicant's responsibility to make this payment, if an invoice is not generated by the CAP system, the applicant should contact staff prior to first submittal to be invoiced and make payment.	✓
2	Copy of signed and dated check list issued at Pre-Application meeting.	✓
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	✓
4	Signed and dated Letter of Intent. <b>Letter must outline application details and identify hardships if Variances are requested.</b> (see also Items # 42,43 and 44).	✓
5	Mailing Labels: Upload property owner's list and copy of original certified letter from provider. See #52 for submittal of Hard copy / originals of these items.	✓
6	Copies of all current or previously active Business Tax Receipts.	
7	School Concurrency Application for projects with a net increase in residential units (no SFH). Provide Planning Department - Miami Dade - School Concurrency Application for Transmittal	
8	Survey: Electronic version of original signed & sealed, dated no more than six months from date of application. Survey must provide: lot area, grade per Section 114-1 of the City Code. (If no sidewalk exists, provide the elevation of the crown of the road) and spot elevations.	✓
9	<b>Architectural Plans and Exhibits (must be 11"x 17")</b>	✓
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date. <b>Include copies of previous recorded board orders, if applicable.</b>	✓
b	Copy of the original survey included in plan package. See No. 8 above for survey requirements	✓
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	✓
d	Context Location Plan, Min 8.5"x11" Color Aerial 1/2 mile radius, identifying project and showing name of streets. (no Google images)	✓
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document - label clearly).	✓
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable	
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams), if applicable.	
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	

\* 60 day lead time for projects including traffic studies is necessary to ensure completion of review and required corrections by Final submittal deadline. Applications cannot be scheduled without evaluated and corrected traffic studies.

Indicate N/A If Not Applicable

Initials: 



Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
305.673.7550

**Property address:** 1045 5th St (Target)

i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	
k	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)	
l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	
m	Demolition Plans (Floor Plans & Elevations with dimensions)	
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	✓
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	
p	Proposed Section Drawings	
q	Color Renderings (elevations and three dimensional perspective drawings).	
<b>10</b>	<b>Landscape Plans and Exhibits (must be 11"x 17")</b>	
a	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.	
b	Hardscape Plan, i.e. paving materials, pattern, etc.	
11	Copy of original Building Permit Card, & Microfilm, if available.	
12	Copy of previously approved building permits. (provide building permit number).	
13	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recording data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. <a href="http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920">http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920</a>	
14	Vacant/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 Dept.	
15	Historic Resources Report (This report shall include, but not be limited to, copy of the original Building Permit Card and subsequent modifications, Microfilm records, 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 and any other related information on the property.	
16	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
17	Line of Sight studies.	
18	Structural Analysis of existing building including methodology for shoring and bracing.	
19	Proposed exterior and interior lighting plan, including photometric calculations.	
20	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
21	Neighborhood Context Study. (Planning will provide guidance if necessary for application.)	
22	Required yards open space calculations and shaded diagrams.	
23	Required yards section drawings.	
24	Variance and/or Waiver Diagram	
25	Schematic signage program	
26	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
27	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
28	Daytime and nighttime renderings for illuminated signs.	

Indicate N/A If Not Applicable

Initials: 

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

**Property address:** 1045 5th St (Target)

29	Floor Plan Indicating area where alcoholic beverages will be displayed. / Pharmacy area	✓
30	Survey showing width of the canal (Dimension shall be certified by a surveyor)	
31	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
32	DERM recommendation/preliminary approval. Docks or any structures shall have approval stamp from DERM or other regulatory agency before submitting for a variance. A letter from DERM or other agency, explaining specific requirements for the project is recommended.	
33	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
34	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the due within the property. Erosion control line and Bulkhead line shall be indicated if present.	
35	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	✓
36	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	✓
37	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	
38	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review. (See Transportation Department check list for requirements.)	
39	Sound Study report (Hard copy) with 1 CD.	
<b>40</b>	<b>Site Plan (Identify streets and alleys)</b>	
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 _____	
h	Indicate any backflow preventer and FPL vault if applicable	
i	Indicate location of the area included in the application if applicable	
j	Preliminary on-street loading plan	
<b>41</b>	<b>Floor Plan (dimensioned)</b>	
a	Total floor area	
b	Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____	
c	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	
<b>42</b>	<b>The letter of Intent shall include and respond to all sea level rise and resiliency review criteria per section 133-50 of the City Code.</b>	✓
<b>43</b>	<b>The Letter of Intent for Variances shall include and respond to all review guidelines in the code as follows:</b>	
a	Section 118-53 (d) of the City Code for each Variance.	
<b>44</b>	<b>The Letter of Intent for Planning Board shall include and respond to all review guidelines in the code as follows:</b>	
a	For Conditional Use -Section 118-192 (a)(1)-(7)	
b	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	
c	CU - Mechanical Parking - Section 130-38 (3)(c )(i)(1)-(2) & (4)(a)-(k)	
d	CU - Structures over 50,000 SQ.FT. - Section 118-192 (b) (1)-(11)	
e	CU - Religious Institutions - Section 118-192 (c) (1)-(11)	

Indicate N/A If Not Applicable

Initials:

Planning Department, 1700 Convention Center Drive 2<sup>nd</sup> Floor  
Miami Beach, Florida 33139, www.miamibeachfl.gov  
305.673.7550

**Property Address:** 1045 5th St (Target)

f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
	<i>Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A</i>	

**\*\*ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING**

<b>ITEM #</b>	<b>FINAL SUBMITTAL (via CAP)</b> Revised and/or supplemented documents and drawings to address staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. Upload documents online (via CAP) before 5:00 pm on final submittal deadline. Staff will review and issue a notice to proceed to Paper Final submittal or to continue submittal to a future meeting if the application is found incomplete.	
45	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. City's required permit by FDOT should be obtained prior to Final submittal (via CAP).	

ITEM #	PAPER FINAL SUBMITTAL:	Required
46	Original application with all signed and notarized applicable affidavits and disclosures.	✓
47	Original of all applicable items.	✓
48	One (1) signed and sealed 11"X17" bound, collated set of all the required documents.	✓
49	14 collated copies of all required documents	✓
50	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see CD/DVD formatting attached, for instructions.	✓
51	Traffic Study (Hard copy)	
52	Mailing Labels -2 sets of gummed labels and a CD including: Property owner's list and Original certified letter from provider.	✓

**ADDITIONAL INFORMATION AND ACKNOWLEDGEMENTS**

- A. Other information/documentation required for First submittal will be identified during Pre-Application meeting but may be modified based on further analysis.
- B. It is the responsibility of the applicant to confirm that documents submitted via CAP, Paper Submittal sets (14 copies), and electronic version on CD are consistent with each other and legible.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. All documents required for Board applications must be submitted in an electronic format (PDF) via CD in the manner prescribed herein. The CD is considered the "Formal Submission", and must include the electronic version of all hard copy documents associated with the application. A new Updated CD will be required if any modifications are made before or after hearing. Failure to comply with the aforementioned may result in a rehearing before the applicable board at the applicant's expense.
- 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. (If applicable)



Applicant's or designee's signature

4/8/19

Date

Indicate N/A If Not Applicable

Initials: 



# BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6231  
E-Mail: MLarkin@BRZoningLaw.com

## VIA ELECTRONIC SUBMITTAL & HAND DELIVERY

May 6, 2019

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

Re: Board of Adjustment Application in Connection with a CVS Pharmacy to be  
included in a Target Store located at 1045 5<sup>th</sup> Street, Miami Beach, Florida

Dear Mr. Mooney:

This law firm represents Target Corporation (the "Applicant") the tenant of the above referenced property ("Property"). Please consider this letter the Applicant's letter of intent in support of an application to the Board of Adjustment ("BOA") to (1) waive the distance separation variance, (2) waive the requirement for a medical cannabis dispensary or pharmacy to be divided by a one-hour fire wall from the remainder of the Target store, and to (3) waive the requirement for a pharmacy to be less than 7,500 square feet in size.

Property Description. The Property is located along 5<sup>th</sup> Street to the south, Lenox Avenue to the west, and a public alleyway to the east, known as Michigan Court. It is comprised of approximately 43,500 square feet (approximately 1 acre) located at the northeast corner of the intersection of Lenox Avenue and 5<sup>th</sup> Street. The Property is identified by Miami-Dade County Folio Nos. 02-4204-002-0040. The Property is located within the local Ocean Beach Historic District and is zoned C-PS2, Commercial Performance Standard, General Mixed-use Commercial ("C-PS2"), a zoning district allowing a wide range of commercial uses as a main permitted use. The Property is currently under construction pursuant to Building Permit Nos. BC1704186, RV1909115, and RV1908579.

Approved Development Program. The Planning Board ("PB") and Historic Preservation Board ("HPB"), through PB Orders PB16-0053 and PB17-0152, HPB Orders

HPB16-0059 and HPB18-0245 (the "Development Approvals"), approved a 4-story development with rooftop parking, consisting of a parking garage and multiple retail bays (the "Approved Development"). The first two (2) levels of the structure will serve as solely retail. The third level will have retail along the south and west facades and parking in the interior. There will be two (2) additional levels of parking located on the fourth floor and the rooftop level. The majority of the parking fronting 5<sup>th</sup> Street and Lenox Avenue will be lined with retail uses and the remaining will be screened with decorative design features. On December 11, 2018, pursuant to HPB18-0245, the Applicant obtained numerous sign variances for the Property, including sign variances for a Target, CVS Pharmacy, and a Starbucks. See Sign Variance Package.

Building Permit History. From the beginning of the permitting process the Applicant has been a responsible developer, following each requirement diligently and earnestly. Through the traditional permitting process and adjusting to the complex process it has become, the Applicant has not wavered in its intention to comply with the requirements necessary to obtain its building permit.

The construction on the Property began pursuant to Building Permit number BC1704186 ("Shell Permit"), issued in November 2017, for the construction of a new 4-story, mixed use building with parking and retail. This permit was for the building structure only, with the individual tenants providing for their own permit process.

In July 2018, pursuant to building permit number BC1808243 ("Target Plans") the Applicant submitted their tenant improvement plans to begin the interior buildout of the second floor retail space. The Target Plans include a CVS Pharmacy, Starbucks, and a grocery plan including an alcohol sales area. See Exhibit A, Target Plans. In August 2018, staff provided the Applicant with numerous comments, including the need to have the plans provide more information in connection with the permit plans submitted as part of the Approved Development ("Shell Permit Plans") and its revisions. As noted in staff comments, the plans were in the "Applied status" and were still under review. Moreover, staff noted that the permit for the Target Plans would not be issued until the owner obtained either a Certificate of Completion ("CC") or a Certificate of Occupancy ("CO") with regard to the Shell Permit Plans. See Exhibit B, Target Plan Comments. Accordingly, the Applicant could not move forward until the Shell Permit and the subsequent revisions were approved.

The Applicant immediately began to address staff's comments, including finding a solution to the prohibition on obtaining a building permit with regard to the Target Plans until a CO was obtained with regard to the Shell Permit Plans. Shortly after the

comments were issued, the Applicant hired the Permit Doctor to facilitate discussions regarding issues with Shell Permit and Target Plans and potential integration of the plans to expedite the permitting process.

In September 2018, the Applicant obtained preliminary approval from the City's Building Official to integrate the Target Plans with the Shell Permit plans. The revisions to all of the permit plans were submitted to the City on March 8, 2019.

Legislation History. In June 2017, the Florida Legislature adopted regulations implementing Amendment 2 to the Florida Constitution, establishing medical marijuana dispensing facility regulations and allowing for municipalities to determine the location of dispensing facilities. In addition, the legislation prohibited municipalities from creating regulations that restricted medical marijuana facilities more than pharmacies.

On November 14, 2018, the City Commission, reviewed the City's Controlled Substance Regulations and requested the Land Use Development Committee ("LUDC") and the Quality Education Committee ("QEC") to make recommendations for review by the City Commission.

On December 18, 2018, the Planning Board (PB) reviewed the recommendations made by the LUDC and QEC, and transmitted to the City Commission the LUDC Amendments and their own Amendments. Both amendments included a distance separation of 300 feet for Medical Cannabis Treatment Centers and for Pharmacies. The City Commission discussed both versions on January 16, 2019, and ultimately approved the LUDC version.

Before adopting the proposed amendments during 2<sup>nd</sup> reading on February 13, 2019, the City Commission made a last second amendment of their own, directly on the floor, to increase the distance separation between medical marijuana treatment centers and between pharmacies from 300 to 1,200 feet. There was no advance notice of this change in the scope of the legislation.

Practical Difficulty. Pursuant to Article 1, Section 2 of the Related Special Acts, where there are practical difficulties, the Board of Adjustment has the power to vary or modify regulations or provisions relating to the use so that the spirit of the Zoning Ordinance shall be observed, public safety and welfare secured, and substantial justice done. The Applicant adjusting to the regulations that went into effect after its Development Approvals, being forced to join the Shell Permit and being at the mercy, and significant delays, of others represents a practical difficulty, especially when if not



for the aforementioned delays, the Applicant would have complied with all existing land development regulations, and the permit including the CVS Pharmacy would have issued well in advance of City Commission second reading on February 13, 2019.

The requested variances allow for a mixed use development that is accommodating to modern standards. The variances help to maintain the character of the neighborhood by reducing multiple independent uses and creating a centralized and efficient retail center. The pharmacy use is already allowed in this neighborhood and the proposed pharmacy is within the maximum square footage allowed. The requested increase in excess of 7,500 square foot is merely a technical requirement as the proposed pharmacy is approximately 700 square feet but the combination of the 30,000 square foot retail store with the pharmacy increases the space to over 7,500 square feet.

The reduction in the distance separation buffer and increase in size variance is the only feasible alternative. The Applicant has exerted substantial effort, time, and resources to obtain development approvals and permits to develop the proposal. The Applicant started the process long ago, nearly a year before the regulations were adopted. The request is not a substantial request, it is a minor deviation of what is already allowed. Further, it is in line with what was recommended by the PB and LUDC throughout the legislative process. The City Commission amended the legislation on the floor during second reading. The unexpected substantial deviation from the proposed legislation did not allow the Applicant the opportunity to rebut or mitigate any impacts. The previous version of the amendment was for a 300 foot distance separation requirements. The Applicant complied with this separation requirement.

The proposal does not adversely impact the conditions on the area. A pharmacy is already an allowed use in this area pursuant to Sec. 142-1502. Moreover, the proposal has been reviewed and approved by the HPB. The HPB approved sign variances for a "CVS Pharmacy" to be an accessory use to the retail store. With the approval of a sign variance for a pharmacy sign and determination that there is no adverse impact, it follows that a pharmacy will be located and similarly have no adverse impact. In fact, the pharmacy is likely to have the opposite effect. Adding a retail store with a grocery component and an accessory pharmacy will improve the health and welfare of the community. Moreover, mixed uses reduce traffic and overall trip generation which will improve the safety of the area.

Description of Variance Requests. The Applicant respectfully requests the following variances:

1. The Applicant is seeking a variance of Section 142-1502(b)(5), to waive the minimum required 1,200 foot separation between pharmacies. The Applicant wishes to operate a CVS Pharmacy within the Target Store, and has submitted plans and obtained approvals in furtherance of operating a Pharmacy. At the time the Applicant began the permitting process in July 2018, the Code Section was not applicable as it was not adopted by the City Commission until February 13, 2019. The Applicant submitted the Target Plans in July 2018 which show in detail the location of the proposed pharmacy within the retail area. See Sheet A321. The Applicant, throughout all phases of development has been honest and diligent in their work. The inclusion of a pharmacy has been present in the Applicant's proposals since the beginning. The nearest pharmacy to the Applicant is nearly 700 feet away and all versions of the proposed amendment indicated a separation of 300 feet. As such, at no time, was there ever any indication that the proposed use would be an issue.
2. The Applicant seeks a variance of Sec 142-1503(e), to waive the requirement for a medical cannabis dispensary or pharmacy to be divided by a one-hour fire separation from any adjacent business. This provision was intended for medical cannabis dispensaries due to the flammable materials. A pharmacy does not have hazardous materials requiring a division between uses. As a means of safety and safeguarding the pharmaceuticals, the pharmacy is divided on three sides by walls and only has a small opening along the main counter for the interaction between pharmacist and patron. This opening is closed during closing times by a slide-down metal gate.
3. Additionally, the Applicant seeks a variance from Section 142-1503(f) which requires a pharmacy to be less than 7,500 square feet. In this case, the pharmacy is an accessory use to the Target Store and is calculated within the same 32,000 square feet. The Code Section was intended to regulate primary, standalone pharmacies from being massive structures within the City. The pharmacy area within the Target Store is less than 7,500 square feet. The Applicant request this variance to operate the pharmacy as noted on the plans. Although, this variance is requested to address the technical requirements of the Code, the Project will be in compliance with the intent of the Code as the pharmacy area is less than 7,500 square feet.



Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

- (1) **A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicant will provide a recycling or salvage plan during permitting.

- (2) **Windows that are proposed to be replaced shall be hurricane proof impact windows.**

The structure has hurricane impact windows throughout the Property.

- (3) **Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

Not applicable. The proposed development does not affect the windows. Furthermore, the existing building was recently constructed and features appropriate windows.

- (4) **Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the City Code.**

Not Applicable.

- (5) **The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.**

Not applicable.

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height up to three (3) additional feet in height.

Not applicable. The existing building was recently constructed and features appropriate height.

- (7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Mechanical and electrical systems are located above base flood elevation.

- (8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not applicable.

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

Not applicable.

- (10) As applicable to all new construction, stormwater retention systems shall be provided.

Not Applicable.

- (11) Cool pavement material or porous pavement materials shall be utilized.

Not Applicable.

Tom Mooney  
May 6, 2019  
Page 8

- (12) **The design of each project shall minimize the potential for heat island effects on-site.**

Not Applicable.

Conclusion. We believe that the approval of the proposed variances will provide for an effective application of the Approved Development. We look forward to your favorable review of the request. Please contact me on my direct line at (305) 377-6236 should you have any questions or concerns.

Sincerely,



Michael W. Larkin

cc: Robert Behar

# PLAN CORRECTIONS REPORT (HPB18-0245)

**PLAN ADDRESS:** 1045 5 St  
Miami Beach, FL -331396504

**PARCEL:** 0242040020040

**APPLICATION DATE:** 09/13/2018

**SQUARE FEET:** 0

**DESCRIPTION:** sign variance

**EXPIRATION DATE:**

**VALUATION:** \$10,000.00

CONTACTS	Name	Company	Address
Applicant	Kim Seyer	The Seyer Group	7321 Merchant Ct Sarasota, FL 34240

**Submittal Intake**      **Version: 1**      **Date Received: 09/18/2018**      **Date Completed: 09/28/2018**

1. HPB Zoning Review - Fail      Irina Villegas Ph: email: ivillegas@miamibeachfl.gov

Comments: Comments issued on September 28

Note that variances are assessed per sign and per section of the Code:

Staff has preliminary assessed the following variances:

Ground floor facing Lenox Avenue.

7 variances to exceed the maximum area allowed per linear frontage. (each per tenant)

1 variance to install a wall sign without providing direct access from the street to the store (target sign). Sec 138-13 (1).

Ground floor facing 5th Street.

6 variances to exceed the maximum area allowed per linear frontage.(each per tenant)

1 variance to exceed the maximum area allowed for a directory sign. Maximum 6 sf.

Second floor facing Lenox Avenue

2 variances to exceed the maximum area for a projecting sign. Maximum 15 sf.(target)

2 variances to exceed the maximum area for exempted signs directing traffic.(parking)

5 variances to install 4 projecting signs (2 target + 2 parking) and 1 wall sign (target) at the second floor.

3 variances to install 3 signs without providing direct access from the street to the store (target signs). Sec 138-13 (1).

Second floor facing 5th Street

1 variance to exceed the maximum area for exempted signs directing traffic.(parking)

2 variances to install a non-permitted projecting signs at the second floor (target and parking)

1 variance to install a non-permitted wall sign at the second floor (target)

1 variance to exceed the maximum area for a projecting sign. Maximum 15 sf.(target)

2 variances to install a non-permitted sign at the second floor (Starbucks and CVS)

1 variance to exceed the maximum area for an accessory use sign (CVS). Maximum 20 sf.

4 variances to install 4 signs without providing direct access from the street to the store. Sec 138-13 (1).

1 variance to exceed the maximum sign area allowed for a business. All target signs combined on all floors.

Third floor facing 5th Street

3 variances to install a non-permitted wall sign at the second floor (tenants).

3 variances to install a wall sign without providing direct access from the street to the store. Sec 138-13 (1).

3 variances to exceed the maximum sign area allowed.

1. Location of signs shall be clearly identified on floor plans.

2. In a floor plan indicate area of wall sign, area of projecting sign and total area of signs for each tenant space.

3. On second floor plan indicate length of the storefront for target on both street sides. Do not include stairs, lobby area, elevators, common corridor, etc.

4. On third floor plan indicate length of space 16 and space 14 fronting a street.

5. Floor plans shall provide a north symbol for orientation.

6. Identify streets on floor plans.

7. Survey is not legible.

8. Revise letter of intent to clearly indicate variances requested and explain in detail how the variances satisfy the hardship/practical difficulties criteria.

9. Both sides of a projecting sign count only once.

10. The dimensions of each tenant on elevation fronting Lenox Avenue are confusing. There are 7 tenant spaces in the floor plan, 6 walls signs on elevation, 7 projecting signs on elevation. Door location on elevation does not match floor plans.

11. Provide a larger detail of the graphics/wayfinding on the garage entrance.

12. Indicate in a larger elevation location of enlarged details of the signs.

13. The total area combined of a projecting sign and wall sign for a business cannot exceed the maximum area allowed of 0.75 x length of the storefront with minimum 15 sf. Each tenant having a projecting sign in addition to the wall sign require a variance to exceed the maximum area allowed.

14. Provide daytime and nighttime renderings for illuminated signs.

15. Provide technical details and section of the signs.

2. HPB Admin Review - Fail      Victor Nunez Ph: email: VictorNunez@miamibeachfl.gov

Comments: Comments Issued: September 28, 2018

Applicant affidavit must signed and notarized.

Provide full legal description of the property and attach as "Exhibit A"

1. Advertisement - \$1,500

2. Board Order Recording - \$100

3. Posting - \$100

4. Courier - \$70

5. Mail Label Fee (\$4 per mailing label) \$ 384

Total Outstanding Balance = \$ 2,154

NOTE: All fees MUST BE PAID by October 10 or the application will not move forward.

In addition to the fees, the following shall be provided to the Department no later than October 17th 12:00pm Final Paper submittal deadline:

- One (1) original application (Proper signed and notarized affidavits and Disclosures must be provided).
- One (1) original Letter of Intent.
- One (1) original set of architectural plans signed, sealed and dated.
- One (1) original signed, sealed and dated Survey.
- Any additional information/documents provided
- 14 collated sets including copies of all the above: application form, letter of intent, plans, and any additional information/documents provided (plans and survey should be 11x17).
- Mailing labels must be provided including Letter certifying the labels, radius map, gummed labels, and Labels CD done with the proper Excel format specified by the Planning Department.
- A CD/DVD containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department (each document must be less than 15MB).

NOTE: Please make sure you identify the final submittal by the file number -when dropping it.

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3. HPB Plan Review - Fail

James Seiberling Ph: email: JamesSeiberling@miamibeachfl.gov

Comments: First submittal: September 17, 2018  
Comments issued: September 28, 2018  
Final submittal (CAP & Paper): October 5, 2018  
Notice to proceed issued: October 15, 2018  
Agenda finalized & all fees paid by: October 17, 2018  
Tentative HPB meeting agenda date: December 11, 2018

SUBJECT: HPB18-0245, 1045 5th Street

1. APPLICATION
  - a. The request to delete the signage condition in the previously issued Final Order must be requested in the Letter of Intent.
2. DEFICIENCIES IN ARCHITECTURAL PRESENTATION
  - a. Provide shop drawings for the Target signage, indicate connection details and conduit placement, exterior conduit is not recommended.
  - b. The renderings must show the proposed signage and placeholder signage.
  - c. Provide an enlarged example of the proposed signage for one of the ground floor retail bays
  - d. Provide enlarged details of the proposed garage ramp signage.
  - e. Identify if ground level signage is illuminated or non-illuminated.
3. DESIGN/APPROPRIATENESS COMMENTS (Recommendations)
  - a. N/A

---

File Naming

All PDF files must be named with the submittal deadline date and the type of document in the following format 'MM-DD-YYYY Document Name'. For example, if the deadline for first submittal is October 29, 2017 the file name would be '10-29-2017 Application'. Use this naming format for first and final CAP submittals. The uploaded file retains the name as it has been saved on your computer. The file name cannot be changed and the file cannot be deleted once it is uploaded.

Please use names for the most common types of files. If the document type is not listed below, please use a document name that clearly identifies the file.

Document Name	Description
Application	Completed Land Use Board Application form including Exhibit A
LOI	Letter of Intent
Checklist	Pre-application Checklist
Labels	Mailing Labels, List of Property Owners, Certified Letter and Map
BTR	Copies of Previous Business Tax Receipts
Survey	Recent Signed and Sealed Survey
Plans	Architectural Plans and Exhibits
Landscape	Landscaping Plans and Exhibits
HRR	Historic Resources Report
Microfilm	Building Card and Microfilm
Traffic	Traffic Study
Sound	Sound Study

All pages of a document must be uploaded in one PDF file. Do not upload individual pages of a document. Documents that have not been revised from first to final submittal do not have to be re-uploaded.

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rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting  
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

April 9, 2019

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

**Re: Property owners within 375 feet of:**

**SUBJECT:** 1045 5 Street, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-002-0040

**LEGAL DESCRIPTION:** MC GUIRES SUB PB 6-83 LOTS 9 THRU 11 BLK 98 & LOTS 12 THRU 14 BLK 98 OF OCEAN BEACH ADDN NO 3 P 2-81

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 file in the Miami-Dade County Property Appraisers' Office.

Sincerely,

---

Diana B. Rio

Total number of property owners without repetition: **96, including 0 international**

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

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

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

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

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

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

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

624 MICHIGAN LLC  
212 NE 24 ST #3  
MIAMI, FL 33137-4508

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

ACE ON SOBE LLC  
3020 SW 28 ST  
MIAMI, FL 33133

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

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

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

ALBERT STRIGNANO  
1003 6 ST 3  
MIAMI BEACH, FL 33139

ALDEA LLC  
557 MICHIGAN AVE 215  
MIAMI BEACH, FL 33139

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

ARNAUD KOSZOWSKI  
544 MICHIGAN AVE 10  
MIAMI BEACH, FL 33139

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

BIRI US LLC  
3901 NW 79 AVE STE 104  
MIAMI, FL 33166

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

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

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

CHRISTOPHER CARTER BROWDER  
110 WASHINGTON # 1406  
MIAMI BEACH, FL 33139

CIERVO PROPERTIES LLC  
234 MOSHER AVE  
WOODMERE, NY 11598

CITY FIRST MORTGAGE CORP  
C/O MOSHE RUBINSTEIN LAW FIRM PA  
6100 HOLLYWOOD BLVD STE 305  
HOLLYWOOD, FL 33021

CITY OF MIAMI BEACH  
ATTN: CITY MANAGER  
1700 CONVENTION CENTER DR  
MIAMI BEACH, FL 33139

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

CLAUDE IMAZ  
551 MICHIGAN AVE 121  
MIAMI BEACH, FL 33139

CLAUDE IMAZ  
557 MICHIGAN AVE 212  
MIAMI BEACH, FL 33139

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

EDUARDO HANONO  
717 NW 131 AVE  
MIAMI, FL 33182

EDW A MCCARTHY-ARCHBISHOP  
BISHOP OF DIOCESE  
9401 BISCAYNE BLVD  
MIAMI, FL 33138

ELSA A CAMPOS JTRS  
MANUEL CAMPOS JTRS  
MERCEDES DE LA CARIDAD CAMPOS  
16857 NW 91 CT  
HIALEAH, FL 33018

ERICA A PORTER  
7313 SW 59 CT  
MIAMI, FL 33143

FERNANDEZ PROPERTIES INC  
PO BOX 191511  
MIAMI BEACH, FL 33119

FIFTH & ALTON (EDENS) LLC  
1221 MAIN ST #1000  
COLUMBIA, SC 29201

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

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

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

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

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

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

ILONA LAZANYI  
544 MICHIGAN AVE #3  
MIAMI BEACH, FL 33139-6330

IRENE MARTINEZ  
544 MICHIGAN AVE APT 8  
MIAMI BEACH, FL 33139

JACK A TAYLOR  
6044 N CHANTICLEER DR  
MAUMEE, OH 43537

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

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

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

LENSHO LLC  
11390 NE 8 AVE  
MIAMI, FL 33161

LEO KINGSTON  
2239 NW 39 ST  
OKLAHOMA CITY, OK 73112

LEO KINGSTON  
PO BOX 12920  
OKLAHOMA CITY, OK 73157

LILIA R HERRERA  
10351 NW 127 ST  
HIALEAH GARDENS, FL 33018-6011

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

LORE USA LLC  
860 COLLINS AVE  
MIAMI BEACH, FL 33139

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

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

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

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

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

MICCOMIAMI INC  
1680 MICHIGAN AVE 910  
MIAMI BEACH, FL 33139



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

MICHAEL E HUGHES  
9160 BYRON AVE  
SURFSIDE, FL 33154

MICHAEL TRAINOR  
544 MICHIGAN AVE UNIT 6  
MIAMI BEACH, FL 33139

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

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

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

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

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

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

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

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

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

ROBERT M YOUNG JR  
544 MICHIGAN AVE APT 14  
MIAMI BEACH, FL 33139-6350

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

RUSSELL F EVICK  
544 MICHIGAN AVE APT 2  
MIAMI BEACH, FL 33139-6330

SAAD LALMI  
PO BOX 422961  
SAN FRANCISCO, CA 94142

SANDRA MARTINEZ  
544 MICHIGAN AVE #5  
MIAMI BEACH, FL 33139

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

SANZ MANAGEMENT INC  
762 SW 18 AVE  
MIAMI, FL 33135

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

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

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

SRDJAN RELJIN  
100 KINGS POINT DR # 1602  
SUNNY ISLES BEACH, FL 33160

SULTANA THE KING LLC  
C/O SATOR MANAGEMENT  
1000 5TH STREET STE 230  
MIAMI BEACH, FL 33139

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

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

TATIANA NIKOLAEVA  
544 MICHIGAN AVE 1  
MIAMI BEACH, FL 33139

THU PHAN  
LYSA PHAN  
1001 6 ST 2  
MIAMI BEACH, FL 33139

TIAPASIL LLC  
557 MICHIGAN AVE 213  
MIAMI BEACH, FL 33139

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

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

TRACEY WEST  
544 MICHIGAN AVE #7  
MIAMI BEACH, FL 33139-6330

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

VINCENZO AMADDEO TR  
524 WASHINGTON AVE #311  
MIAMI BEACH, FL 33139-6666

VINICIUS LLC  
551 MICHIGAN AVE 124  
MIAMI BEACH, FL 33139

WILLIAM ENROQUE ARTEAGA TRS  
C/O HAMIA LLC  
BREMER FAM IRREV TR  
1602 ALTON RD 599  
MIAMI BEACH, FL 33139

Name	Address	City	State	Zip	Country
1000 FIFTH ST CORPORATION % CHRISTOPHER LANGEN	PO BOX 398570	MIAMI BEACH	FL	33239	USA
1019 FIFTH STREET EQUITIES LLC C/O TIME EQUITIES INC 1019 FIFTH STREET TEA LLC	55 5 AVE 15 FL	NEW YORK	NY	10003	USA
1725 JAMES AVE NO 26 LLC	1354 WASHINGTON AVE STE 223	MIAMI BEACH	FL	33139	USA
532 MICHIGAN AVE LLC	945 PENNSYLVANIA AVE	MIAMI BEACH	FL	33139-6318	USA
550 MICHIGAN AVENUE CORP	150 SE 2 AVE 1010	MIAMI	FL	33131	USA
560 MICHIGAN AVENUE CORP	245 18 ST # 603	MIAMI BEACH	FL	33139	USA
610 MICHIGAN AVE LLC	1602 ALTON RD # 599	MIAMI BEACH	FL	33139	USA
624 MICHIGAN LLC	212 NE 24 ST #3	MIAMI	FL	33137-4508	USA
629 LENOX HOLDINGS LLC	2800 BISCAYNE BLVD PH FLOOR	MIAMI	FL	33137	USA
ACE ON SOBE LLC	3020 SW 28 ST	MIAMI	FL	33133	USA
AET INVESTMENTS I LLC	2721 EXECUTIVE PARK DR STE 4	WESTON	FL	33331	USA
AHMED ALASHWAH LYNNE MARLETTE	601 MICHIGAN AVE #5	MIAMI BEACH	FL	33139	USA
AHMED ALASHWAH	601 MICHIGAN AVE UNIT 2	MIAMI BEACH	FL	33139	USA
ALBERT STRIGNANO	1003 6 ST 3	MIAMI BEACH	FL	33139	USA
ALDEA LLC	557 MICHIGAN AVE 215	MIAMI BEACH	FL	33139	USA
ALE REAL ESTATE LLC	850 OCEAN DR #203	MIAMI BEACH	FL	33139	USA
ARNAUD KOSZOWSKI	544 MICHIGAN AVE 10	MIAMI BEACH	FL	33139	USA
BENJAMIN CHAOUAT	611 MICHIGAN AVE #2	MIAMI BEACH	FL	33139	USA
BIRI US LLC	3901 NW 79 AVE STE 104	MIAMI	FL	33166	USA
CARIBE LIFE CORP	557 MICHIGAN AVE APT 112	MIAMI BEACH	FL	33139	USA
CARIBE LIFE CORP	557 MICHIGAN AVE 222	MIAMI BEACH	FL	33139	USA
CELESTE RENEE VEZOLLES	2642 COLLINS AVE #507	MIAMI BEACH	FL	33140	USA
CHRISTOPHER CARTER BROWDER	110 WASHINGTON # 1406	MIAMI BEACH	FL	33139	USA
CIERVO PROPERTIES LLC	234 MOSHER AVE	WOODMERE	NY	11598	USA
CITY FIRST MORTGAGE CORP C/O MOSHE RUBINSTEIN LAW FIRM PA	6100 HOLLYWOOD BLVD STE 305	HOLLYWOOD	FL	33021	USA
CITY OF MIAMI BEACH ATTN: CITY MANAGER	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CITY OF MIAMI BEACH	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CLAUDE IMAZ	551 MICHIGAN AVE 121	MIAMI BEACH	FL	33139	USA
CLAUDE IMAZ	557 MICHIGAN AVE 212	MIAMI BEACH	FL	33139	USA
DESIRE GROUP LLC	557 MICHIGAN AVE 214	MIAMI BEACH	FL	33139	USA
EDUARDO HANONO	717 NW 131 AVE	MIAMI	FL	33182	USA
EDW A MCCARTHY-ARCHBISHOP BISHOP OF DIOCESE	9401 BISCAYNE BLVD	MIAMI	FL	33138	USA
ELSA A CAMPOS JTRS MANUEL CAMPOS JTRS MERCEDES DE LA CARIDAD CAMPOS	16857 NW 91 CT	HIALEAH	FL	33018	USA
ERICA A PORTER	7313 SW 59 CT	MIAMI	FL	33143	USA
FERNANDEZ PROPERTIES INC	PO BOX 191511	MIAMI BEACH	FL	33119	USA
FIFTH & ALTON (EDENS) LLC	1221 MAIN ST #1000	COLUMBIA	SC	29201	USA
FLORIDA POWER & LIGHT CO ATTN PROPERTY TAX DEPT	700 UNIVERSE BLVD, PSX/JB	JUNO BEACH	FL	33408	USA
FRYD FAMILY ASSOCIATES LTD	523 MICHIGAN AVE	MIAMI BEACH	FL	33139-6317	USA
GATEWAY MB LLC	140 WEST 86 ST 4A	NEW YORK CITY	NY	10024	USA

GIG VAOI FIFTH AND LENOX LLC	3390 PEACHTREE RD STE 1200	ATLANTA	GA	30326	USA
GILBERTO BROTONS &W VIVIAN	619 MICHIGAN AVE UNIT 3	MIAMI BEACH	FL	33139-6048	USA
GUY GERBER	15260 VENTURA BLVD STE 2100	SHERMAN OAKS	CA	91403	USA
ILONA LAZANYI	544 MICHIGAN AVE #3	MIAMI BEACH	FL	33139-6330	USA
IRENE MARTINEZ	544 MICHIGAN AVE APT 8	MIAMI BEACH	FL	33139	USA
JACK A TAYLOR	6044 N CHANTICLEER DR	MAUMEE	OH	43537	USA
KAREN D GALLOWAY	16321 PACIFIC COAST HWY UNIT #A	PACIFIC PALISADES	CA	90272	USA
KENT FRANK CELIA FRANK	619 MICHIGAN AVE #1	MIAMI BEACH	FL	33139-6048	USA
LEEMAN ACQUISITION COMPANY LLC	711 NW 23 TERR SUITE 100	MIAMI	FL	33137	USA
LENSHO LLC	11390 NE 8 AVE	MIAMI	FL	33161	USA
LEO KINGSTON	2239 NW 39 ST	OKLAHOMA CITY	OK	73112	USA
LEO KINGSTON	PO BOX 12920	OKLAHOMA CITY	OK	73157	USA
LILIA R HERRERA	10351 NW 127 ST	HIALEAH GARDENS	FL	33018-6011	USA
LINNEA JOHNSON	610 MICHIGAN AVE 3	MIAMI BEACH	FL	33139-6064	USA
LORE USA LLC	860 COLLINS AVE	MIAMI BEACH	FL	33139	USA
LULAV SQUARE APARTMENTS LP	2206 JO-AN DR	SARASOTA	FL	34231	USA
LYSA PHAN JTRS THU PHAN JTRS	600 MICHIGAN AVE APT 1	MIAMI BEACH	FL	33139	USA
MAC 1045 5TH ST LLC	1261 20 ST	MIAMI BEACH	FL	33139	USA
MARIUS JOHANNES SLUIJTERS TRS C/O HAMIA LLC BREMER FAMILY 2017 IRREVOCABLE TR	1602 ALTON RD #599	MIAMI BEACH	FL	33139	USA
MELI INVESTMENT CORP	6500 SW 67 AVE	MIAMI	FL	33143-3112	USA
MICCOMIAMI INC	1680 MICHIGAN AVE 910	MIAMI BEACH	FL	33139	USA
MICHAEL CORTICCHIA ANNA MARIA CORTICCHIA	33 06 92 ST 1N	JACKSON HEIGHTS	NY	11372	USA
MICHAEL E HUGHES	9160 BYRON AVE	SURFSIDE	FL	33154	USA
MICHAEL TRAINOR	544 MICHIGAN AVE UNIT 6	MIAMI BEACH	FL	33139	USA
MICHIGAN 551 PROPERTY LLC	557 MICHIGAN AVE APT 111	MIAMI BEACH	FL	33139	USA
MONTIGNY AND PARTNERS LLC	44 W FLAGLER ST 2300	MIAMI	FL	33130	USA
NELLIE DAHER CHIARA J SOLLOA	619 MICHIGAN AVE #4	MIAMI BEACH	FL	33139-6048	USA
NF FIFTH ST LLC & BK FIFTH ST LLC	1665 WASHINGTON AVE 4TH FL	MIAMI BEACH	FL	33139	USA
NINA BERNSTEIN	415 E 52ND ST APT 1HC	NEW YORK	NY	10022-9005	USA
PADOVA CONSTRUCTION LLC	2601 SOUTH BAYSHORE DR #700	COCONUT GROVE	FL	33133	USA
PADOVA CONSTRUCTION LLC	1007 6 ST APT 5	MIAMI BEACH	FL	33139	USA
RAYLA GUIMARAES JACUNDA	610 MICHIGAN AVE # 2	MIAMI BEACH	FL	33139	USA
RG MICHIGAN 2014 LLC	11251 NW 20 ST STE 106	MIAMI	FL	33172	USA
ROBERT M YOUNG JR	544 MICHIGAN AVE APT 14	MIAMI BEACH	FL	33139-6350	USA
ROBIN ROSENBAUM	619 MICHIGAN AVE #2	MIAMI BEACH	FL	33139-6048	USA
RUSSELL F EVICK	544 MICHIGAN AVE APT 2	MIAMI BEACH	FL	33139-6330	USA
SAAD LALMI	PO BOX 422961	SAN FRANCISCO	CA	94142	USA
SANDRA MARTINEZ	544 MICHIGAN AVE #5	MIAMI BEACH	FL	33139	USA
SANDRA VARELA	601 MICHIGAN AVE #3	MIAMI BEACH	FL	33139-6089	USA
SANZ MANAGEMENT INC	762 SW 18 AVE	MIAMI	FL	33135	USA

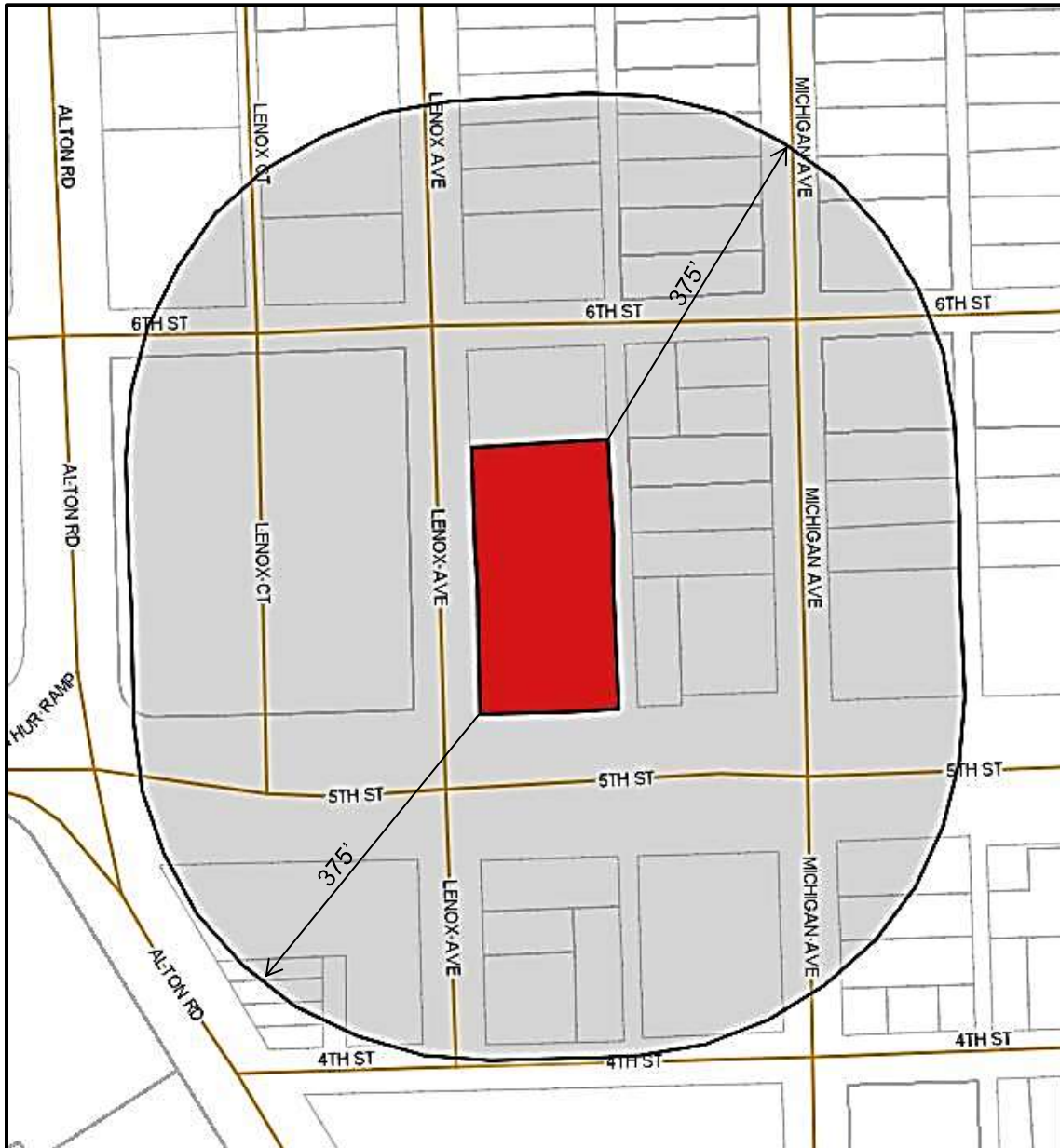
SARA E HERNANDEZ	619 MICHIGAN AVE 6	MIAMI BEACH	FL	33139	USA
SCULL INVESTMENT LLC	848 BRICKELL AVE #PH1	MIAMI	FL	33131	USA
SHADOW ME LLC	557 MICHIGAN AVE APT 115	MIAMI BEACH	FL	33139	USA
SRDJAN RELJIN	100 KINGS POINT DR # 1602	SUNNY ISLES BEACH	FL	33160	USA
SULTANA THE KING LLC C/O SATOR MANAGEMENT	1000 5TH STREET STE 230	MIAMI BEACH	FL	33139	USA
SUNSHINE GASOLINE DISTRIBUTORS INC	1650 NW 87 AVE	MIAMI	FL	33172	USA
SUZANNE CAMILLE JOLY FABRICE JOLY	551 MICHIGAN AVE 122	MIAMI BEACH	FL	33139	USA
TATIANA NIKOLAEVA	544 MICHIGAN AVE 1	MIAMI BEACH	FL	33139	USA
THU PHAN LYSA PHAN	1001 6 ST 2	MIAMI BEACH	FL	33139	USA
TIAPASIL LLC	557 MICHIGAN AVE 213	MIAMI BEACH	FL	33139	USA
TOPLOCATION INC	150 SE 2 AVE #1010	MIAMI	FL	33131	USA
TOWER TRADING SAGL	557 MICHIGAN AVE APT 114	MIAMI BEACH	FL	33139	USA
TRACEY WEST	544 MICHIGAN AVE #7	MIAMI BEACH	FL	33139-6330	USA
VF MIAMI INVESTMENT INC	1680 MICHIGAN AVE 910	MIAMI BEACH	FL	33139	USA
VINCENZO AMADDEO TR	524 WASHINGTON AVE #311	MIAMI BEACH	FL	33139-6666	USA
VINICIUS LLC	551 MICHIGAN AVE 124	MIAMI BEACH	FL	33139	USA
WILLIAM ENROQUE ARTEAGA TRS C/O HAMIA LLC BREMER FAM IRREV TR	1602 ALTON RD 599	MIAMI BEACH	FL	33139	USA



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rdrmiami.com | diana@rdrmiami.com | 305.498.1614

## 375' RADIUS MAP



**SUBJECT:** 1045 5 Street, Miami Beach, FL 33139

**FOLIO NUMBER:** 02-4204-002-0040

**LEGAL DESCRIPTION:** MC GUIRES SUB PB 6-83 LOTS 9 THRU 11 BLK 98 & LOTS 12 THRU 14 BLK 98 OF OCEAN BEACH ADDN NO 3 P 2-81



Target Corporation

CVS Pharmacy

Table of Contents

Operations Plan -1

Safety Plan -2

Odor Plan - 3

## **OPERATIONS**

The facility will be located on the second floor of the development on the corner of Lenox Avenue and 5<sup>th</sup> Street. Patrons will gain access to the Target and CVS Pharmacy through the main entrance located along Lenox.

Once inside, patrons will be able to explore the space and pick from a variety of retail items. Along with the Target retail areas and the CVS Pharmacy, there will be a Starbucks Coffee Shop that the patrons will have access to.

The Hours of Operation have not been determined at this time, but the Applicant will work with staff to ensure the hours of operation are compliant with all City regulations.

CVS Pharmacy is dedicated to the safety of its staff, patrons, and neighborhood, and as such will provide state-of-the-art security in compliance with all state and local procedures regulating pharmaceuticals.



## **SAFETY AND SECURITY**

We have developed several programs and initiatives to help ensure that the prescription medications that we dispense are safe, high-quality and cost-effective. All of our pharmacy operations, including the pharmacies in our retail stores, and our mail order and specialty pharmacies, follow comprehensive quality assurance processes for prescription safety and accuracy and every prescription we dispense undergoes a multi-step review by a pharmacist prior to being dispensed to a patient.

In our retail pharmacies, well-defined processes have been put in place to ensure accurate dispensing, including on-screen computer messaging, bar-coded prescription labels, electronic prescribing, automated prescription filling technology, electronic pill imaging and quality assurance training for all pharmacy staff. Our mail order and specialty pharmacies utilize extensive quality control measures when dispensing medications as well, such as enhanced quality control, electronic imaging, and quality procedures for compounded prescription items, drug utilization reviews and final quality assurance checks.

To further ensure patient safety, we include a description of what the medication looks like on each and every prescription label. We advise patients to check their medication to make sure it matches the label information indicating color, shape and markings. Our labels also include information about side effects and detailed instructions on how to take the medication properly. Prescription medications also include a detailed drug description information sheet that contains helpful information about side effects, drug interactions and what to do if a patient misses a dose. These labeling practices apply to all prescription medications dispensed by CVS Health.

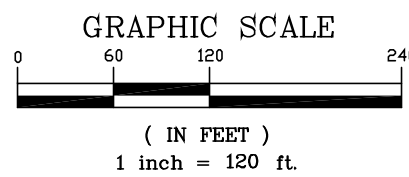
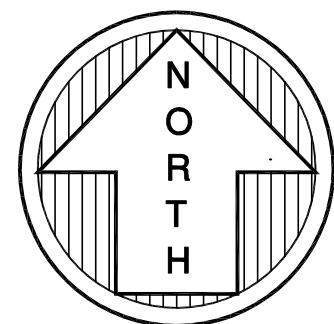
We also engage independent industry experts, such as PSO Advisory, a patient safety organization, to evaluate our quality and safety procedures as part of our commitment to continually enhancing our systems and processes to help ensure that prescriptions are dispensed safely and accurately. PSO Advisory has supported our advancements in safety, such as quality performance metrics and electronic prescribing.

## **ODOR**

CVS Pharmacy does not store, prescribe, provide, or in any way possess marijuana, and therefore, the odor of marijuana will not be perceptible at the interior, exterior or any adjoining use of the property.

SKETCH OF DISTANCE SEPARATION SURVEY  
FOR PROPOSED LIQUOR LICENSE  
1031 & 1045 5TH STREET,  
CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA  
SECTION 3, TOWNSHIP 54 SOUTH, RANGE 42 EAST

NO.	NAME	ADDRESS	TYPE	DISTANCE
1	ST FRANCIS DE SALES CATHOLIC CHURCH	621 ALTON ROAD	CHURCH	475 feet ±
2	SOUTH POINTE ELEMENTARY SCHOOL	1050 4TH STREET	SCHOOL	405 feet ±
3	WALGREEN PHARMACY	524 JEFFERSON AVENUE	PHARMACY	680 feet ±
4	MIAMI BEACH COMMUNITY HEALTH CENTER (PHARMACY)	710 ALTON ROAD	PHARMACY	1,110 feet ±



SURVEYOR'S NOTES: DISTANCES ARE MEASURED ON A STRAIGHT LINE.

- As requested by client, the express purpose of this Distance Separation Survey is to locate the following:  
  
Educational facilities, including only Public or Private Elementary Schools, Middle Schools or Secondary Schools, within 300 feet.  
The method used to calculate the distance is: From the front door of the proposed place of business to the nearest point of the property used for a Public or Private School.  
  
Places of worship within 300 feet.  
The method used to calculate the distance is: From the front door of the proposed place of business to the nearest point of the structure used for a Place of Worship.  
  
Pharmacies within 1,200 feet.  
The method used to calculate the distance is: From the front door of the proposed place of business to the front door of the main building that houses the pharmacy.
- There are no Public or Private Elementary Schools, Middle Schools or Secondary Schools within 300 feet of the subject property's proposed front door, measured as indicated in Note #1.
- There are no Places of worship within 300 feet of the subject property's front door, measured as indicated in Note #1.
- There are Pharmacies within 1,200 feet of the subject property's front door, measured as indicated in Note #1.
- MEASUREMENTS ARE BASED ON SCALED DISTANCES.
- Portion of Folio No.: 02-4204-002-0040, per Miami-Dade County Property Appraiser Website.

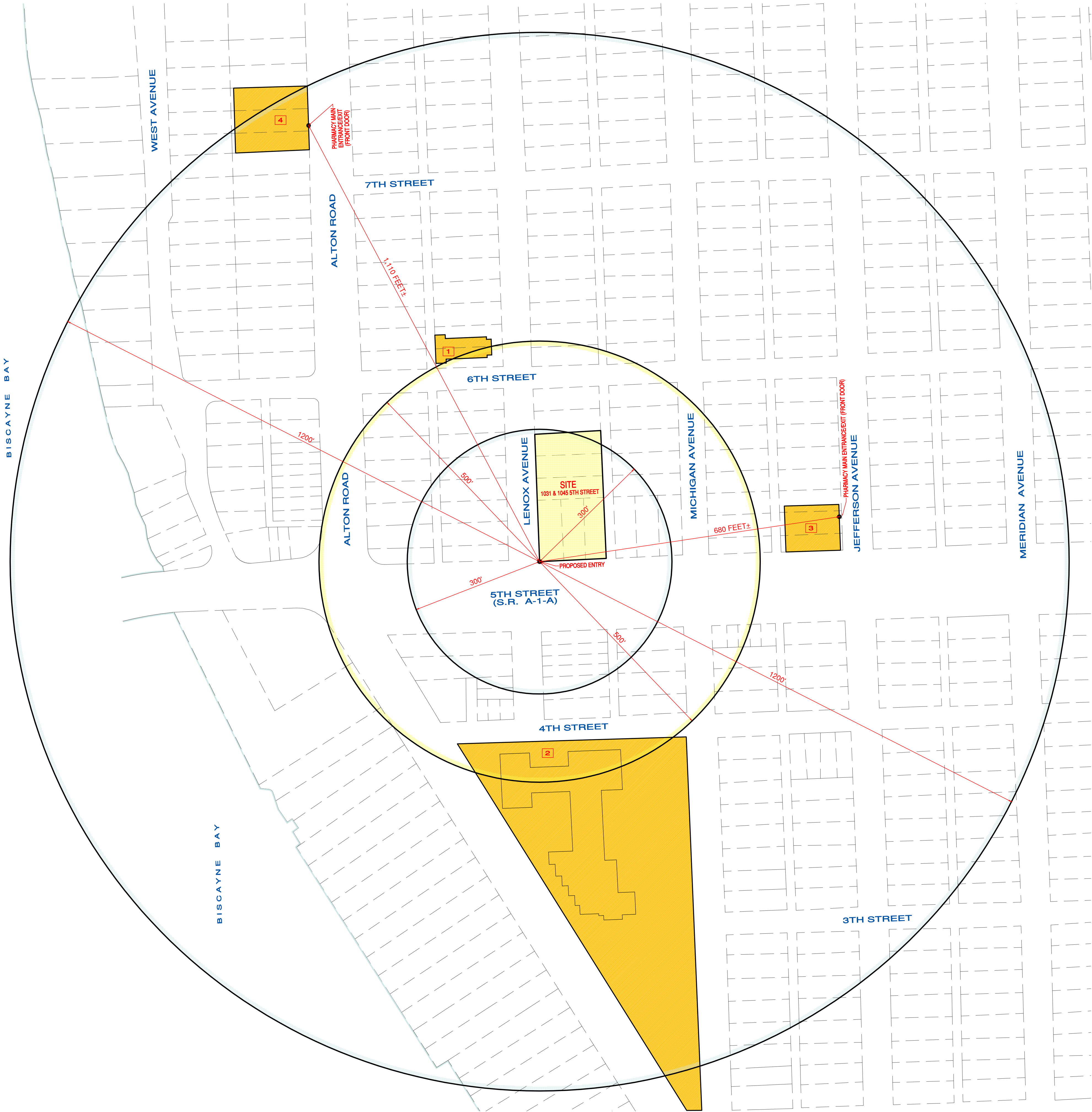
SURVEYOR'S CERTIFICATION:

I hereby certify that the "Sketch of Distance Separation Survey" of the above described property is true and correct to the best of my knowledge and belief as surveyed on April 11, 2019.

\*Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper\*

FORTIN, LEAVY, SKILES, INC., LB3653

By: \_\_\_\_\_  
Daniel C. Fortin, Jr., For The Firm  
Surveyor and Mapper, LS6435  
State of Florida.











**Chiaci & Peterson**  
Architects Engineers Planners

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1925 Prospect Ave.  
Orlando, FL 32814

P (407) 661-9100  
F (407) 661-9100

[www.c-p.com](http://www.c-p.com)

Florida Corporate Counsel Association

**Chiaci & Peterson**  
Architects Engineers Planners

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1925 Prospect Ave.  
Orlando, FL 32814

P (407) 661-9100  
F (407) 661-9100

[www.c-p.com](http://www.c-p.com)

Florida Corporate Counsel Association

A blank sheet of white graph paper featuring a uniform grid of thin black horizontal and vertical lines. The grid covers most of the page, leaving margins at the top, bottom, and sides. A single horizontal line runs across the width of the page, approximately one-third of the way down from the top edge.

**TARGET**

Miami Beach, FL

1031 & 1045 5TH ST.

MIAMI BEACH, FL 33139

Project Number **T-3269**




















Proto: P09MR	Version: N/A	Config: LL
Drawn By	ZNR	
Checked By	RZS	

TA-021



2017 FBC EXIT KEY (STAIRS)				
NUMBER	WIDTH	INOC.	CHP OF DOC.	
1	52.00"	3	173	
18	52.00"	3	173	
2	48.00"	3	150	
4	48.00"	3	150	
TOTAL	200.00"	3	666	
PROVIDED				
TOTAL REQUIRED	143.7"	3	479	

2017 FBC EXIT KEY (DOORS)				
BYT NUMBER	EXPENSE WIDTH (IN)	INOCX REQ'D	CAP OF COC	
14	39.625	0.2	166	
			\$446	
18	39.625	0.2	168	
2	39.625	0.2	168	
4	68.5	0.2	343	
TOTAL PROVIDED	161.375	0.2	907	
TOTAL REQUIRED	95.6	0.2	479	

SYMBOLS - LEGEND - EXIT PLAN	
	REINFORCING CEMENT
	DOIT
	EGRESS WITH PRIORITY PATHING
	# OCCUPANT LOAD
	PATH OF TRAVEL
	DIRECTIONAL EXIT SIGNAGE
	STAR #
	# OCCUPANT LOAD - STAR WITH 3+ INNOVOC
	EGRESS TRIPPING HAZARD 0.04
	FIRE EXTINGUISHER - TYPE 1
	4-1/2" RIGID
	FIRE EXTINGUISHER - TYPE 2
	REGULAR RIGID CHEMICAL
	4-1/2" RIGID CHEMICAL
	WET CHEMICAL CLASS B
	6 LITRE
	1 HR RATED PARTITION (BY OTHERS)
	2 HR RATED PARTITION (BY OTHERS)
	3 HR RATED PARTITION (BY OTHERS)









**Cubaci & Peterson**  
Architects Engineers Planners

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1925 Prospect Ave.  
Orlando, FL 32814  
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Florida Corporate Cardfile #A000023

Date	No	Description
3/19/2018		BID SET
2/03/2018	13	TENANT INTEGRATION



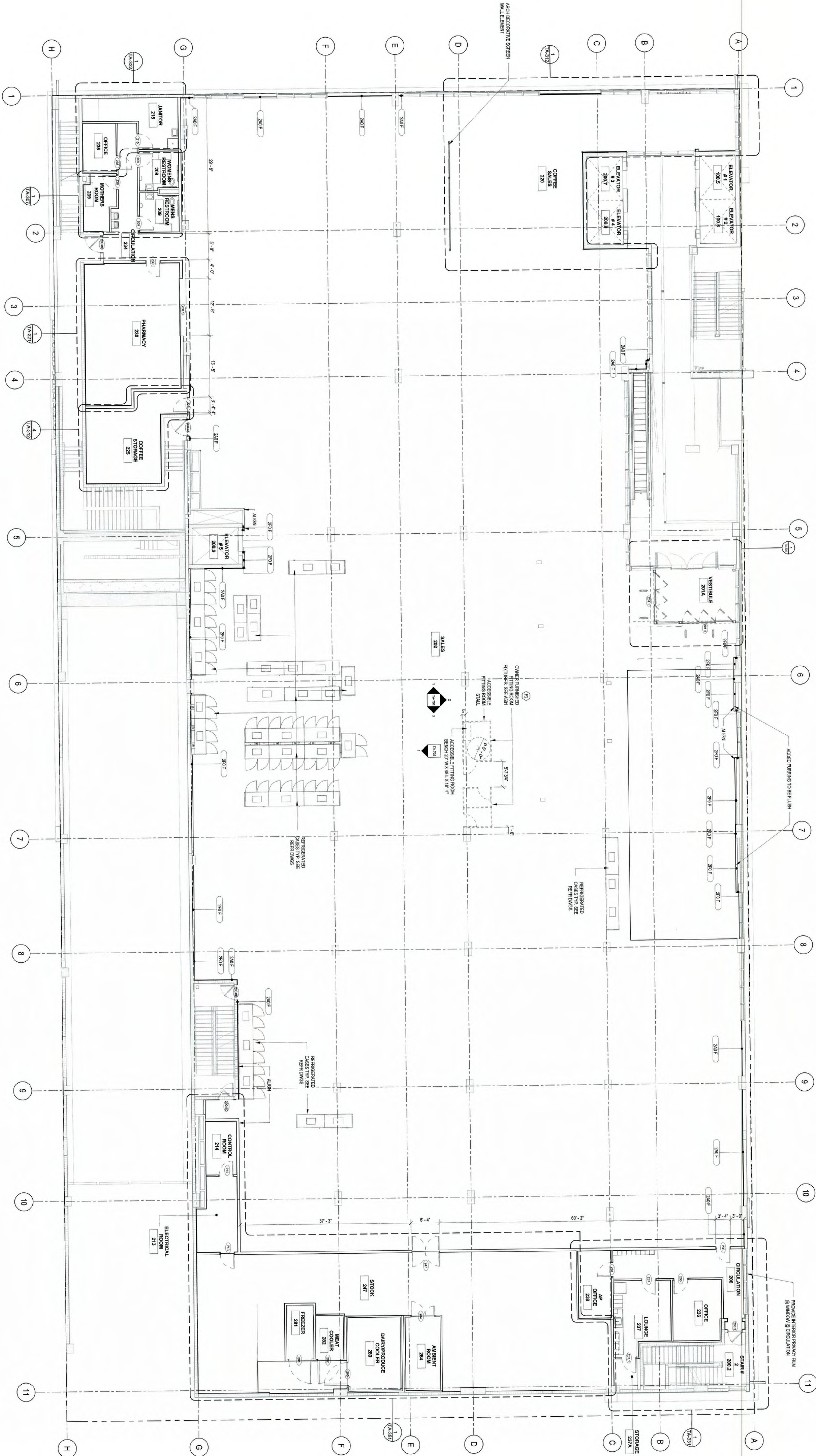
**TARGET**

Project Number	T-3269		
Proto: P09MR	Version: N/A	Config: LL	
Drawn By	ZNR		
Checked By	RZS		

SALES FLOOR PLAN

TA-112

2/14/2018 2:00:34 PM



1  
TA-112  
SALES FLOOR PLAN  
SCALE: 1/8" = 1'-0"

GENERAL NOTES

- A. FOR PARTITION TYPES, A ROOM FINISH SCHEDULES, SEE SHEETS T-4.001 & T-4.001.
- B. FOR DOOR SCHEDULE, SEE SHEET T-6.011.
- C. FOR OWNER FURNISHED MATL. AND EQUIP SCHED, SEE SHEET T-6.001.
- D. DITS ARE TO FINISH MATL & CONG UNLT. NOT USED.
- E. SEE SHEET T-4.001 FOR SYMBOLS.
- F. FOR TYPICAL CONNECTION OF INTERIOR PARTITIONS TO EXTERIOR WALLS
- G.
 

1	2
T-4.001	T-4.001
- H. WOOD BLOCKING IS INCLUDED IN PARTITION TYPE. SEE BLOCKING PLAN FOR SIZE OF WALL.









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Date	No	Description
10/01/2018		BID SET
12/03/2018	13	TENANT INTEGRATION

[illegible]

<b>SIGNED</b>	<b>EXPIRES</b>
07-03-2018	02/28/2019



**Miami Beach, FL**  
1031 & 1045 5TH ST.  
MIAMI BEACH, FL 33139

## PHARMACY PLANS, ELEVATIONS & DETAILS

TA-321

FLOOR PLAN NOTES

- [illegible]

INTERIOR ELEVATION NOTES

- [illegible]

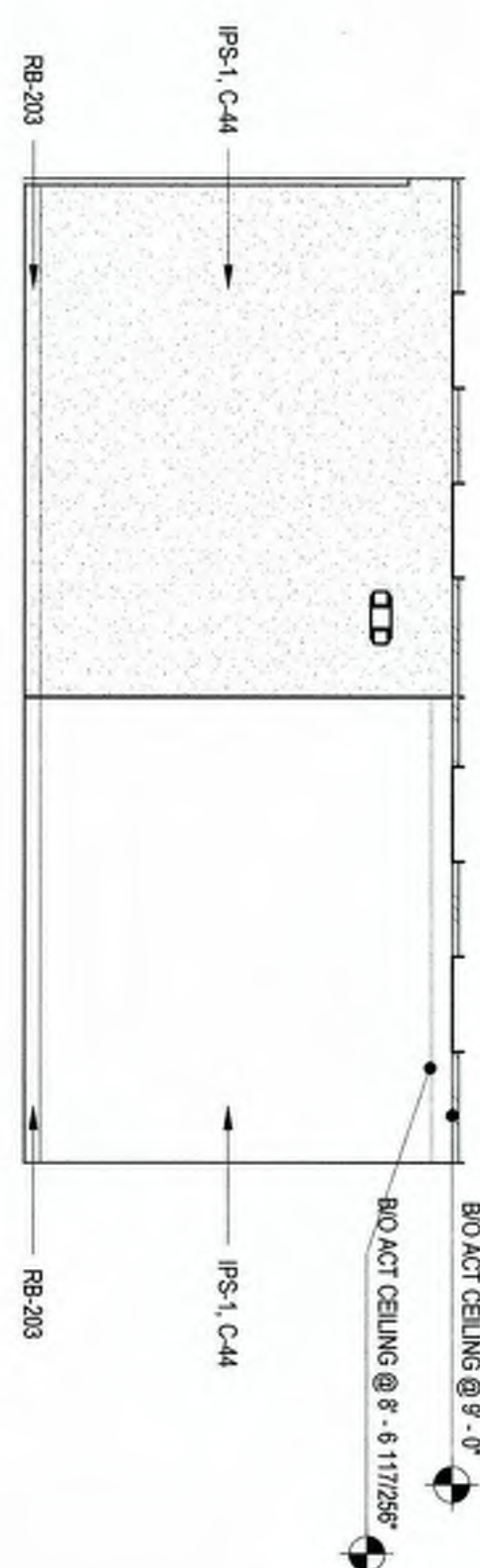
FLOOR FINISH NOTES

- REFLECTED CEILING PLAN NOTES**
- A. ALL ANGLES ARE 45° OR MULTIPLES OF 45° UNLESS NOTED OTHERWISE
  - B. SEE SHEET PL-01 FOR SYMBOLS
  - C. ACTING LIGHT GRIDS ARE CENTERED IN ROOMS PER SPECIFICATION  
CENTRAL UNLESS NOTED OTHERWISE
  - D. FOR ALIGNMENT OF SPRINKLER IN SLEAKS FLOOR CEILING SEE SPEC  
DWG 21
  - E. PROVIDE SLIP CONNECTION AT ALL WALLS EXTENDING TO ROOF OR  
STRUCTURE PER DETAILS ON SHEET PL-01

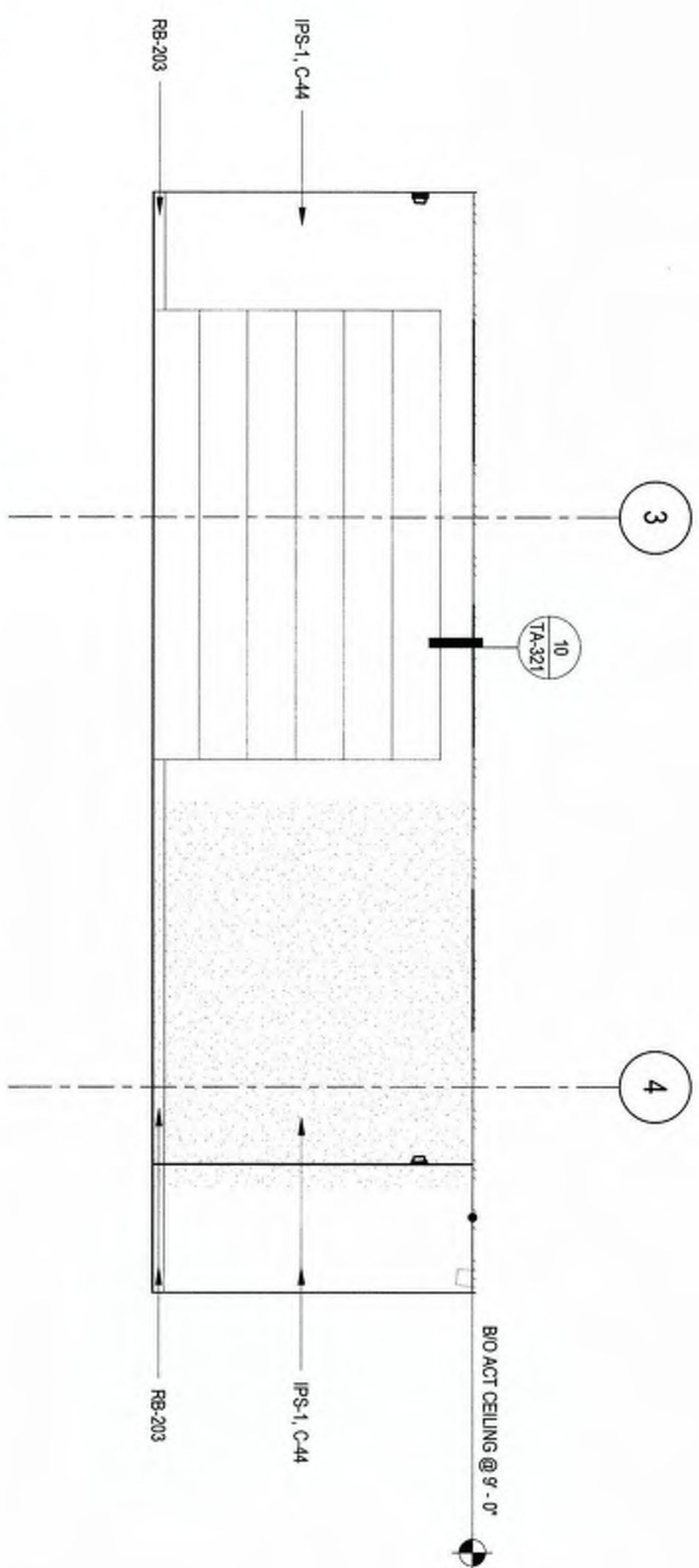
**REFLECTED CEILING PLAN NOTES**

- A. ALL WALLS ARE 4" OR MULTIPLES OF 4" UNLESS NOTED OTHERWISE
- B. SEE SHEET TA-01 FOR SYMBOLS
- C. ACT CEILING GROS ARE CENTERED IN ROOMS PER SPECIFICATION CRITERIA UNLESS NOTED OTHERWISE.
- D. FOR ALIGNMENT OF SPRINKLER IN SALES FLOOR CEILING SEE SPEC DIV 21
- E. PROVIDE SLIP CONNECTION AT ALL WALLS EXTENDING TO ROOF OR STRUCTURE PER DETAILS ON SHEET TA-501

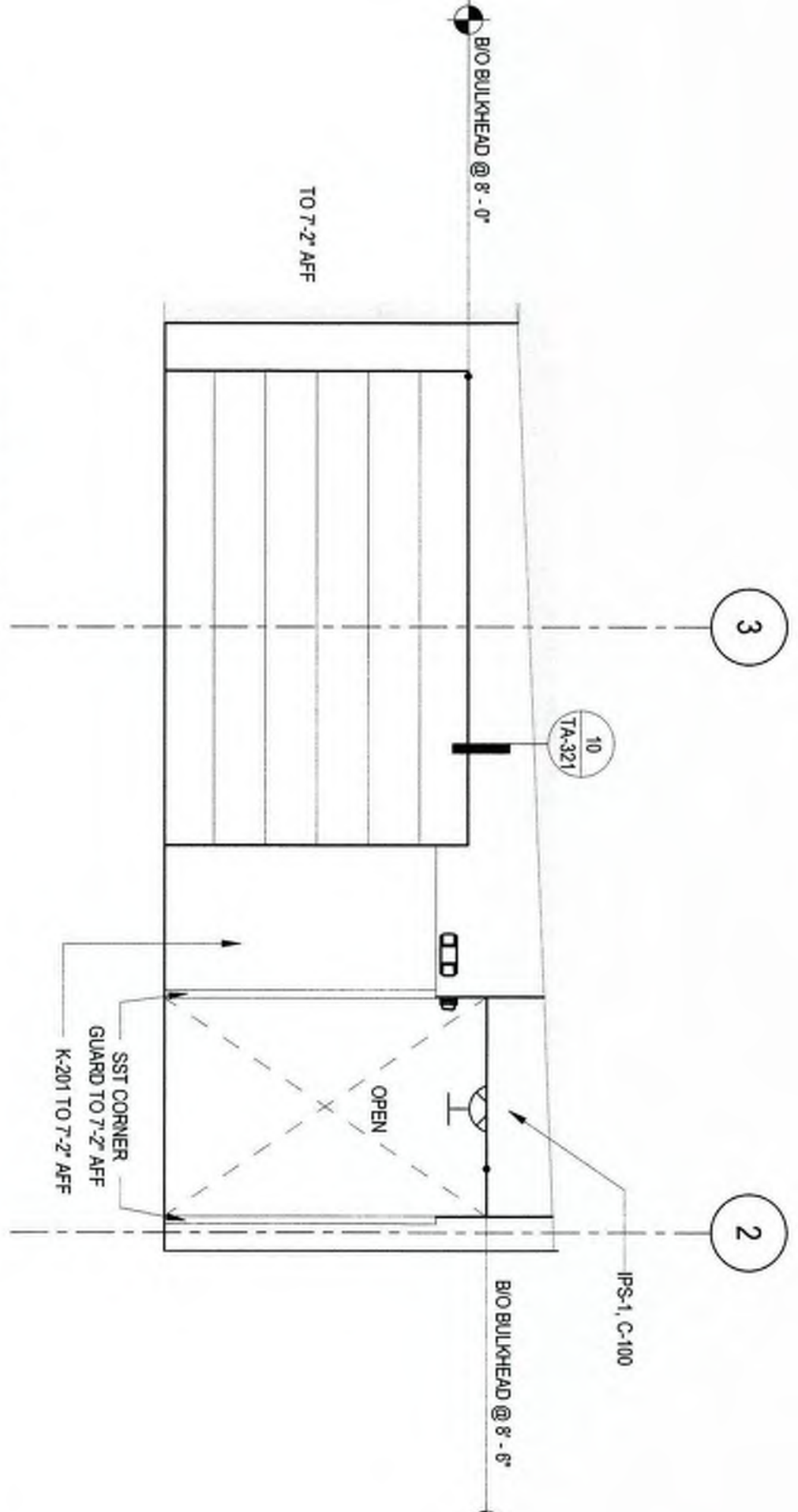
6 PHARMACY RIGHT SIDE ELEVATION  
TA 334 SCALE: 1/4" = 1'-0"



5 PHARMACY FRONT ELEVATION  
TA-334 SCALE: 1/4" = 1'-0"



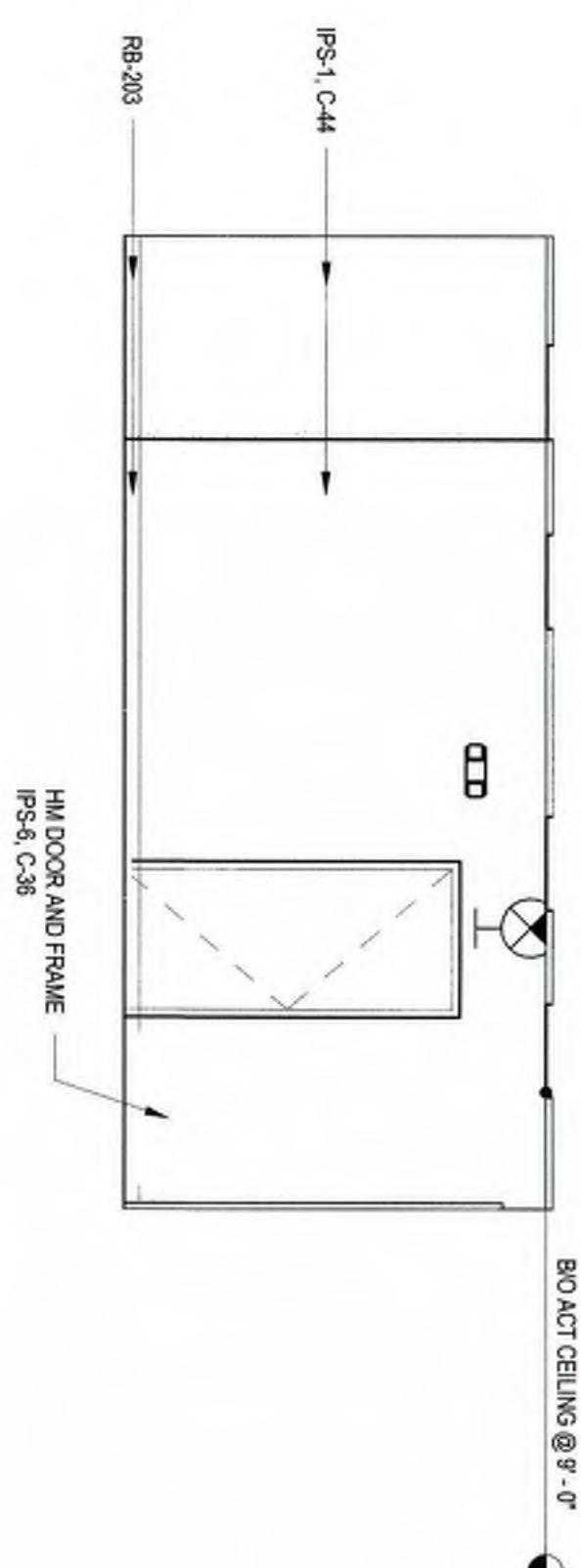
4 PHARMACY EXTERIOR ELEVATION  
TA-321 SCALE: 1/4" = 1'-0"



8  
TA-321

PHARMACY LEFT SIDE ELEVATION

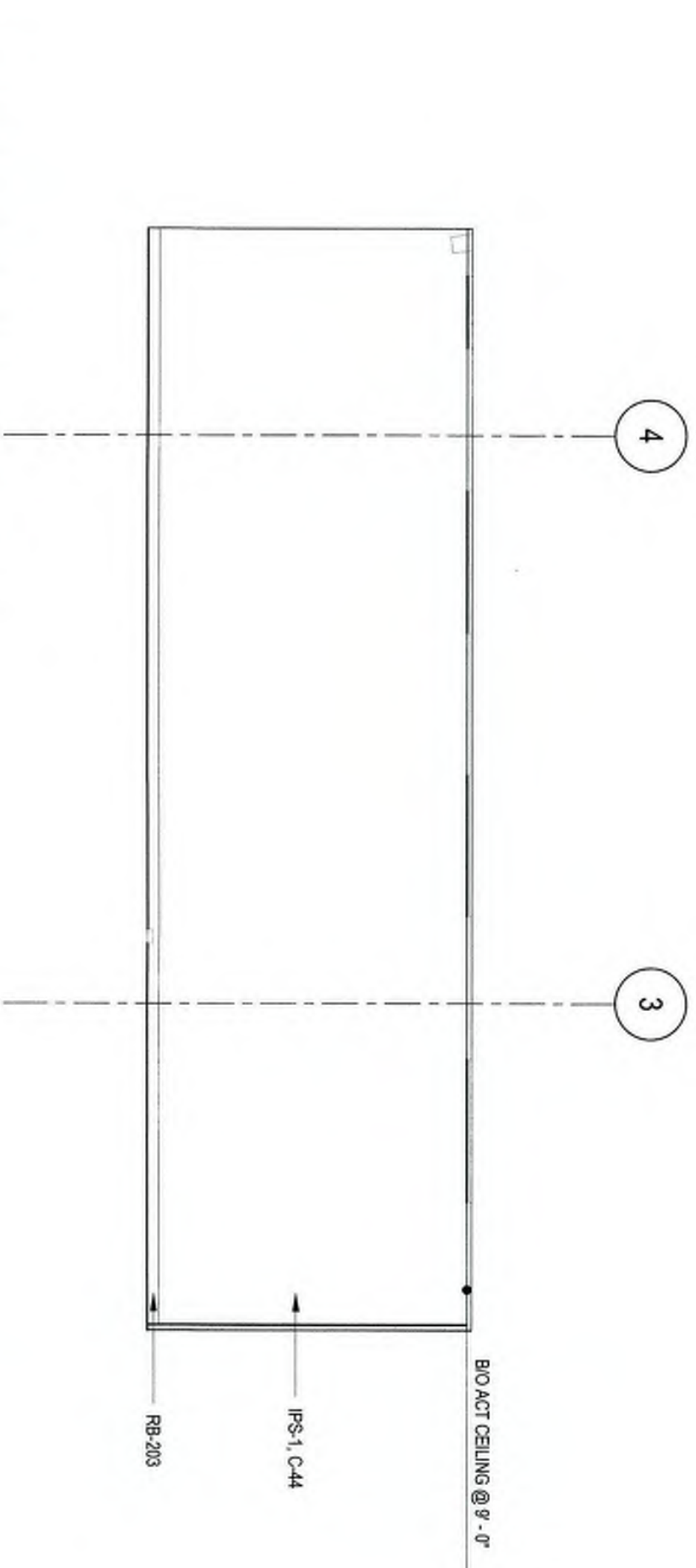
SCALE 1/4" = 1'-0"



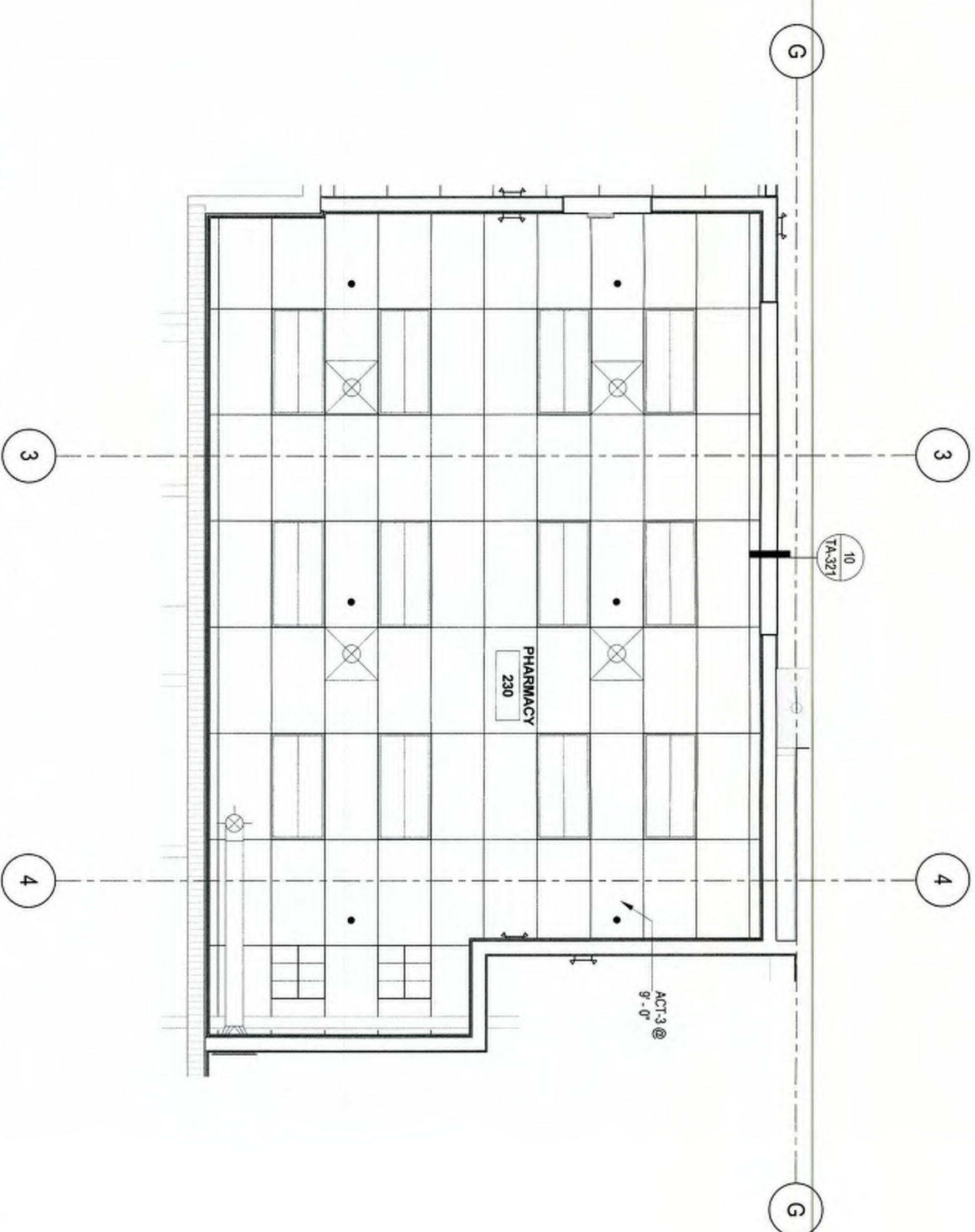
7  
TA-321

PHARMACY REAR SIDE ELEVATION

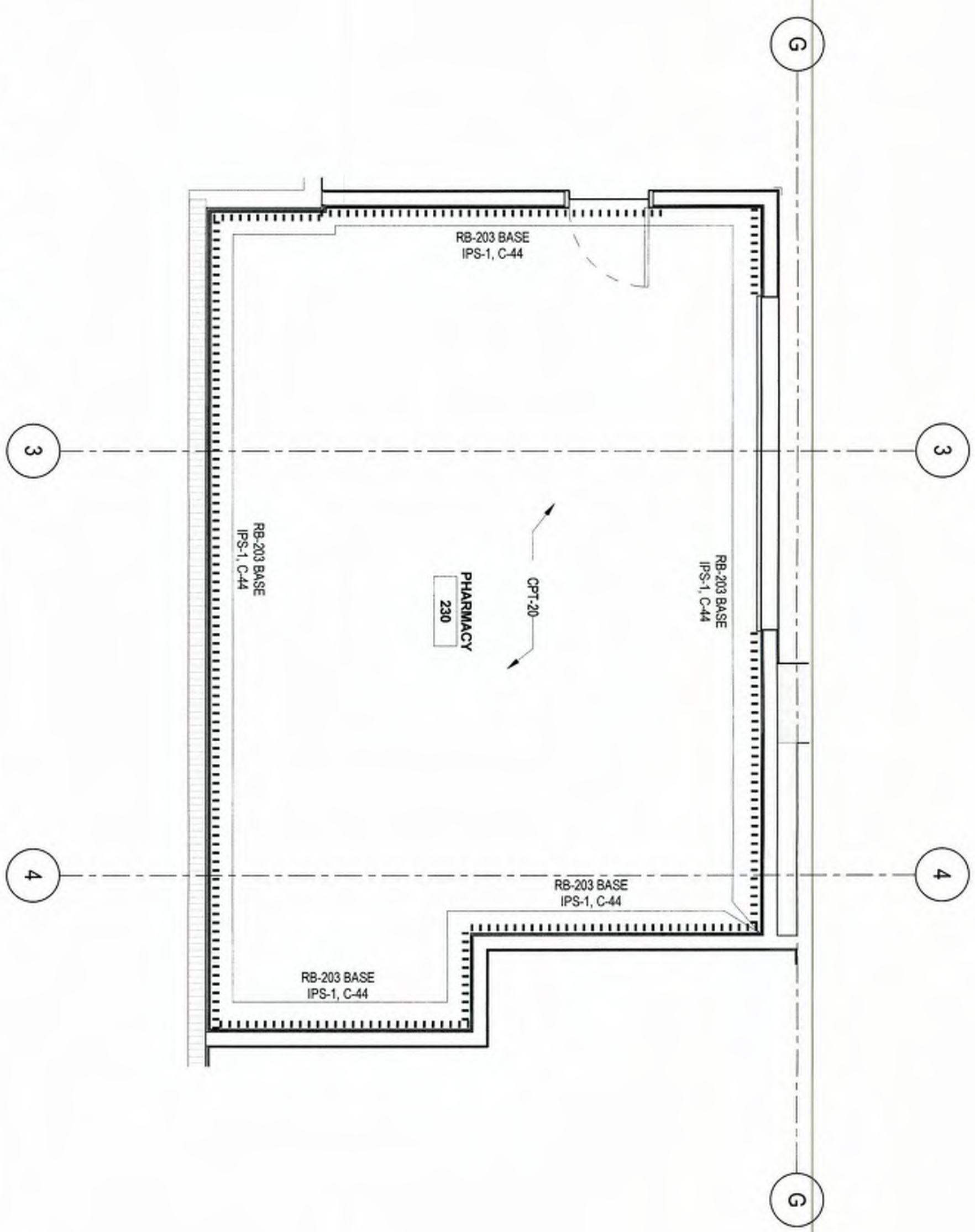
SCALE: 1/4" = 1'-0"



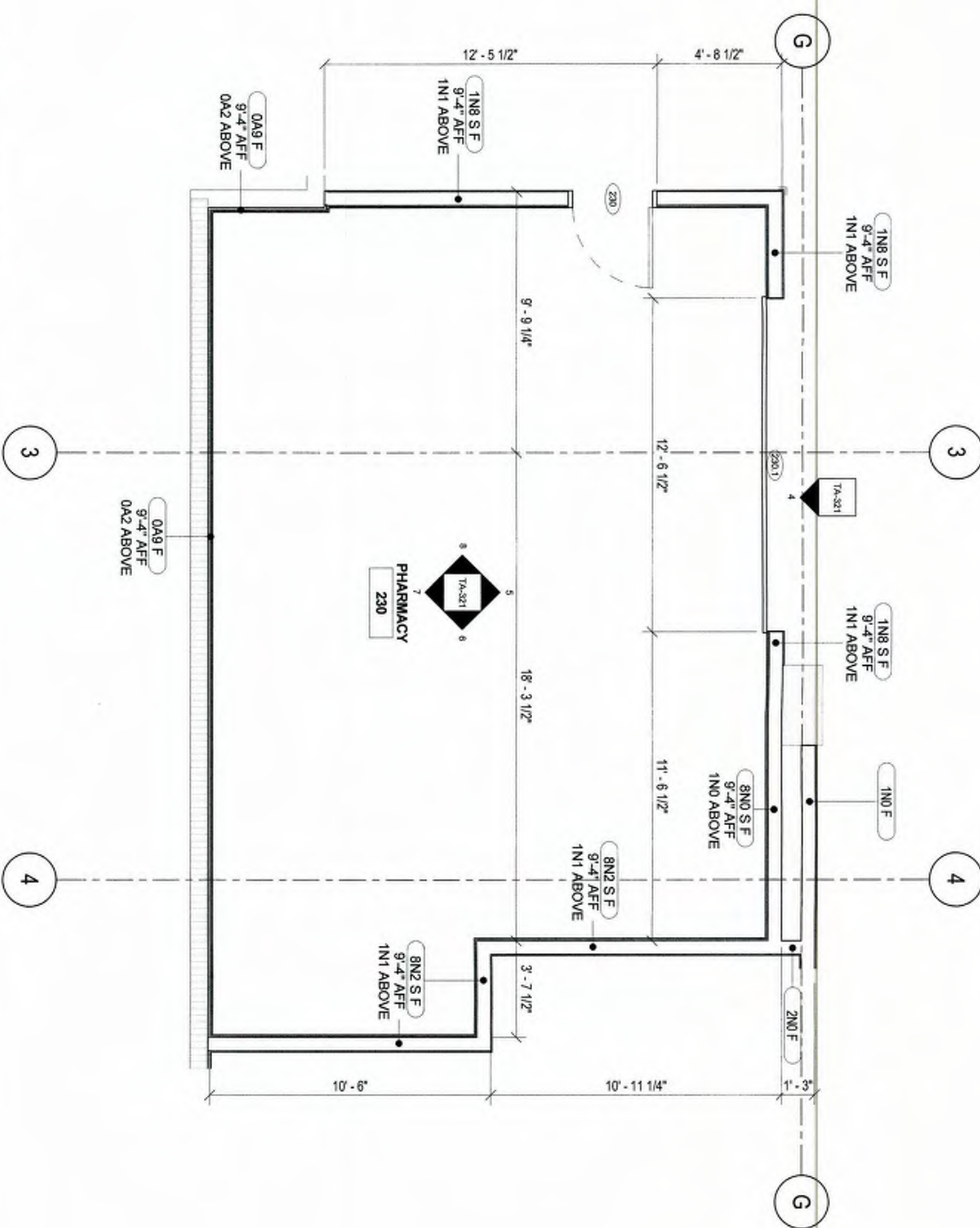
3  
TA-321 SCALE: 1/4" = 1'-0"



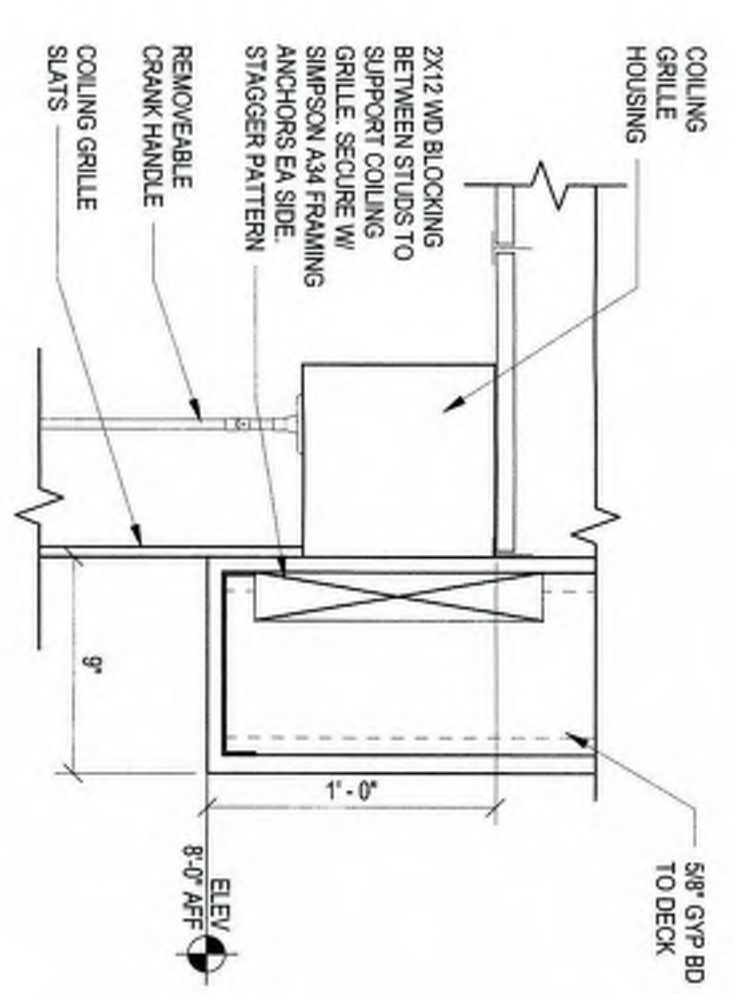
2  
TA-321  
ENLARGED PHARMACY FINISH PLAN  
SCALE: 1/4" = 1'-0"



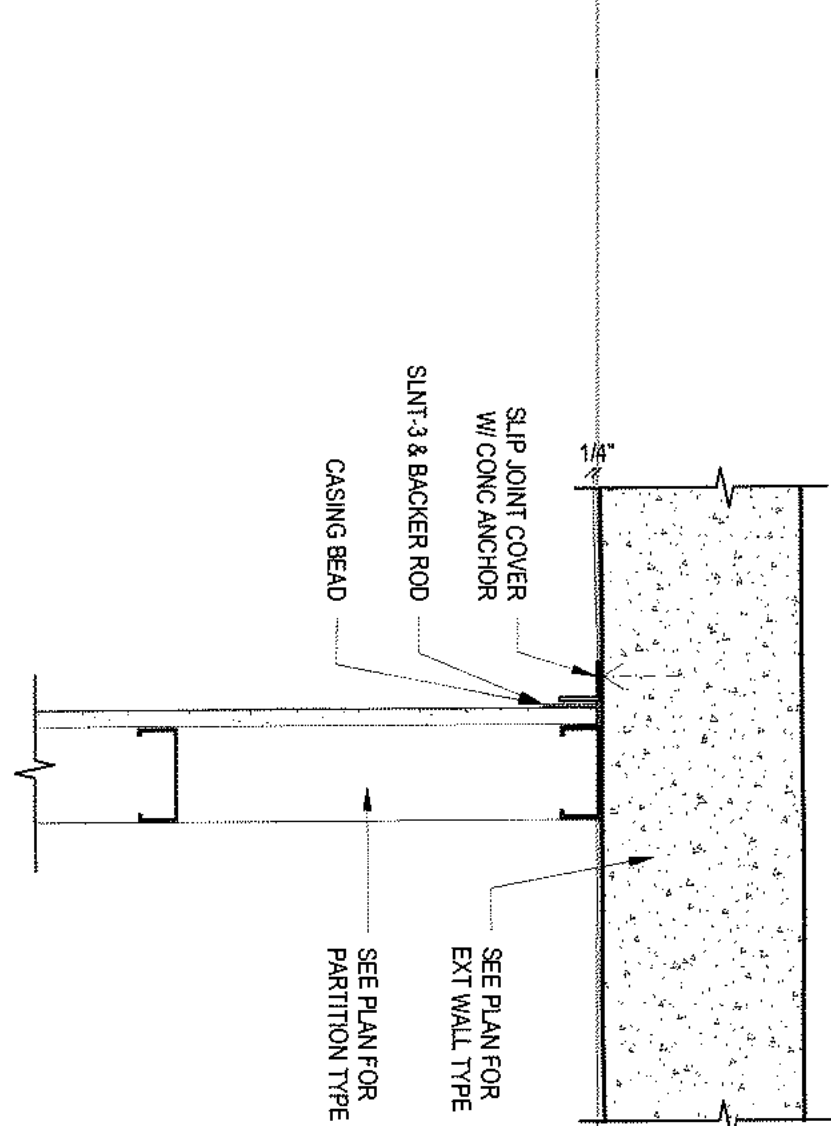
1  
TA-321  
ENLARGED PHARMACY FLOOR PLAN  
SCALE: 1/4" = 1'-0"



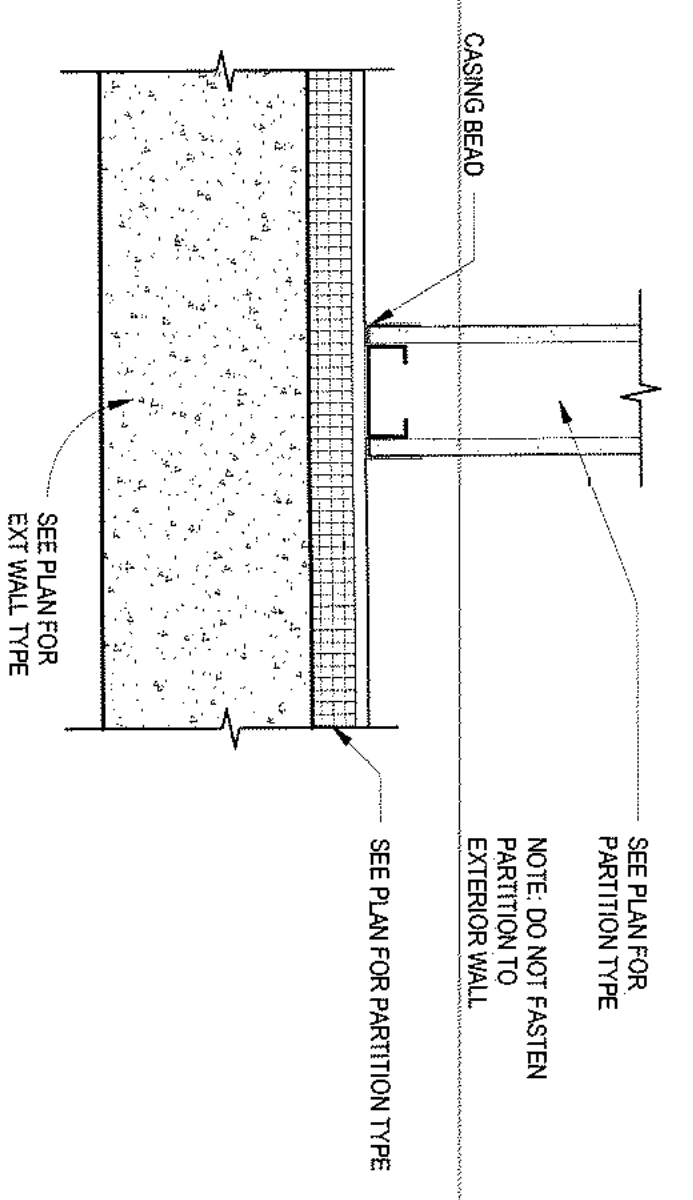
10  
ITA-321  
HEAD DETAIL  
SCALE: 1 1/2" = 1'-0"



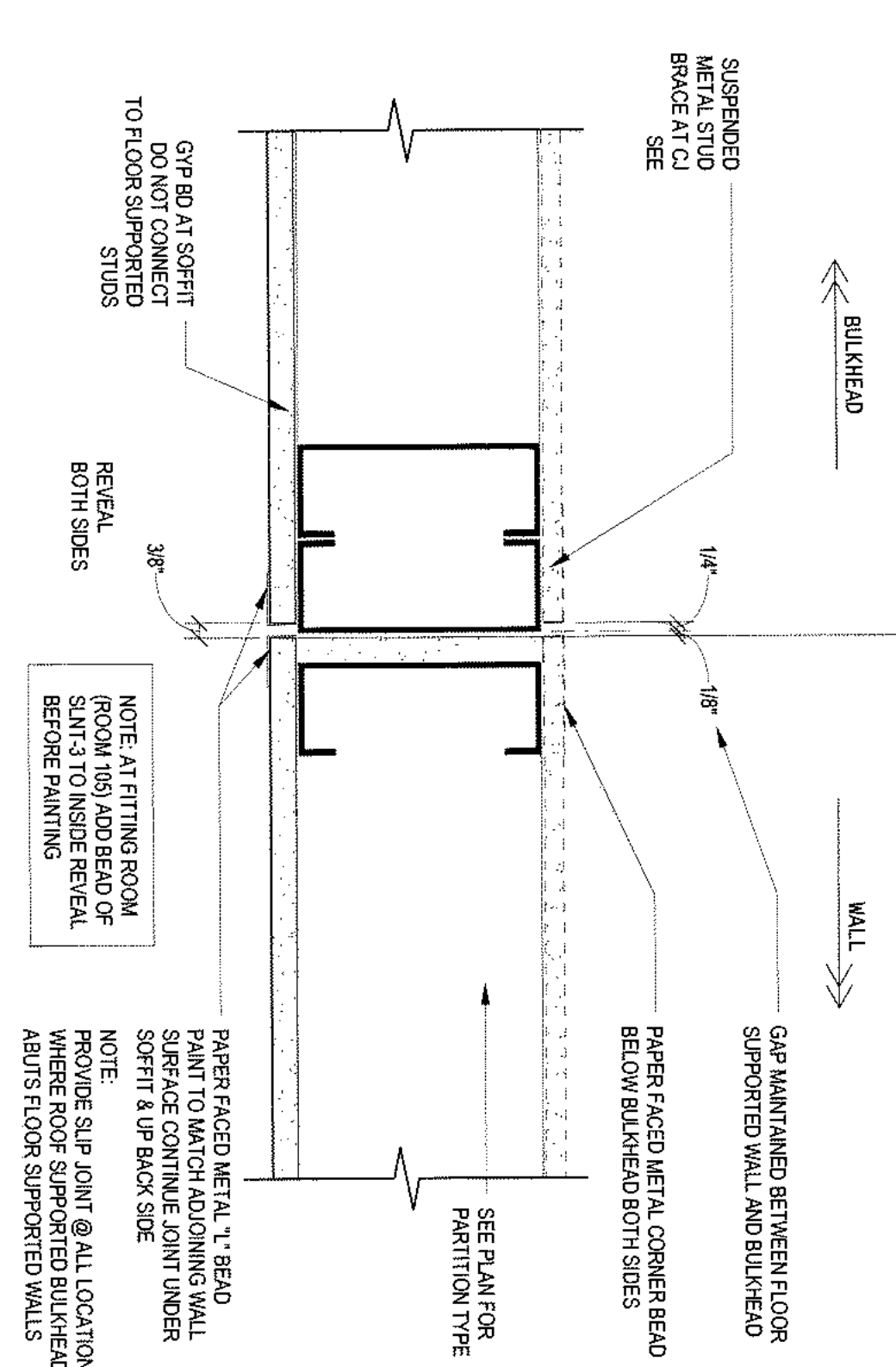




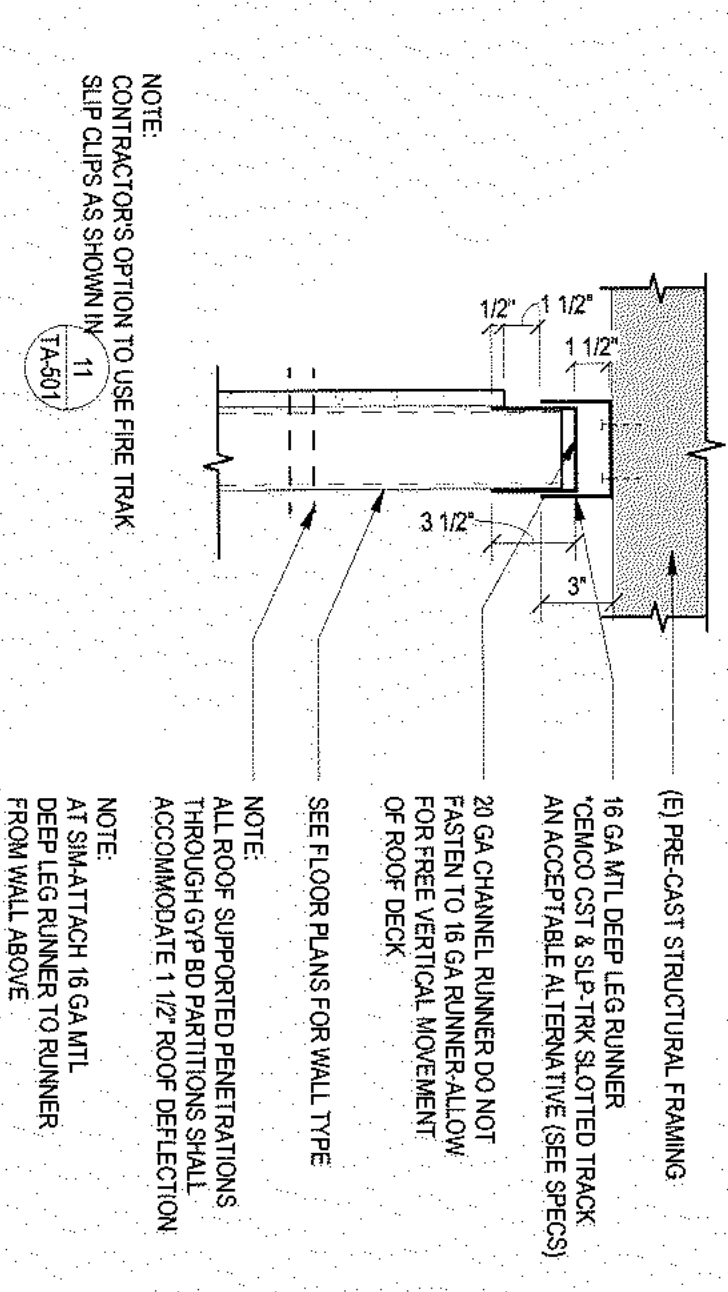
1 GYP BD PARTITION @ EXTERIOR WALL  
TA-501 SCALE: 1/2" = 1'-0"



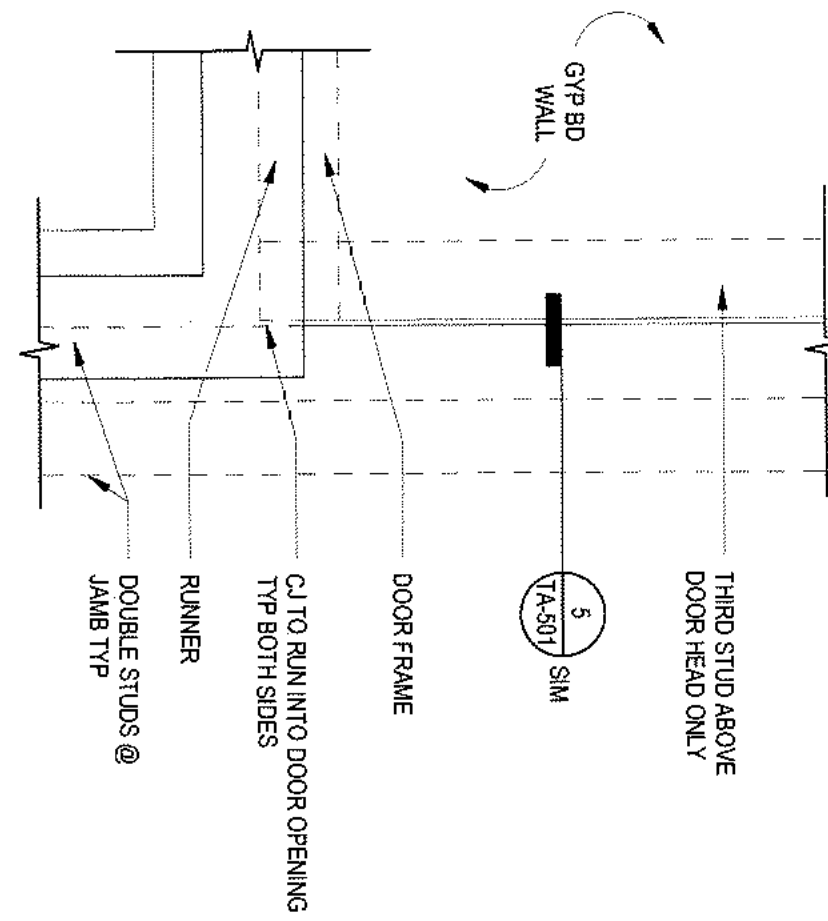
2 INTERIOR PARTITION JOINT @ EXTERIOR WALL  
TA-501 SCALE: 1/2" = 1'-0"



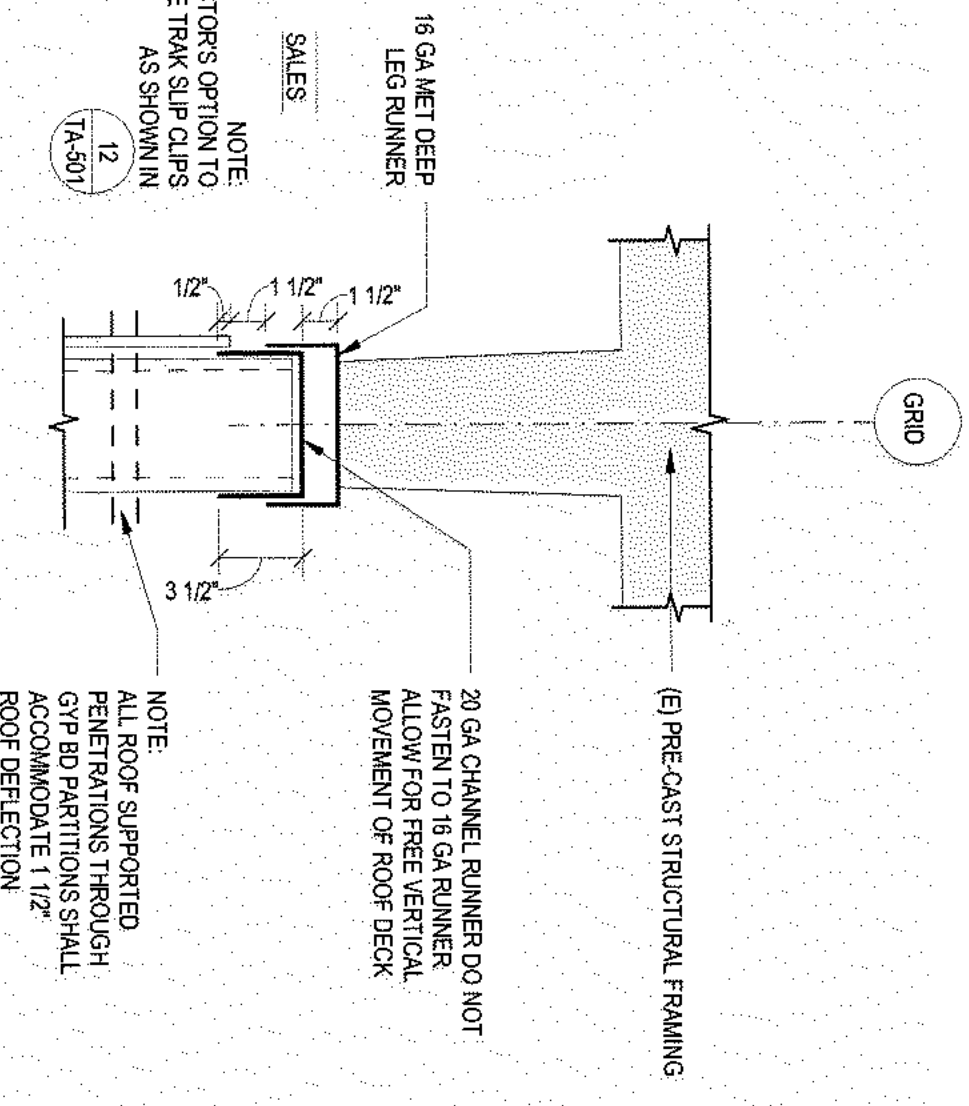
3 TYP CONTROL JOINT @ STUD WALLS  
TA-501 SCALE: 3/4" = 1'-0"



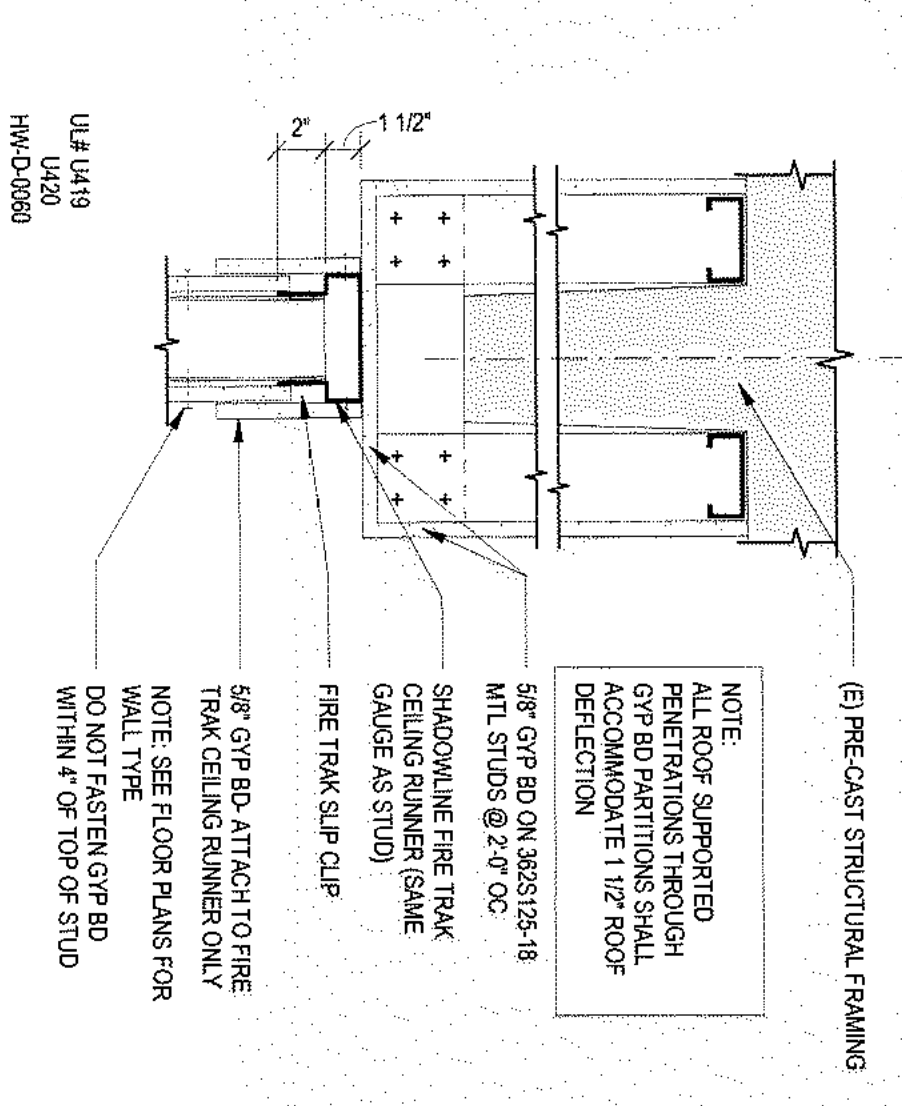
4 TYP METAL STUD WALL EXTENDING TO ROOF  
TA-501 SCALE: 1/2" = 1'-0"



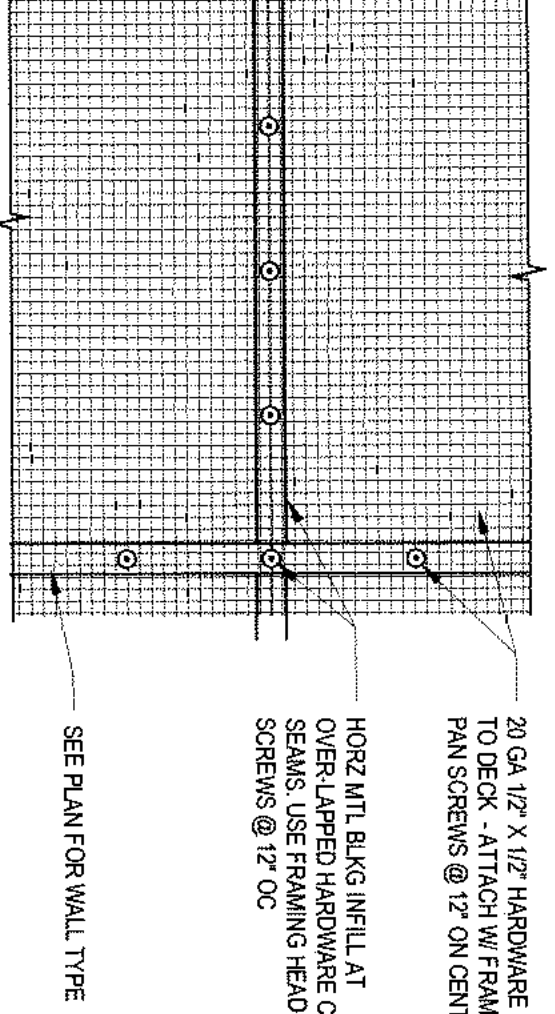
5 C/ELEVATION @ DOOR FRAME - TYP  
TA-501 SCALE: 3/4" = 1'-0"



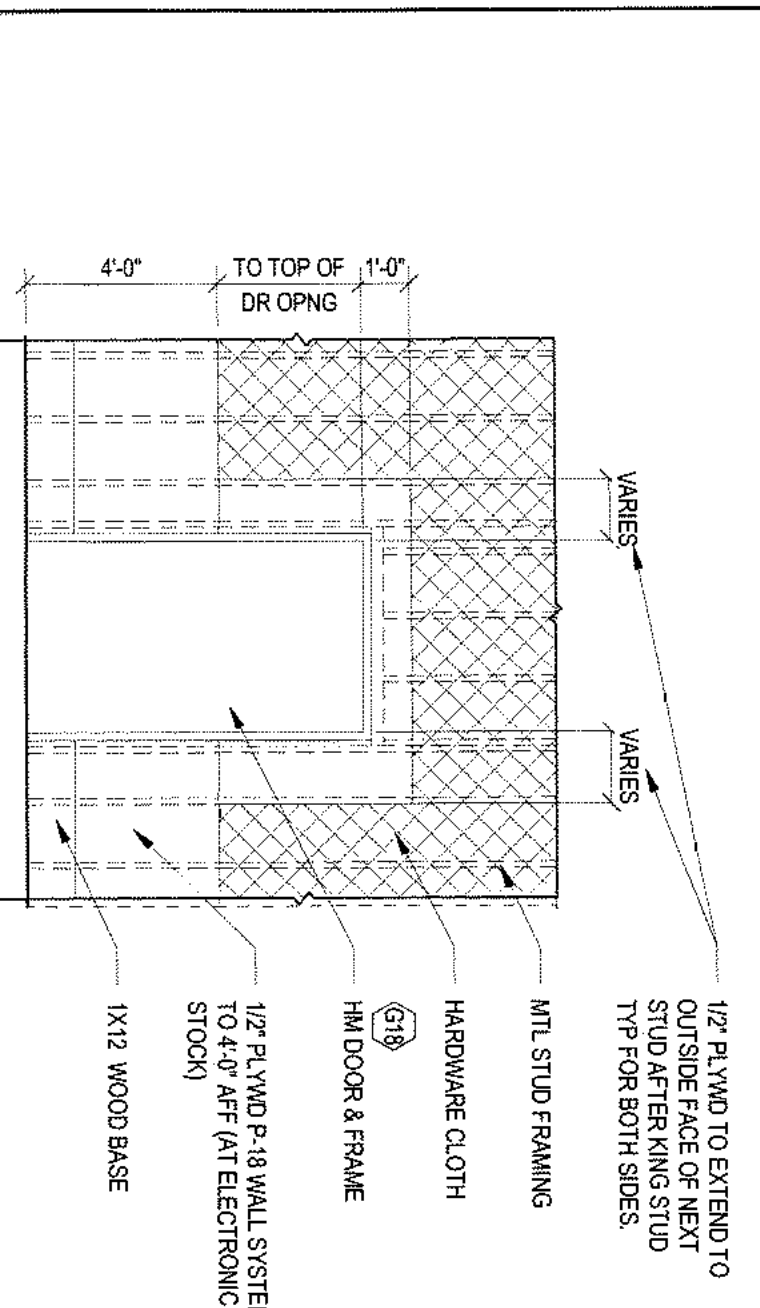
6 STUD WALL @ JOIST  
TA-501 SCALE: 1/2" = 1'-0"



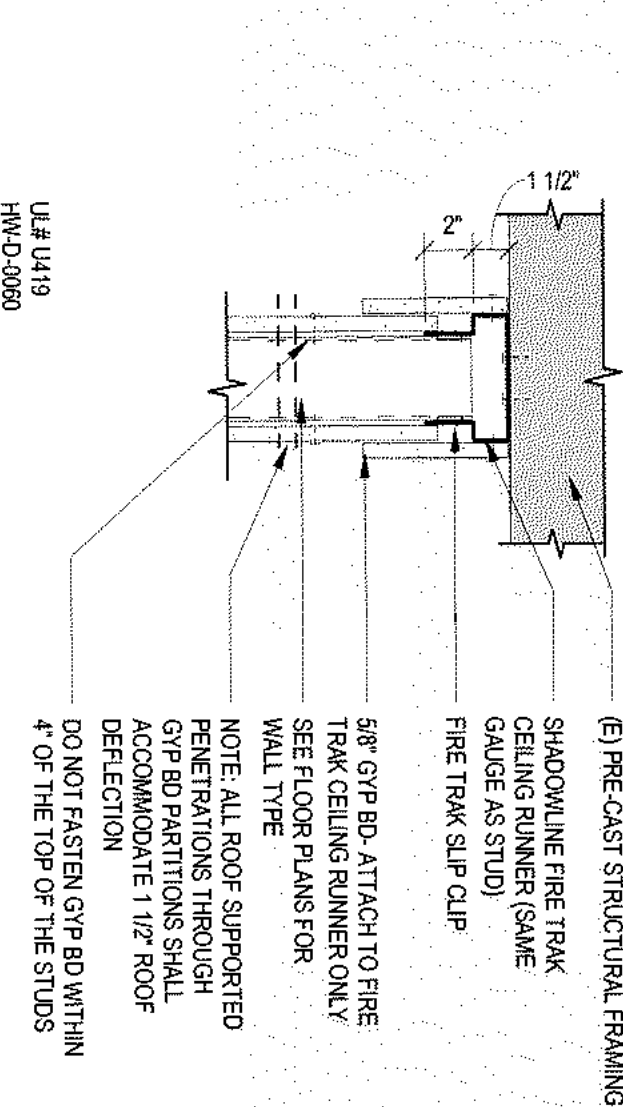
7 FIRE RATED STUD WALL @ JOIST  
TA-501 SCALE: 1/2" = 1'-0"



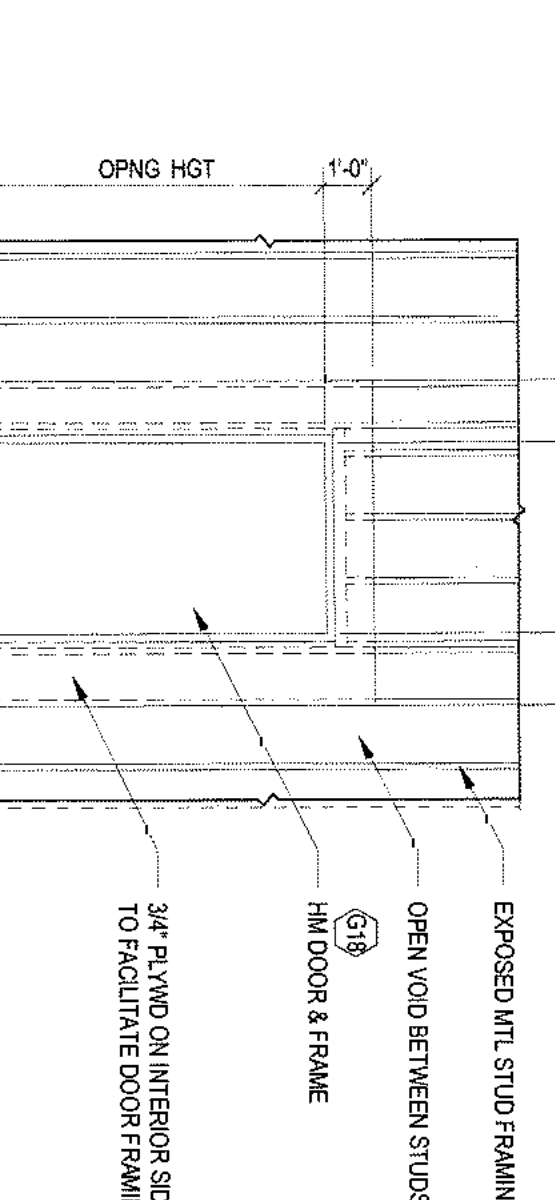
8 TYPICAL HDWR CLOTH ATTACHMENT  
TA-501 SCALE: 1/2" = 1'-0"



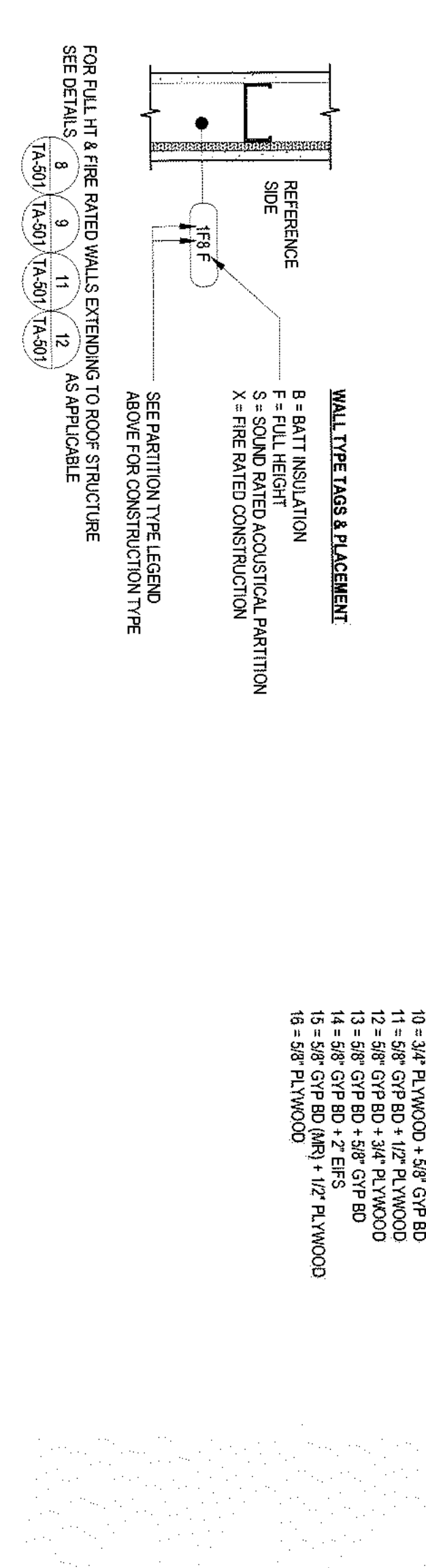
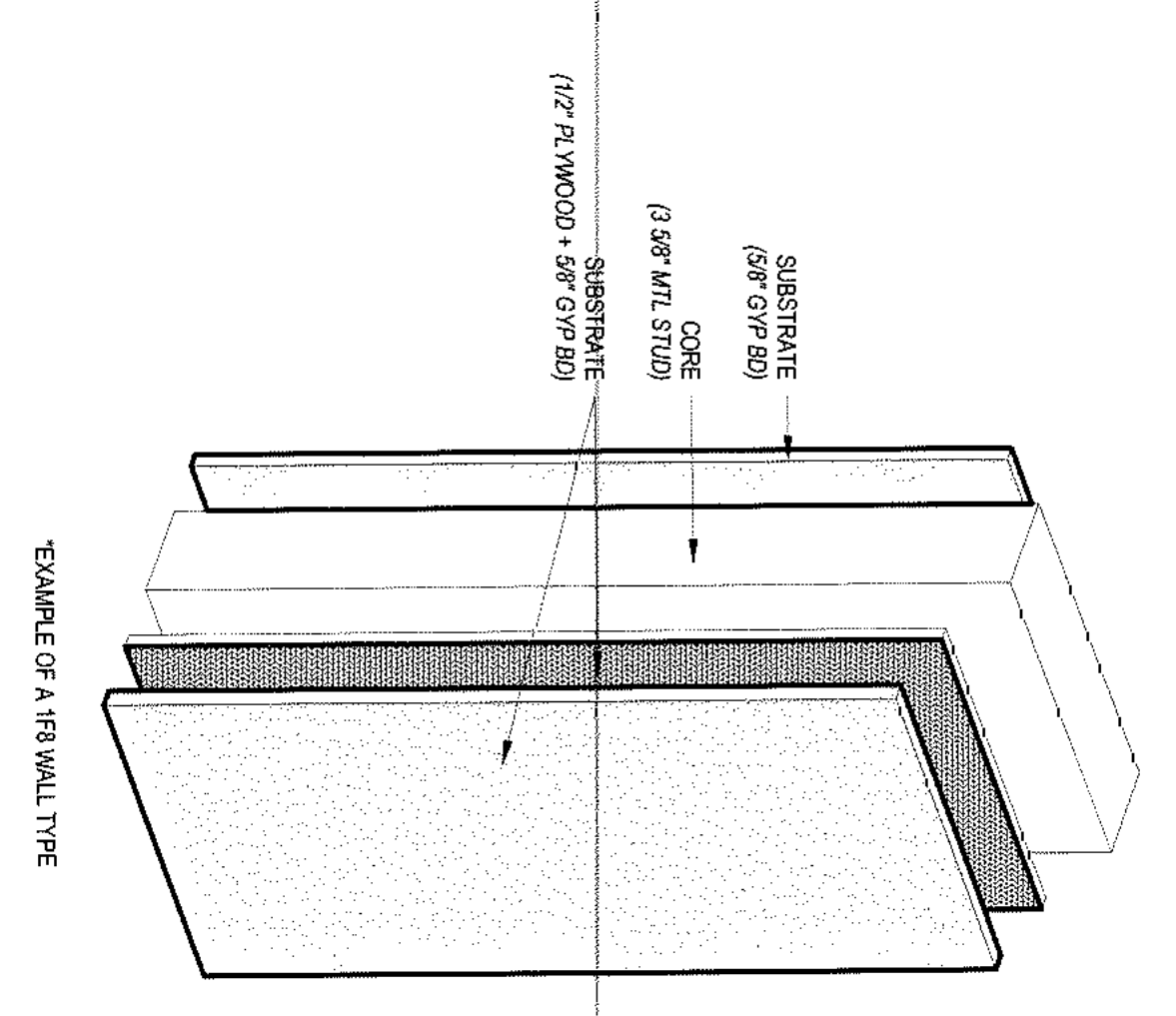
9 BLOCKING @ DOOR IN HW CLOTH WALL  
TA-501 SCALE: 1/2" = 1'-0"



10 FIRE RATED METAL STUD WALL TO ROOF  
TA-501 SCALE: 1/2" = 1'-0"



11 BLOCKING @ DOOR IN UNFINISHED WALL  
TA-501 SCALE: 1/2" = 1'-0"



**GENERAL PARTITION TYPE NOTES**

A. PARTITIONS ARE DIMENSIONED IN CAYMAN FEET & INCHES TO FINISH FACE, EXCLUSIVE OF FINISH TILE.

B. GYPSUM BOARD PARTITIONS ARE DIMENSIONED TO FINISH FACE, EXCLUSIVE OF FINISH TILE.

C. PARTITIONS WITH SUSPENDED CEILING SYSTEMS OR PARTITION EXTENDING TO STRUCTURAL FLOOR SHALL BE DIMENSIONED TO FINISH FACE, EXCLUSIVE OF FINISH TILE.

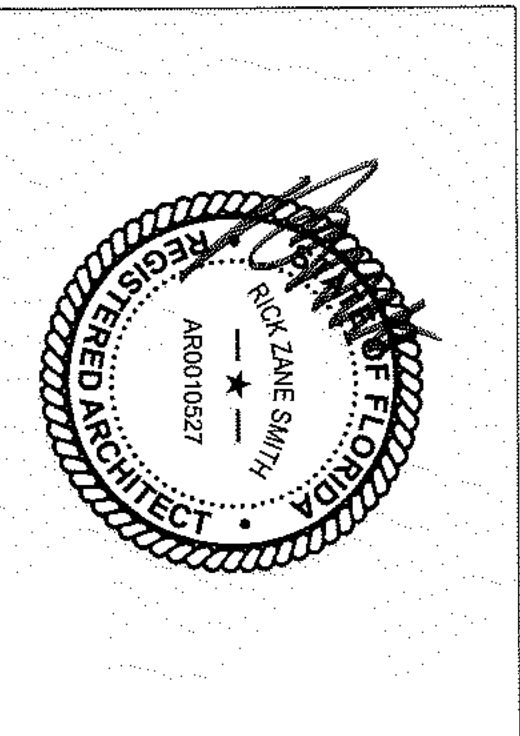
D. ALL GYP BOARD AND PLANK PARTITIONS TO BE HEAD 9\"/>

PARTITION TYPE	STRUCTURE	WALL TYPE	LEGEND	ASSEMBLY
0A2	OB2	OB9	OE2	OF1
0F5	0F7	0F8	1F1	1F5
1F8	5F5	11F8	4K1	OM1
0M5	0M8	1M1	1M5	1M8
5M5	11M8	0Q1	1Q1	1Q8
11Q8	S2T2	S5T5	EX1	EX6



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No	Description
10/19/2018	BID SET
12/03/2018	13 TENANT INTEGRATION

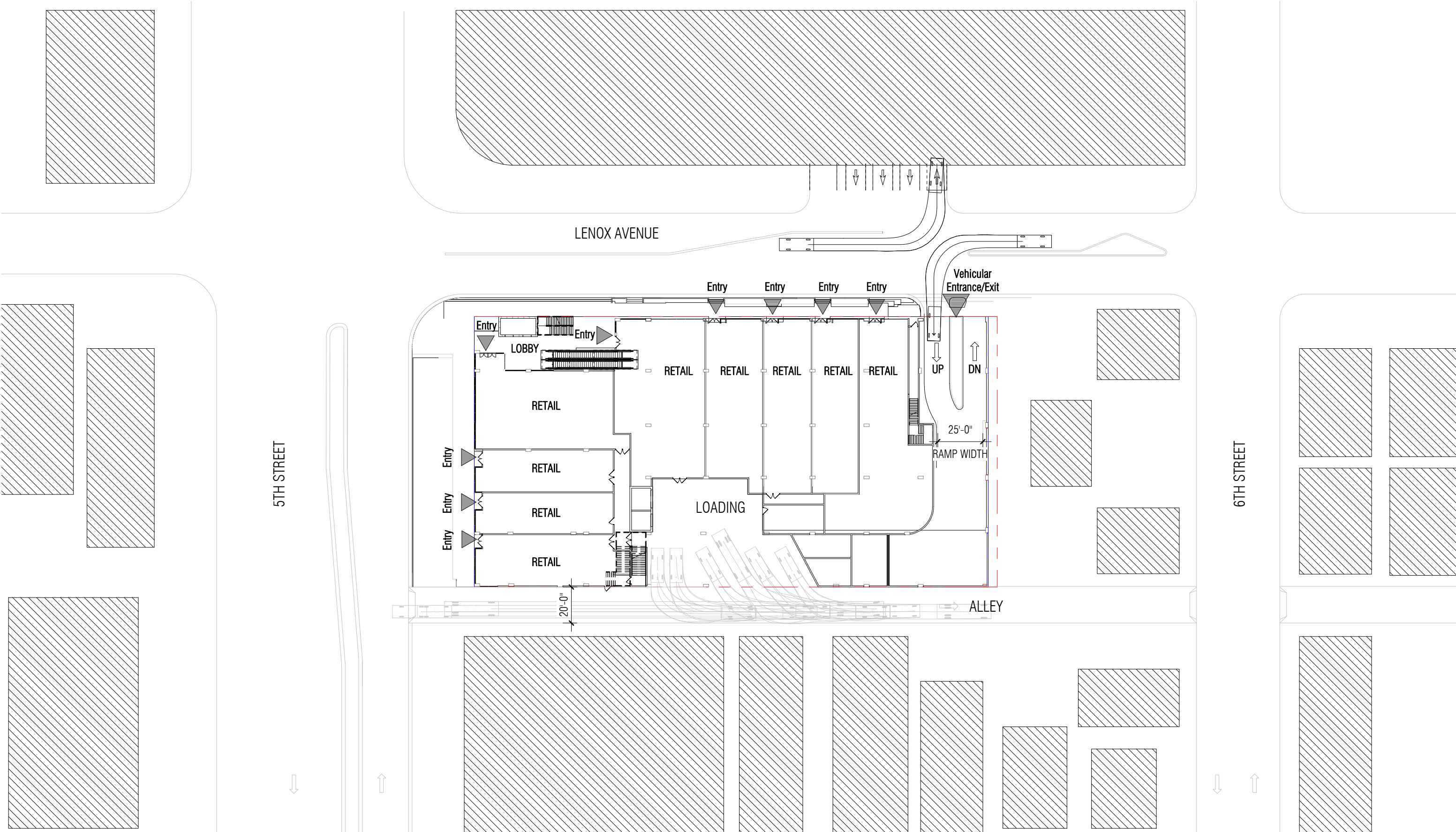


**TARGET**  
Miami Beach, FL  
1031 & 1045 5TH ST.  
MIAMI BEACH, FL 33139

Project Number: T-3269  
Protoc. P09NR Version: N/A Confir. LL  
Drawn By: ZNR  
Checked By: RZS

PARTITION TYPES & INTERIOR WALL DETAILS  
**TA-501**





# ENTRY DIAGRAM

Scale: 1" = 50'-0"

*The BLVD at Lenox*

*Miami Beach, Florida*

*Operational Plan*

*1" = 50'-0"*

REVISED

10/24/2016

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