



ALEXANDER I. TACHMES
PARTNER
Shutts & Bowen LLP
200 South Biscayne Boulevard
Suite 4100
Miami, FL 33131
DIRECT (305) 347-7341
FAX (305) 347-7754
EMAIL ATachmes@shutts.com

May 6, 2022

Thomas R. Mooney, AICP
Planning Director
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, FL 33139

**RE: Letter of Intent for Modification to Conditional Use Permit File No. 2136
("CUP") for the Confidante Hotel Located at 4041 Collins Avenue
("Property")**

Dear Chairperson and Members:

We represent HT-Miami Beach, LLC ("**Hyatt**"), which is an affiliate of Hyatt Hotels and the owner of the Property. Hyatt is in advanced negotiations to sell the Property to Golden Palms, LLC, a wholly-owned subsidiary of Sunstone Hotel Investors, Inc. ("**Sunstone**"), which is a publicly traded company with substantial holdings in the hotel industry. In connection with the above possible sale, Hyatt has consented to the submission by Sunstone to the Planning Board of a change of owner application under Hyatt's CUP.

Sunstone's application seeks a change of owner, along with listing Hyatt Corporation, an affiliate of Hyatt, as the operator. The only other change requested is to allow Planning Staff to approve future owner and operator changes in accordance with standard Planning Board practice at this time.

By way of background, in 2014, the Planning Board issued a CUP to Crown Miami Hotel Owner, LLC, as the owner and operator of the alcoholic beverage venues at the Property. A few months later in 2014, the CUP was modified to adjust the occupancy loads of the alcoholic beverages on the Property. In 2016, the CUP was further modified to list Hyatt as the owner and operator under the CUP.

For the Planning Board's convenience, we have enclosed a copy of the original 2014 CUP application. (Although the operational plan from 2014 is not changing, please note that some of the alcohol venues on-site may not be open at this time or may be operating at a less intense manner at this time than allowed under the CUP.)

A letter of intent from Sunstone and some background materials on Sunstone are included in this application.

In this application, we are seeking only the following two (2) changes:

1. In Section 2, we are requesting that the owner of the hotel be changed from Hyatt to Sunstone and the operator be changed to the above-referenced affiliate of Hyatt.

2. We have been advised by Planning Staff that the current standard protocol for amendments to a CUP owner or operator has been changed so that Planning Staff effectuates those changes rather than the Planning Board. Therefore, we are seeking to update Sections 2 and 3 with the new protocol recommended by Staff.

For your convenience, please find a redlined version of the CUP containing the above two (2) changes.

We would appreciate your approval of this ownership change and would be happy to answer any questions you might have.¹

Sincerely,

Shutts & Bowen LLP



Alexander I. Tachmes

AIT:sm

¹ Naturally, if for whatever reason the advanced negotiations to sell the property do not consummate in a sale, Hyatt will send a notice to the Planning Board and Staff withdrawing this application.