EXHIBIT LIST

COMMUNITY ZONING APPEALS BOARD 12

December 16, 2010

RESOLUTION #: CZAB12- -10

ITEM#	HEARING#	APPLICANT'S NAME	SS-TT-RR
A	10-44	**DOWNTOWN DADELAND RETAIL, LLC**	02-55-40

DEFERRED MARCH 30, 2011

EX. #	EXHIBIT DESCRIPTION	IN FILE
✓ A-1	Package	X
✓ A-2	Portion of recorded covenant by objectors	X
✓ A-3	Complete recorded covenant by applicant	X
✓ A-4	Elevation	X
A-5		
A-6		
A-7		
A-8	Exhibits	
A-9	complete	
A-10		
A-11		
A-12		
A-13		
A-14		
A-15		
A-16		
A-17		
A-18		

Downtown Dadeland Retail, LLC
Z-10-044

Community Zoning Appeals Board 12
December 16, 2010

Table of Contents:

A. Sample Banners

B. Support Letter from Lime Fresh Mexican Grill

C. DKUC Core Signage Regulations

D. Sign Definitions

E. Proposed Condition

F. Excerpts from Declaration of Downtown Dadeland Condominium No. Five (ORB 26353, PG 527-642)

CLERK OF THE BOARD

DEC 16 2010

RECEIVED BY CLERK

CZAB # Item # 18-44 Exhibit A-1

BERCOW RADELL & FERNANDEZ

ZONING, LAND USE AND ENVIRONMENTAL LAW

A. Sample Banners

Sample Banner

Sample Banner

B. Support Letter from Lime Fresh Mexican Grill

Lime Fresh Mexican Grill at Downtown Dadeland
9005 S.W. 72 Place
Miami, Florida 33156

November 17, 2010

To Whom It May Concern:

This letter is being written in anticipation of the upcoming zoning hearing set for November 18, 2010 in which the landlord of Downtown Dadeland is requesting approval from the City to add additional signage along the exterior of the property referring to the interior retail tenants. As an interior retail tenant, Lime Fresh Mexican Grill at Downtown Dadeland ("Lime") is a huge proponent of this request for numerous reasons.

First, additional signage on the exterior walls of the property will greatly increase visibility for interior tenants, such as Lime. We currently rent advertising space on a bus bench along Kendall Drive so that individuals walking or driving along Kendall Drive become aware that we are located inside the center. We are unsure how successful this attempt has been, but to date, this has been our only opportunity to post notice outside the center that directs individuals to the interior.

Second, signage noting our existence on the exterior of the property will help alleviate the general confusion some patrons have expressed about where, in reference to Kendall Drive, Lime is located. We typically have to direct patrons to Chilli's and/or West Elm as a landmark to direct them to our location. Having a sign on the exterior will allow new patrons to find us more easily and will allow us to create our own landmark presence within Downtown Dadeland.

Third, Lime is a huge supporter of exterior signs due to the fact that we are hidden from view from Kendall Drive due to our location, and we fear that our location is underperforming due to the lack of street traffic that other Lime locations benefit from. Simply posting signs that inform the general public that Lime is located within the center will not only increase our business, but will also invigorate the center. Lime is a vibrant, fun, and healthy restaurant with a great ambiance and great music that our patrons enjoy. Increasing our exposure will only benefit the other tenants of Downtown Dadeland as well by turning the center into a place that people like to come, shop and eat.

Finally, posting signs of all interior tenants will better Downtown Dadeland as a whole. Many individuals have a misconception that Downtown Dadeland is vacant. Simply posting signs on the exterior will allow the public to know that the center has much to offer. Please consider the importance of allowing these signs to be posted.

On behalf of Lime Fresh Mexican Grill at Downtown Dadeland, we greatly appreciate your consideration of these issues.

Very truly yours,
Meredith & Grant Gussin
Owners

C. DKUC Core Signage Regulations

DKUC Core Signage Regulations Section 33-284.63

(b) Permanent point of sale signs in the Core and Center Sub-Districts and in the Edge Sub-District north of Snapper Creek Canal and East of US Highway 1: Detached, flat, awning, projecting, pylon and marquee are all allowed:

(i) Size: Twenty-four (24) square feet maximum, except eight (8) square feet maximum for cantilever projecting signs, which shall be mounted perpendicular to buildings. Further, in the Edge Sub-District north of Snapper Creek Canal and East of U.S. Highway 1 flat wall signs are permitted at a maximum size no greater than seven and one half (7.5) percent of the wall area for the first fifteen (15) feet of building height and 1.5 percent for each foot of building height above the 15 feet measured to the bottom of the sign.

(ii) Number: One (1) of each sign type, up to a total of three (3) per street frontage for each tenant.

(iii) Building identification wall signs shall be permitted in the Core and Center Sub-Districts above the eighth floor. One (1) sign per frontage is permitted, each sign shall be a maximum of three hundred (300) square feet.

(iv) Setbacks and Spacing: The outer edge of the sign shall be no closer than zero (0) feet from right-of-way and five (5) feet minimum from side or rear property line.

(v) Illumination: Section 33-96, Illumination, of this Code, shall apply, except that revolving, rotating and otherwise moving signs shall be prohibited.

(vi) Maximum Height: Four (4) feet maximum height above grade to top of sign for detached signs.

(vii) Special Conditions: No permit required for awnings following these regulations. Letters attached or painted to fabric shall be limited to the identification of the occupant and/or use of the property. Back-lit awnings and balloons signs are not allowed. Decorative neon may be used only inside windows. Building name and quotations carved in stone or stucco relief may occupy up to ten (10) percent of a facade.

(viii) No sign shall exhibit thereon any lewd or lascivious matter.

(3) Directional Signs. Directional signs, to direct traffic flow and locate entrances and exits shall be permitted on private property in connection with any permitted use provided they do not exceed three (3) square feet in area and do not exceed four (4) feet in height above grade; and providing they are shown and approved on site plans which indicate sign size, location, copy, etc. Logos, names and advertising are not permitted on such signs.

Maintenance: In addition to the general maintenance requirements for this section, the owner and/or the tenant of the sign shall be responsible for maintaining the landscaping and the signs concerned in good condition and appearance and the site free from trash or debris. Failure to do so shall constitute cause for cancellation of the permit and removal of the sign, if owner and/or tenant fails to correct same within ten (10) days after written notice of nonconformance.

Removal of dilapidated signs. The Director may cause to be removed any sign which shows neglect or become dilapidated or where the area around such sign is not maintained as provided herein after due notice has been given. The owner and/or tenant of the sign and/or the property shall be financially responsible for the removal of the sign.

D. Sign Definitions

Sec. 33-84. - Definitions.

For the purposes of this article the following words and phrases are hereby defined as provided in this section, unless the context clearly indicates otherwise. Where there is a question as to the correct classification or definition of a sign, the Director shall place said sign in the strictest category and/or classification.

(a) Sign: Any display of characters, letters, logos, illustrations or any ornamentation designed or used as an advertisement, announcement, or to indicate direction.

Use of merchandise, products, vehicles, equipment, inflated balloons, or the like as an attention attractor or advertising device, with or without a printed or written message or advertisement, shall be considered a sign.

(b) Attraction board: A sign or portion of a sign on which copy is changed periodically, advertising special sales, bargains, etc. Said attraction board may be incorporated into the sign permitted.

(c) Awning, canopy, roller curtain or umbrella sign: Any sign painted, stamped, perforated, or stitched on the surface area of an awning, canopy, roller curtain or umbrella.

(d) Cantilever: That portion of a building, projecting horizontally, whether it be on the same plane as the roof line or not.

(e) Cantilever sign: Any sign which is mounted on a cantilever. No cantilever sign may extend beyond the cantilever.

(f) Class A (temporary signs): Any sign(s) to be erected on a temporary basis, such as signs advertising the sale or rental of the premises on which located; signs advertising a subdivision of property; signs advertising construction actually being done on the premises on which the sign is located; signs advertising future construction to be done on the premises on which located, and special events, such as carnivals, concerts, public meetings, sporting events, political campaigns or events of a similar nature.

(g) Class B (point of sale sign): Any sign advertising or designating the use, occupant of the premises, or merchandise and products sold on the premises, shall be deemed to be a point of sale sign (class B) and shall be located on the same premises whereon such is situated or the products sold.

(h) Class C (commercial advertising signs): Any sign which is used for any purpose other than that of advertising to the public the legal or exact firm name of business or other activity carried on the premises, or for advertising any service or product or products actually and actively being offered for sale on the premises, or which is designed and displayed solely to offer for sale or rent the premises, or to advertise construction being done, or proposed to be done, on the premises, or to advertise special events, shall constitute a class C sign.

Class C signs may be in the form of a billboard, bulletin board, mural, or poster board, or may be affixed flat to a building or painted thereon.

(i) Detached sign: Any sign not attached to or painted on a building, but which is affixed and permanently attached to the ground. Permanently attached as used herein shall mean that the supporting structure of the sign is attached to the ground by a concrete foundation.

(j) Director: The Director or his qualified agent.

(k) Directional sign: A sign which guides or directs the public and contains no advertising. The name of the facility (such as store name), which the sign is giving direction to, may be included when specified conditions in the ordinance are complied with.

(l) Entrance features: Any combination of decorative structures and landscape elements located at the entrance to a development, which identifies or draws attention to the development and/or exercises control of ingress and egress to the development. An entrance feature may include, although not necessarily be limited to, ornamental walls, fences, identifying lettering, logos, works of art, and other decorative structures, earthworks, water bodies, fountains, trees, plantings, and other landscape elements, as well as gatehouses, either singly or in any combination thereof.

(m) Flat sign: Any sign attached to and erected parallel to the face of, or erected or painted on the outside wall of any building, and supported throughout its length by such wall or building.

(n) Marquee: A covered structure projecting from, and supported by the building with independent roof and drainage provisions, and which is erected over a doorway or entranceway as protection against the weather.

(o) Marquee sign: Any sign attached to or hung from a marquee.

(p) Portable sign: Any sign not attached to or painted on a building and not affixed or permanently attached to the ground.

(q) Projecting sign: Any sign which is an independent structure, which is attached to the building wall, and which extends at any angle from the face of the wall. No projecting sign shall extend above the roof or parapet wall in any residential district.

E. Proposed Condition

Proposed Condition

The location of each Banner signs as indicated on the plans shall be lowered in height and installed so that the bottom of the sign is directly above the minimum 132 inch (11 ft) height of encroachment described in Section 33-284.62(B)(3)(h)."

F. Excerpts from Declaration of Downtown Dadeland Condominium No. Five (ORB 26353, PG 527-642)

Excerpt from

"Declaration of Downtown Dadeland Condominium No. Five"

as recorded in ORB 26353 at Page 527-642 in the Official Records of Miami-Dade County

3.4 (i) Commercial Lots. A Commercial Lot Owner shall have the right, without the consent or approval of the Association, the Board of Directors or other Unit Owners, to make alterations, additions or improvements, structural and non-structural, interior and exterior, ordinary and extraordinary, in, to and upon the Commercial Lots and any Limited Common Areas appurtenant or adjacent thereto.

[• • •]

The Commercial Lot Owners, and its and their designees, successors and assigns, shall have the right to use (and an easement is hereby reserved for such use of) any parts of the Common Elements or Association Property as may be reasonably necessary to enhance patronage at, and the operation of the Commercial Lots and/or to erect on the Condominium Property and Association Property signs and other promotional material to promote the products and/or services being offered from any Commercial Lot.

Excerpt from

"Declaration of Downtown Dadeland Condominium No. Five"

as recorded in ORB 26353 at Page 527-642 in the Official Records of Miami-Dade County

17.12 Signs. Notwithstanding anything to the contrary contained herein, the Owners of the Commercial Lots may affix or attach signs on the exterior walls, doors, adjacent balconies, terraces, patios and/or lanais and/or windows of any improvements constructed upon The Properties (whether same are a part of the Commercial Lot, the Limited Common Areas, or the Common Elements) adjacent to the Owner's Commercial Lot, or to the windows of a Commercial Lot, without receiving the consent of the Association, the applicable Board or any other party (other than any applicable governmental authority to the extent that prior approval from them is required by applicable governmental codes, ordinances and/or regulations). Notwithstanding anything herein contained to the contrary, the provisions of this Section 17.12 shall not be amended without the affirmative vote of the Commercial Lot Owners.