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MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: 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.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
DRB23-0956	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	■ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

Planning Board	Historic Preservation Board
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
☐ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
1901 Alton Road

FOLIO NUMBER(S)
02-3234-001-0030

Property Owner Information

PROPERTY OWNER NAME
Wells Fargo Bank

ADDRESS	CITY	STATE	ZIPCODE
1901 Alton Road	Miami Beach	FL	33139

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
See Authorized Representative	See Authorized Representative	See Authorized Representative

Applicant Information (if different than owner)

APPLICANT NAME
1901 Alton Property LLC

ADDRESS	CITY	STATE	ZIPCODE
2200 Biscayne Boulevard	Miami	FL	33137

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
305-374-570		mgalbut@crescentheights.com

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
New mixed-use commercial building over 50,000 square feet. See Letter of Intent for additional details.

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Project Information			
Is there an existing building(s) on the site?	■ Yes	☐ No	
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	■ No	
Does the project include interior or exterior demolition?	■ Yes	☐ 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.

Party responsible for project design				
NAME Jennifer McConney-Gayoso		■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 7500 NE 4th Court, Studio 102		CITY Miami	STATE FL	ZIPCODE 33138
BUSINESS PHONE (305)573-2728	CELL PHONE (305)606-4105	EMAIL ADDRESS jennifer@studio-mcg.com		
Authorized Representative(s) Information (if applicable)				
NAME Graham Penn		■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE (305)377-6229	CELL PHONE	EMAIL ADDRESS gpenn@brzoninglaw.com		
NAME Emily Balter		■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 300		CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE (305)377-6232	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com		
NAME N/A		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

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).

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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 forgoing 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

DocuSigned by:
Darlene McKinney
BFB4A38EA0154...

SIGNATURE

Darlene McKinney, VP, Wells Fargo Bank

PRINT NAME

8-7-2023

DATE SIGNED

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The aforementioned is acknowledged by: ☐ Owner of the subject property ☒ Authorized representative

DocuSigned by:
Marisa Galbut
7FAB78686F9342A...

SIGNATURE

Marisa Galbut

PRINT NAME

8-7-2023

DATE SIGNED

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www.docverify.com

DocuSign Envelope ID: A5692BB2-9B25-4704-94F4-F121ACF0B181

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

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

COUNTY OF Broward

I, Darlene McKinney, being first duly sworn, depose and certify as follows: (1) I am the Vice President (print title) of Wells Fargo Bank (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.

DocuSigned by:
Darlene McKinney
BFB4A38EA0154...

_____

SIGNATURE

Sworn to and subscribed before me this 7 day of August , 2023. The foregoing instrument was acknowledged before me by Darlene McKinney , who has produced as identification and/or is personally known to me and who did/did not take an oath.

Signed on 2023/08/07 09:48:15 -8:00

NOTARY SEAL OR STAMP

Yeidy Montesino Perez
Commission # HH 084273
Notary Public - State of Florida
My Commission Expires Jan 24, 2025

Notary Stamp 2023/08/07 09:48:15 PST BCC0DE9157C

_____

NOTARY PUBLIC

My Commission Expires: _____

Yeidy Montesino Perez

PRINT NAME

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COUNTY OF _____

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_____

SIGNATURE

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NOTARY SEAL OR STAMP

_____

NOTARY PUBLIC

My Commission Expires: _____

_____

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF Florida

COUNTY OF Miami-Dade

I, Marisa Galbut, being first duly sworn, depose and certify as follows: (1) I am the President (print title) of 1901 Alton Property 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.

DocuSigned by:
Marisa Galbut
7FAB78686...

SIGNATURE

Sworn to and subscribed before me this 7 day of August , 2023. The foregoing instrument was acknowledged before me by Marisa Galbut , who has produ... as identification and/or is personally known to me and who did/did not take an oath.

Signed on 2023/08/07 09:48:15 -8:00

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POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Broward

I, Darlene McKinney, 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 G. Penn; E. Balter; J. McConney-Gayoso to be my representative before the Design Review 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.

Darlene McKinney, Vice President
PRINT NAME (and Title, if applicable)

DocuSigned by:
Darlene McKinney
BFB4A38EA...
SIGNATURE

Sworn to and subscribed before me this 7 day of August , 2023. The foregoing instrument was acknowledged before me by Darlene McKinney , who has produced as identification and/or is personally known to me and who did/did not take an oath.

Signed on 2023/08/07 09:48:15 -8:00

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My Commission Expires:

NOTARY PUBLIC

Yeidy Montesino Perez
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.

1901 Alton Property, LLC

NAME **DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE	% OF STOCK
See Exhibit "B"	

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.

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STATE OF Florida

COUNTY OF Miami-Dade

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Marisa Galbut, President

DocuSigned by:
Marisa Galbut
7FAB7868BF9342A...

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

Sworn to and subscribed before me this 7 day of August , 2023. The foregoing instrument was acknowledged before me by Marisa Galbut , who has produc identification and/or is personally known to me and who did/did not take an oath.

Signed on 2023/08/07 09:48:15 -8:00

NOTARY SEAL OR STAMP

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My Commission Expires Jan 24, 2025

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My Commission Expires:

NOTARY PUBLIC

Yeidy Montesino Perez

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.

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See Exhibit "B"	

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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.

Wells Fargo Bank

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Publicly Traded Corporation	

N/A

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.

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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.

N/A

TRUST NAME

NAME AND ADDRESS	% INTEREST

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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
Graham Penn	200 S. Biscayne Blvd., Suite 300	(305)377-6229
Emily Balter	200 S. Biscayne Blvd., Suite 300	(305)377-6232
Jennifer McConney-Gayoso	7500 NE 4th Court, Studio 102	(305)573-2728

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 Florida

COUNTY OF Broward

I, Darlene McKinney, 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.

DocuSigned by:
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BFB4A38EA...

SIGNATURE

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Signed on 2023/08/07 09:48:15 -8:00

NOTARY PUBLIC

NOTARY SEAL OR STAMP

Yeidy Montesino Perez
Commission # HH 084273
Notary Public - State of Florida
My Commission Expires Jan 24, 2025

Notary Stamp 2023/08/07 09:48:15 PST BCC0DE99157C

My Commission Expires: _____

Yeidy Montesino Perez

PRINT NAME

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STATE OF Florida

COUNTY OF Miami-Dade

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NOTARY PUBLIC

My Commission Expires:

Yeidy Montesino Perez

PRINT NAME

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www.docverify.com

DocuSign Envelope ID: A5692BB2-9B25-4704-94F4-F121ACF0B181

Exhibit "A"

Legal Description

LOTS 4 THROUGH 10, INCLUSIVE, OF "RESUBDIVISION OF BLOCK 11-A, OF ISLAND VIEW ADDITION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, PAGE 12 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

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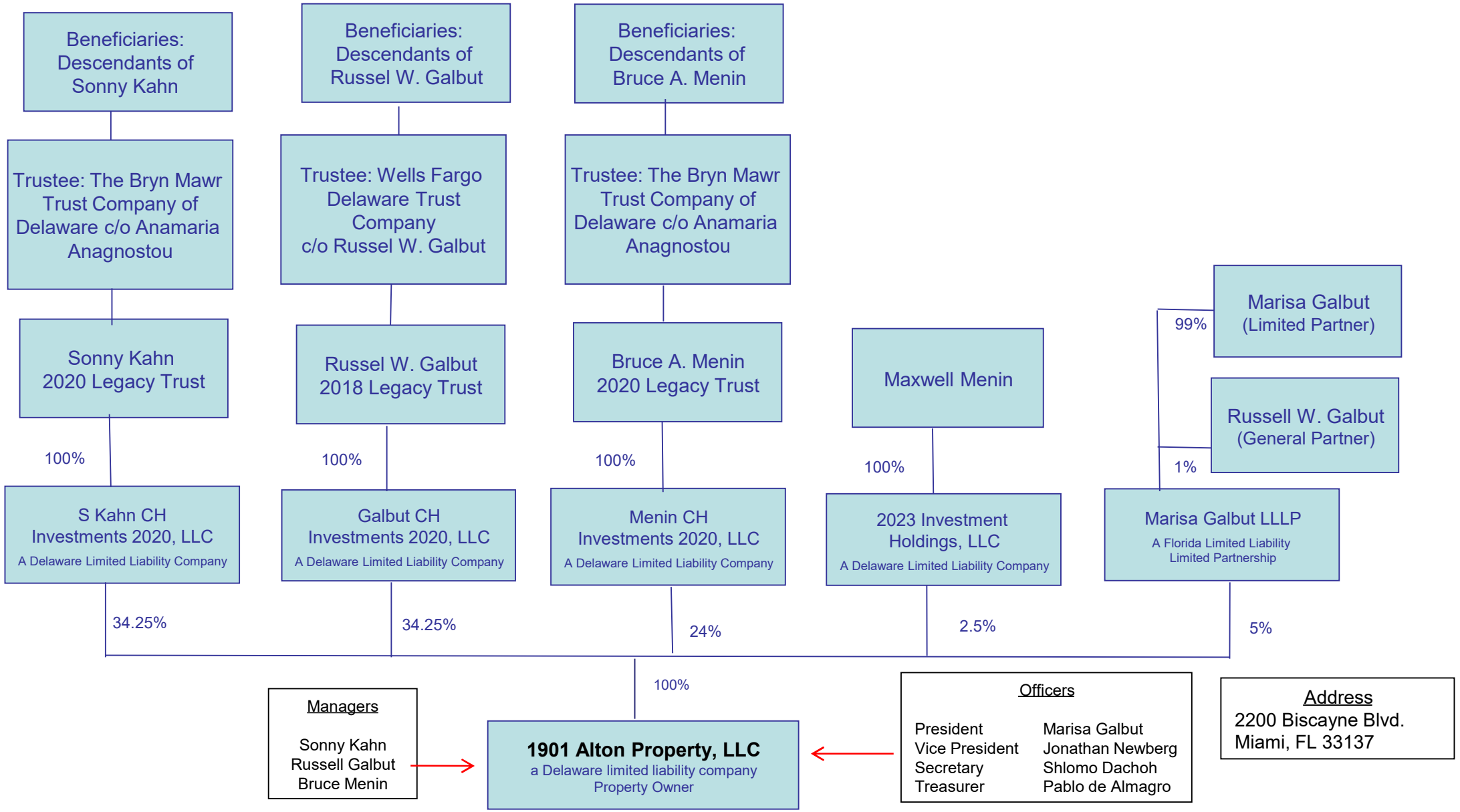
Exhibit "B"

Ownership Structure

1901 Alton Road, Miami Beach, 33139

August 28, 2023