

**From:** [Garavito, Alejandro](#)  
**To:** [Herrera, Miriam](#)  
**Subject:** FW: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572  
**Date:** Friday, May 19, 2023 1:20:01 PM

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Hi Miriam,

Please upload the email below from Nick to Novus and place it on the file.

Thank you,

 **Alejandro Garavito, AICP**  
Principal Planner, LEED Green Associate  
Planning Department  
1700 Convention Center Drive, 2nd Fl.  
Miami Beach, FL 33139 - Tel: 305 673 7000 x 26164  
[www.miamibeachfl.gov](http://www.miamibeachfl.gov) ~ [www.mbrisingabove.com](http://www.mbrisingabove.com)

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**From:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>  
**Sent:** Wednesday, May 17, 2023 9:16 AM  
**To:** Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; Garavito, Alejandro <[AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)>  
**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>  
**Subject:** Re: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572

The only thing that may NOT be online yet is the following statement, which Tracy agreed to hand out at the meeting. Can we upload that too?

Other than the individuals identified in the disclosures of interest that were submitted as part of this application, there is no other natural person who holds a 5% or greater interest in 1501 Collins, LLC ("Owner"), or LDV 1501 Manager, LLC or TCM Miami, LLC (each, an "Operator"). Conversely, all natural persons who hold a 5% or greater interest in Owner or Operators have been disclosed.

TY  
Nick

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**From:** Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>  
**Sent:** Wednesday, May 17, 2023 8:36 AM  
**To:** Garavito, Alejandro <[AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)>; Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>  
**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>  
**Subject:** RE: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572

TY Alejandro

**From:** Garavito, Alejandro <[AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)>

**Sent:** Wednesday, May 17, 2023 08:32

**To:** Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>

**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>

**Subject:** RE: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572

Hi Tom,

Yes, they were added to the application for the packages and Miriam uploaded these documents to Novus.

<https://miamibeach.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=30251&MeetingID=1158>

**ATTACHMENTS:**

Description	Type
 <a href="#">Amended Letter of Intent 04-25-23</a>	Memo
 <a href="#">Application 04-25-23</a>	Memo
 <a href="#">Certification Letter 04-25-23</a>	Memo
 <a href="#">Checklist 04-25-23</a>	Memo
 <a href="#">Existing Condition Images and Survey 04-25-23</a>	Memo
 <a href="#">Labels 04-25-23</a>	Memo
 <a href="#">Narrative Responses 04-25-23</a>	Memo
 <a href="#">Owners List 04-25-23</a>	Memo
 <a href="#">Previously Approved Operational Plan 04-25-23</a>	Memo
 <a href="#">Previously Approved Plans 04-25-23</a>	Memo
 <a href="#">Previously Recorded Order PB 2219 04-25-23</a>	Memo
 <a href="#">Previously Recorded Order PB20-0416 04-25-23</a>	Memo
 <a href="#">Radius Map 04-25-23</a>	Memo
 <a href="#">Survey 04-25-23</a>	Memo
 <a href="#">Amended &amp; Revisited Letter of Intent 05-23-23</a>	Memo
 <a href="#">Certification Letter 05-23-23</a>	Memo
 <a href="#">Checklist 05-23-23</a>	Memo
 <a href="#">Existing Condition Images And Survey 05-23-23</a>	Memo
 <a href="#">Labels 05-23-23</a>	Memo
 <a href="#">Narrative Responses 05-23-23</a>	Memo
 <a href="#">Owners List 05-23-23</a>	Memo
 <a href="#">Previously Approved Operational Plan 05-23-23</a>	Memo
 <a href="#">Previously Approved Plans 05-23-23</a>	Memo
 <a href="#">Previously Recorded Board Order PB2219 05-23-23</a>	Memo
 <a href="#">Previously Recorded Board Order PB20-0416 05-23-23</a>	Memo
 <a href="#">Radius Map 05-23-23</a>	Memo
 <a href="#">Survey 05-23-23</a>	Memo
 <a href="#">Updated Application 05-23-23</a>	Memo
 <a href="#">Objection Letter Public Comment 05-23-23</a>	Memo
 <a href="#">Second Amendment Letter of Intent 05-23-23</a>	Memo
 <a href="#">LDV 1501 Manager LLC Disclosures 05-23-23</a>	Memo
 <a href="#">Objection Letter and motion to continuance 05-23-23</a>	Memo
 <a href="#">TMC Miami LLC Disclosures 05-23-23</a>	Memo
 <a href="#">Public Comment - Gable 04-25-23</a>	Memo
 <a href="#">Staff Report 05-23-23</a>	Memo
 <a href="#">Application Supplement LDV 1501 Manager LLC Affidavit 05-23-23</a>	Memo
 <a href="#">Application Supplement TMC Miami LLC Affidavit 05-23-23</a>	Memo

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**From:** Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>  
**Sent:** Wednesday, May 17, 2023 8:16 AM  
**To:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>; Garavito, Alejandro <[AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)>  
**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>  
**Subject:** RE: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572

GM Alejandro

In reference to below, did we update the application with the sheets provided by Tracy?

Tom

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**From:** [henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net) <[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)>  
**Sent:** Wednesday, May 17, 2023 02:17  
**To:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>  
**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; [rory@maxwelle.com](mailto:rory@maxwelle.com); [rory@rbgcompanies.com](mailto:rory@rbgcompanies.com); Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; [tslavens@lsnlaw.com](mailto:tslavens@lsnlaw.com); Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>  
**Subject:** RE: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572

[ THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS ]

Dear Nick,

Emphatically, this sentence should not be in a handout. It should go directly into the body of the Application. That was the whole point of our discussion, and the basis for your excellent compromise sentence.

Sincerely,

Henry

Henry S. Stolar  
1500 Ocean Drive - Apt. 803  
Miami Beach, FL 33139

Tel: 305-673-8172  
Fax: 305-673-8501  
[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)

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**From:** Tracy Slavens <[tslavens@lsnlaw.com](mailto:tslavens@lsnlaw.com)>  
**Sent:** Tuesday, May 16, 2023 2:43 PM  
**To:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>  
**Cc:** [henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net); Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; [rory@maxwelle.com](mailto:rory@maxwelle.com); [rory@rbgcompanies.com](mailto:rory@rbgcompanies.com); Mooney, Thomas

<[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>

**Subject:** Re: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572 - Objections and Motion for Continuance - Planning Board Meeting on Tuesday, April 25, 2023

Received. Thank you. We will have this as a handout



Tracy R. Slavens, Esq.  
Partner  
LSN Law, P.A.  
3800 NE 1st Avenue, Suite 200  
Miami, Florida 33137  
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On Tue, May 16, 2023 at 1:53 PM Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)> wrote:

All,

Following our meeting last Wednesday, May 10<sup>th</sup>, I've revised Henry's handout as follows:

Other than the individuals identified in the disclosures of interest that were submitted as part of this application, there is no other natural person who holds a 5% or greater interest in 1501 Collins, LLC ("Owner"), or LDV 1501 Manager, LLC or TCM Miami, LLC (each, an "Operator"). Conversely, all natural persons who hold a 5% or greater interest in Owner or Operators have been disclosed.

If this language is acceptable to all, we can either distribute copies at the May 23, 2023 Planning Board meeting, or include in the agenda materials.

Thanks,  
Nick

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**From:** Kallergis, Nick

**Sent:** Tuesday, May 2, 2023 1:48 PM

**To:** [henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net); [tslavens@lsnlaw.com](mailto:tslavens@lsnlaw.com)

**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; [rory@maxwelle.com](mailto:rory@maxwelle.com); [rory@rbgcompanies.com](mailto:rory@rbgcompanies.com); Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>

**Subject:** RE: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572 - Objections and Motion for Continuance - Planning Board Meeting on Tuesday, April 25, 2023

Dear Henry,

I am copying my assistant, Sandra Perez, who can schedule time for us to meet in the City Attorney's Office. Rogelio Madan has agreed to attend on behalf of the Planning Department. The best days for us are Monday, May 8<sup>th</sup>, and the afternoon of May 10<sup>th</sup>, after the LUSC meeting.

Tracy, please let us know if you, or you and Rory, are available to participate.

Thanks,  
Nick

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**From:** [henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net) <[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)>

**Sent:** Tuesday, April 25, 2023 4:34 PM

**To:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>

**Cc:** Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; [rory@maxwelle.com](mailto:rory@maxwelle.com); [rory@rbgcompanies.com](mailto:rory@rbgcompanies.com); [tslavens@lsnlaw.com](mailto:tslavens@lsnlaw.com); 'Brian D. Elias' <[BElias@fowler-white.com](mailto:BElias@fowler-white.com)>; [tkbcmplanning@gmail.com](mailto:tkbcmplanning@gmail.com); Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>

**Subject:** FW: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572 - Objections and Motion for Continuance - Planning Board Meeting on Tuesday, April 25, 2023

[ THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS ]

Dear Nick,

At today's Planning Board meeting, the Board requested a staff recommendation as to whether the Application in the above matter should be heard at the May meeting or the June meeting.

I am delighted that your yesterday's email (immediately below) proposed a conversation between us about the attached Objections and Motion for Continuance,\* that I summarized in my testimony at today's Planning Board meeting. And, while the Zoom audio of the testimony by Tracy Slavens (Applicant's counsel) following my testimony was very poor, I think she said that she would work to make the Application "perfect". Tracy, please correct me if I heard it wrong.

So, given what you and, I think, Tracy, have now said, I suggest that we schedule a meeting at the CAO to discuss my objections, one by one, and try to reach some agreement about what will be included in a revised Application.

I think that there should be five participants in the meeting, so that, one or the other, we can try to resolve everything: Nick, Rogelio, Rory, and Tracy. (I am copying above the Planning Board Chair

and Vice Chair; the Planning Director; and the City Attorney, just to keep them advised, but not as participants in the proposed meeting.)

If the other three proposed meeting participants and you agree with this proposal to meet, then we should try to meet as soon as possible. The reason for a little haste is that, if I prevail in my view that renoticing is necessary, then I would like Applicant to have sufficient time to accomplish that renoticing, so that this matter can be taken up on the merits and concluded by the Planning Board at its June meeting.

I can be available to meet at the following times:

Friday, April 28 – any time at or after 1 PM

Monday, May 1 - any time at or after 3:30 PM

Tuesday, May 2 – any time at or after Noon

Wednesday, May 3 – any time at or after Noon

Thursday, May 4 – Noon or another start time at, but not later than, 2 PM

Friday, May 5 – any time at or after Noon

Please don't all gag, grimace, and groan at the same time, but I really do recommend setting aside two hours for this meeting (if you agree to a meeting in the first place). I think it's important that we give proper consideration to each of my five objections and try to reach agreement. With the right people present, and the right amount of time allowed, we have a shot at "once and done".

I ask each of the four of you—Nick, Rogelio, Rory, and Tracy—to advise all of us which of the above dates and times will work for you. Nick, if you agree with this overall program, and if the responses reflect agreement on one of the above dates and times, would you please ask Marie to issue the meeting invitation.

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I hope that you will agree with the above overall approach, so that we can move this project along toward the issuance of a Modified Conditional Use Permit at the June meeting.

Sincerely,

Henry

\*Attachment (eleven pages) – Objections and Motion for Continuance – dated and filed April 19, 2023

Henry S. Stolar  
1500 Ocean Drive - Apt. 803  
Miami Beach, FL 33139

Tel: 305-673-8172  
Fax: 305-673-8501  
[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)

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**From:** Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>

**Sent:** Monday, April 24, 2023 6:13 PM

**To:** Henry Stolar <[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)>

**Subject:** FW: Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572  
- Objections and Motion for Continuance - Planning Board Meeting on Tuesday, April 25, 2023

Dear Henry,

First of all, my apologies for this delayed response. My office has been working diligently to finalize the April 28 City Commission agenda. Now that the agenda has printed, I am catching up on all of my other correspondence.

I would first point out that the 1501 Collins Ave. application is now listed on tomorrow's agenda under "requests for continuances," and I'm told the applicant has no objection to a continuance.

I have reviewed your letter, dated April 19, 2023, in detail, and would be happy to discuss with you by phone prior to the next Planning Board hearing. My hope is that, by the time we speak, the applicant will have addressed your questions regarding the interests of the owner and proposed operator. Since our last email exchange, have you spoken with the applicant / has the applicant responded to your questions?

Take care, and I hope to speak with you soon.

Nick

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**From:** [henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net) <[henrystolar@bellsouth.net](mailto:henrystolar@bellsouth.net)>

**Sent:** Wednesday, April 19, 2023 2:21 AM

**To:** [melissa@melissabeattie.org](mailto:melissa@melissabeattie.org); [tkbcmplanning@gmail.com](mailto:tkbcmplanning@gmail.com); [ycimentmb@gmail.com](mailto:ycimentmb@gmail.com); [gayle@cfsystems.com](mailto:gayle@cfsystems.com); 'Brian D. Elias' <[BElias@fowler-white.com](mailto:BElias@fowler-white.com)>; [jonathan.planningboard@gmail.com](mailto:jonathan.planningboard@gmail.com); [joseph.magazine@loopcapital.com](mailto:joseph.magazine@loopcapital.com); Mooney, Thomas <[ThomasMooney@miamibeachfl.gov](mailto:ThomasMooney@miamibeachfl.gov)>; Madan, Rogelio <[RogelioMadan@miamibeachfl.gov](mailto:RogelioMadan@miamibeachfl.gov)>; Garavito, Alejandro <[AlejandroGaravito@miamibeachfl.gov](mailto:AlejandroGaravito@miamibeachfl.gov)>; Gonzalez, Jessica <[JessicaGonzalez@miamibeachfl.gov](mailto:JessicaGonzalez@miamibeachfl.gov)>; Paz, Rafael <[RafaelPaz@miamibeachfl.gov](mailto:RafaelPaz@miamibeachfl.gov)>; Kallergis, Nick <[NickKallergis@miamibeachfl.gov](mailto:NickKallergis@miamibeachfl.gov)>; Granado, Rafael <[RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov)>

**Cc:** [rory@maxwelle.com](mailto:rory@maxwelle.com); [tslavens@lsnlaw.com](mailto:tslavens@lsnlaw.com)

**Subject:** Bancroft and Ocean Steps, 1501 Collins Avenue - Planning Board File No. PB23-0572 - Objections and Motion for Continuance - Planning Board Meeting on Tuesday, April 25, 2023

Dear Planning Board, Planning Department, City Attorney's Office, and City Clerk's Office:

Attached for filing are my Objections and Motion for Continuance in the above matter. Kindly acknowledge the filing of this document and its addition to the record in this matter.

Sincerely,

Henry Stolar