

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMI BEACHFL.GOV
305-673-7550

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.

- ☐ BOARD OF ADJUSTMENT
 - ☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
 - ☐ APPEAL OF AN ADMINISTRATIVE DECISION
- ☐ DESIGN REVIEW BOARD
 - ☐ DESIGN REVIEW APPROVAL
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.
- ☐ HISTORIC PRESERVATION BOARD
 - ☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
 - ☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
 - ☐ HISTORIC DISTRICT / SITE DESIGNATION
 - ☐ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.
- ☒ PLANNING BOARD
 - ☒ CONDITIONAL USE PERMIT
 - ☐ LOT SPLIT APPROVAL
 - ☐ AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
 - ☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
- ☐ FLOOD PLAIN MANAGEMENT BOARD
 - ☐ FLOOD PLAIN WAIVER
- ☐ OTHER _____

SUBJECT PROPERTY ADDRESS: 3921-3925 Collins Avenue, Miami Beach, Florida 33140

LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"

FOLIO NUMBER (S) 02-3226-001-1850

1. APPLICANT: ☒ OWNER OF THE SUBJECT PROPERTY ☐ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME HHL P Miami Beach Associates, LLC

ADDRESS 44 Hersha Drive, Harrisburg, PA 17102

BUSINESS PHONE (215) 238-1046

CELL PHONE N/A

E-MAIL ADDRESS christina.kubiak@hhmlp.com; stephanie.galli@hhmlp.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME James E. Rauh, Esq., Greenspoon Marder, P.A.

ADDRESS 1601 Washington Avenue, Suite 300, Miami Beach, Florida 33139

BUSINESS PHONE 305-789-2732

CELL PHONE 305-510-4077

E-MAIL ADDRESS james.rauh@gmlaw.com

☐ AGENT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

☒ CONTACT:

NAME Adrienne R. Grandolfo, Esq., Greenspoon Marder, P.A.

ADDRESS 1601 Washington Avenue, Suite 300, Miami Beach, Florida 33139

BUSINESS PHONE 305-789-2733

CELL PHONE N/A

E-MAIL ADDRESS adrienne.grandolfo@gmlaw.com

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☒ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER: _____

NAME Kobi Karp Architecture & Interior Design

ADDRESS 2915 Biscayne Boulevard, Suite 200, Miami, Florida 33137

BUSINESS PHONE (305) 573-1818

CELL PHONE N/A

E-MAIL ADDRESS _____

FILE NO. _____

1. APPLICANT: ☐ OWNER OF THE SUBJECT PROPERTY ☒ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME HHLP Miami Beach Lessee, LLC

ADDRESS 44 Hersha Drive, Harrisburg, PA 17102

BUSINESS PHONE (215) 238-1046

CELL PHONE N/A

E-MAIL ADDRESS christina.kubiak@hhmlp.com; stephanie.galli@hhmlp.com

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2. AUTHORIZED REPRESENTATIVE(S):

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NAME Adrienne R. Grandolfo, Esq., Greenspoon Marder, P.A.

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BUSINESS PHONE 305-789-2733

CELL PHONE N/A

E-MAIL ADDRESS adrienne.grandolfo@gmlaw.com

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☐ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER: _____

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

FILE NO. _____

1. APPLICANT: ☐ OWNER OF THE SUBJECT PROPERTY ☒ TENANT ☐ ARCHITECT ☐ LANDSCAPE ARCHITECT
☐ ENGINEER ☐ CONTRACTOR ☐ OTHER _____

NAME 3921 Collins Avenue LLC

ADDRESS 850 Ocean Drive, Suite 203, Miami Beach, Florida 33139

BUSINESS PHONE _____

CELL PHONE N/A

E-MAIL ADDRESS _____

OWNER IF DIFFERENT THAN APPLICANT:

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY:

NAME James E. Rauh, Esq., Greenspoon Marder, P.A.

ADDRESS 1601 Washington Avenue, Suite 300, Miami Beach, Florida 33139

BUSINESS PHONE 305-789-2732

CELL PHONE 305-510-4077

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☒ CONTACT:

NAME Adrienne R. Grandolfo, Esq., Greenspoon Marder, P.A.

ADDRESS 1601 Washington Avenue, Suite 300, Miami Beach, Florida 33139

BUSINESS PHONE 305-789-2733

CELL PHONE N/A

E-MAIL ADDRESS adrienne.grandolfo@gmlaw.com

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

☐ ARCHITECT ☐ LANDSCAPE ARCHITECT ☐ ENGINEER ☐ CONTRACTOR ☐ OTHER: _____

NAME _____

ADDRESS _____

BUSINESS PHONE _____

CELL PHONE _____

E-MAIL ADDRESS _____

FILE NO. _____

4. SUMMARY OF APPLICATION – PROVIDE BRIEF SCOPE OF PROJECT:

Application for a Conditional Use Permit for a Neighborhood Impact Establishment. See also Letter of Intent.

- 4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE ☒ YES ☐ NO
- 4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION ☐ YES ☒ NO
- 4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICABLE) _____ SQ. FT.
- 4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INCLUDING REQUIRED PARKING AND ALL USEABLE FLOOR SPACE). _____ SQ. FT.

5. APPLICATION FEE (TO BE COMPLETED BY PLANNING STAFF) \$ _____

- 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 FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- 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 A PROJECT 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, LANDSCAPE ARCHITECTS, ENGINEERS, 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.

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FROM 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: _____

PRINT NAME: Ashish R. Parikh, CFO of HHLP Miami Beach Associates, LLC

FILE NO. _____

- IN ACCORDANCE WITH SEC.118-31. - DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT 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 SERVICES 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 FROM 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.
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THE AFOREMENTIONED IS ACKNOWLEDGED BY: ☐ OWNER OF THE SUBJECT PROPERTY
☒ AUTHORIZED REPRESENTATIVE

SIGNATURE: _____

PRINT NAME: Ashish R. Parikh, CFO of HHLP Miami Beach Lessee, LLC

FILE NO. _____

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THE AFOREMENTIONED IS ACKNOWLEDGED BY: ☐ OWNER OF THE SUBJECT PROPERTY

☒ AUTHORIZED REPRESENTATIVE

SIGNATURE: _____

PRINT NAME: Stefano Frittella, Manager of 3921 Collins Avenue LLC

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF
COUNTY OF

I, Not Applicable, 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 removing this notice after the date of the hearing.

Not Applicable

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

Not Applicable

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY
(Circle one)

STATE OF Pennsylvania
COUNTY OF Philadelphia

I, Ashish R. Parikh, being duly sworn, depose and certify as follows: (1) I am the CFO (print title) of HHLP Miami Beach Associates, 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 8th day of August, 2017. The foregoing instrument was acknowledged before me by Ashish R. Parikh, CFO of HHLP Miami Beach Associates, LLC, on behalf of such entity, who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP:

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
ALLISON P. BOWERS, Notary Public
City of Philadelphia, Phila. County
My Commission Expires August 27, 2019

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____
 COUNTY OF _____

I, Not Applicable, 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 removing this notice after the date of the hearing.

Not Applicable

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.

Not Applicable

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY
 (Circle one)

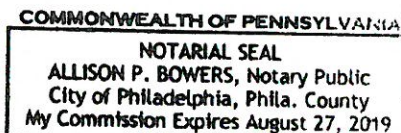
STATE OF Pennsylvania
 COUNTY OF Philadelphia

I, Ashish R. Parikh, being duly sworn, depose and certify as follows: (1) I am the CFO (print title) of HHL Miami Beach Lessee, 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 8th day of August, 2017. The foregoing instrument was acknowledged before me by Ashish R. Parikh, CFO of HHL Miami Beach Lessee, LLC, on behalf of such entity, 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:

Allison P. Bowers

PRINT NAME

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF

COUNTY OF

i. Not Applicable, 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 removing this notice after the date of the hearing.

Not Applicable

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.

Not Applicable

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires:

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY
(Circle one)

STATE OF

COUNTY OF

i. Stefano Frittella, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of 3921 Collins Avenue 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 or tenant 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 the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (7) I am responsible for removing this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 8 day of August, 2017. The foregoing instrument was acknowledged before me by Stefano Frittella, Manager of 3921 Collins Avenue LLC, on behalf of such entity, who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

CHELSI GASKIN

MY COMMISSION # GG 046250

EXPIRES November 9, 2020

My Commission Expires 8/9/2020 Bonded Thru Budget Notary Services

NOTARY PUBLIC

PRINT NAME

FILE NO.

POWER OF ATTORNEY AFFIDAVITSTATE OF Pennsylvania
COUNTY OF Philadelphia

I, Ashish R. Parikh, being duly sworn and deposed, 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 James E. Raun, Esq. & Greenspoon Marder, P.A. to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

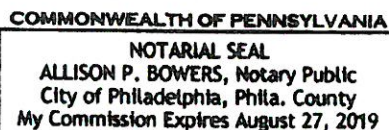
Ashish R. Parikh, CFO of HHLP Miami Beach Associates, LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 8th day of August, 2017. The foregoing instrument was acknowledged before me by Ashish R. Parikh, CFO of HHLP Miami Beach Associates, LLC 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

NOTARY PUBLIC

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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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.*

Not Applicable

NAME

Not Applicable

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

Not Applicable

Not Applicable

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF Pennsylvania
 COUNTY OF Philadelphia

I, Ashish R. Parikh, being duly sworn and deposed, certify as follows: (1) I am the tenant or representative of the tenant of the real property that is the subject of this application. (2) I hereby authorize James E. Rauh, Esq. & Greenspoon Marder, P.A. to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

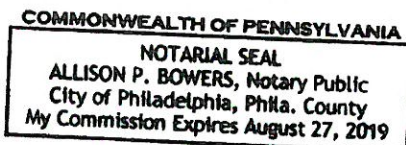
Ashish R. Parikh, CFO

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 8th day of August, 2017. The foregoing instrument was acknowledged before me by Ashish R. Parikh, CFO of HHLP Miami Beach Lessee, LLC 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

Allison P. Bowers

NOTARY PUBLIC

Allison P. Bowers

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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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. *

Not Applicable

Not Applicable

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

Not Applicable

Not Applicable

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

POWER OF ATTORNEY AFFIDAVITSTATE OF
COUNTY OF

I Stefano Frittella, being duly sworn and deposed, certify as follows. (1) I am the tenant or representative of the tenant of the real property that is the subject of this application. (2) I hereby authorize James E. Rauh, Esq. & Greenspoon Marder, P.A. to be my representative before the Planning Board. (3) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property, as required by law. (4) I am responsible for removing this notice after the date of the hearing.

Stefano Frittella, Manager

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 8 day of August, 2017. The foregoing instrument was acknowledged before me by Stefano Frittella, Manager of 3921 Collins Avenue LLC 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
CHELSI GASKIN
MY COMMISSION # GG 046250
EXPIRES: November 9, 2020
Bonded Thru Budget Notary Services

NOTARY PUBLIC

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 contract purchasers are corporations, partnerships, limited liability companies, trusts, 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. 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. *

Not Applicable

Not Applicable

NAME

DATE OF CONTRACT

NAME, ADDRESS, AND OFFICE

% OF STOCK

Not Applicable

Not Applicable

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

31014441v1

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

HHLP Miami Beach Associates, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "B"

HHLP Miami Beach Lessee, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "C"

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. 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.*

3921 Collins Avenue LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "D"

Not Applicable

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

Not Applicable

IF THERE ARE ADDITIONAL CORPORATE OWNERS, LIST ALL SUCH OWNERS, INCLUDING CORPORATE NAMES AND THE NAME, ADDRESS, AND PERCENTAGE OF OWNERSHIP OF EACH ADDITIONAL OWNER, ON A SEPARATE PAGE.

NOTE: Notarized signature required on page 9

FILE NO. _____

CITY OF MIAMI BEACH
DEVELOPMENT REVIEW BOARD APPLICATION
DISCLOSURE OF INTEREST

2. TRUSTEE

If the property that is the subject of this 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. *

Not Applicable

TRUST NAME

NAME AND ADDRESS

% INTEREST

Not Applicable

Not Applicable

NOTE: Notarized signature required on page 9

FILE NO. _____

3. 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 #
a.	James E. Rauh, Esq.	1601 Washington Avenue, Suite 300	305-789-2732
b.		Miami Beach, Florida 33139	
c.			

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

*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY 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 Pennsylvania
COUNTY OF Philadelphia

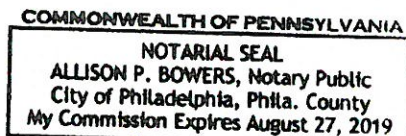
I, Ashish R. Parikh, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

Ashish R. Parikh, CFO of HILP Miami Beach Associates, LLC
SIGNATURE

Sworn to and subscribed before me this 08th day of August, 2017. 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

My Commission Expires:



Allison P. Bowers
NOTARY PUBLIC
Allison P. Bowers
PRINT NAME

FILE NO. _____

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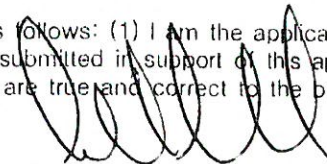
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APPLICANT AFFIDAVIT

STATE OF Pennsylvania
COUNTY OF Philadelphia

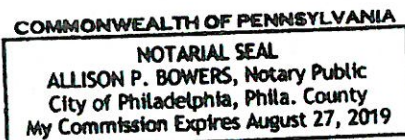
I, Ashish R. Parikh, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.


Ashish R. Parikh, CFO of HILP Miami Beach Lessee, LLC
SIGNATURE

Sworn to and subscribed before me this 8th day of August, 2017. 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

My Commission Expires:



Allison P. Bowers
NOTARY PUBLIC
Allison P. Bowers
PRINT NAME

FILE NO. _____

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APPLICANT AFFIDAVIT

STATE OF
COUNTY OF

I, Stefano Frittella, being first duly sworn, depose and certify as follows: (1) I am the applicant, or the representative of the applicant. (2) This application and all information submitted in support of this application, including disclosures, sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

Stefano Frittella, Manager of 992 Collins Avenue LLC
SIGNATURE

Sworn to and subscribed before me this 8 day of August, 2017. 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



CHELSEI GASKIN
MY COMMISSION # GG 046250
EXPIRES: November 9, 2020
Bonded Thru Budget Notary Services

My Commission Expires

Chelsi Gaskin
NOTARY-PUBLIC
PRINT NAME

FILE NO. _____

EXHIBIT "A"
LEGAL DESCRIPTION

LOTS 1 THROUGH 8 INCLUSIVE, AND THE 16.00 FOOT ALLEY BOUNDED ON THE WEST BY THE EASTERLY LINES OF LOTS 5 THROUGH 8; BOUNDED ON THE EAST BY THE WESTERLY LINES OF LOTS 1 THROUGH 4; BOUNDED ON THE NORTH BY THE SOUTHERLY LINE OF 40TH STREET, AND BOUNDED ON THE SOUTH BY THE NORTHERLY LINE OF 39TH STREET, ALL IN BLOCK 31, AMENDED PLAT OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY, A SUBDIVISION RECORDED IN PLAT BOOK 5, PAGES 7 & 8, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA:

ALSO KNOWN AS:

LOTS 1 TO 8, INCLUSIVE, BLOCK 31, AMENDED PLAT OF OCEAN FRONT PROPERTY OF THE MIAMI BEACH IMPROVEMENT COMPANY, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGES 7 AND 8, INCLUDING THAT CERTAIN ALLEYWAY EXTENDING NORTH AND SOUTH THROUGH BLOCK 31, VACATED PURSUANT TO RESOLUTION IN DEED BOOK 1386, PAGE 252, AND LESS THOSE PORTIONS OF LOTS 1 TO 4, INCLUSIVE, BLOCK 31, TAKEN BY EMINENT DOMAIN #78-13532, PURSUANT TO ORDER OF TAKING IN OFFICIAL RECORDS BOOK 10175, PAGE 7, AND SETTLEMENT IN OFFICIAL RECORDS BOOK 11253, PAGE 1900, ALL OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

EXHIBIT "B"

DISCLOSURE OF INTEREST

1. CORPORATION

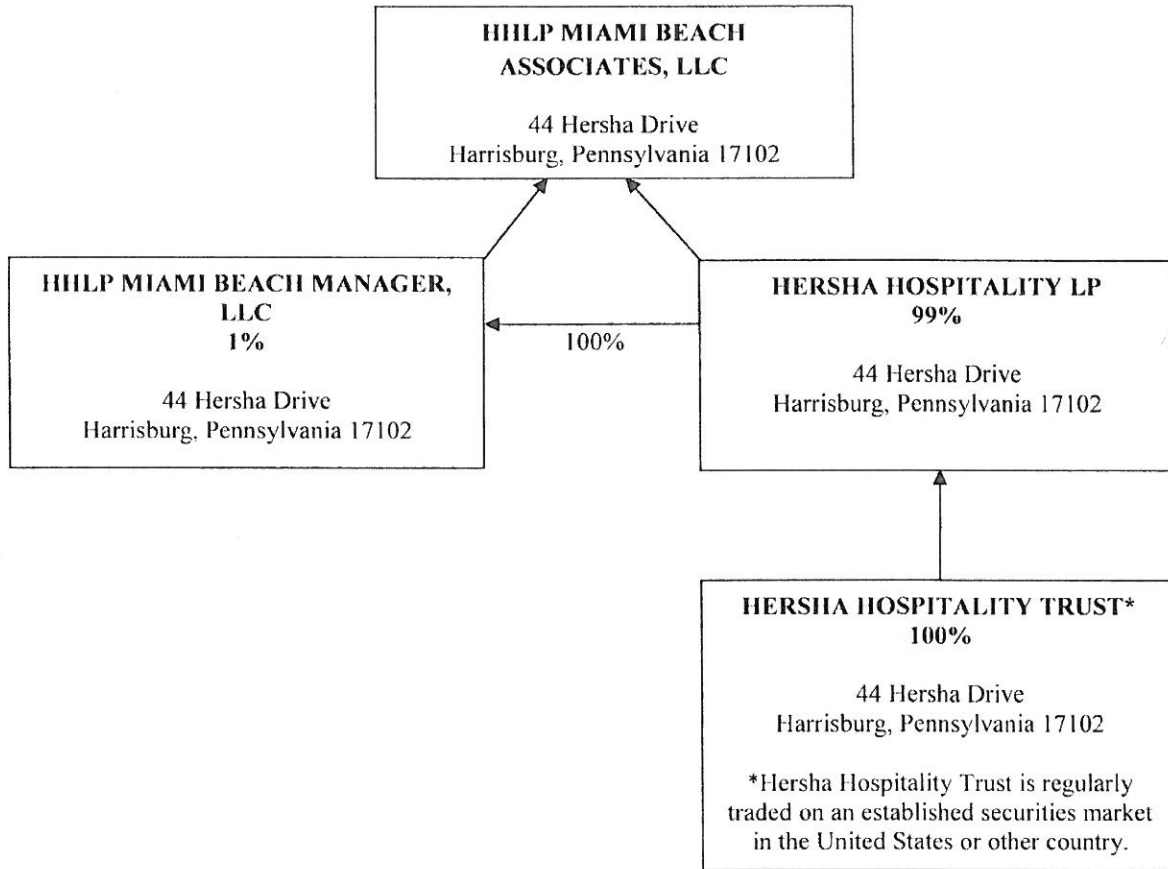
If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

HHLP MIAMI BEACH ASSOCIATES, LLC

CORPORATION NAME	
<u>NAME AND ADDRESS</u>	<u>% OF STOCK</u>
HHLP MIAMI BEACH ASSOCIATES, LLC	
HHLP Miami Beach Manager, LLC 44 Hersha Drive Harrisburg, Pennsylvania 17102	1%
Hersha Hospitality LP 44 Hersha Drive Harrisburg, Pennsylvania 17102	99%
HHLP MIAMI BEACH MANAGER, LLC	
Hersha Hospitality LP 44 Hersha Drive Harrisburg, Pennsylvania 17102	100%
HERSHA HOSPITALITY LP	
Hersha Hospitality Trust 44 Hersha Drive Harrisburg, Pennsylvania 17102	100%
HERSHA HOSPITALITY TRUST*	

*Hersha Hospitality Trust is regularly traded on an established securities market in the United States or other country.

**HHLP MIAMI BEACH ASSOCIATES, LLC
DISCLOSURE OF INTEREST***



*Same Disclosure of Interest as Reflected on Exhibit "B"

EXHIBIT "C"

DISCLOSURE OF INTEREST

1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

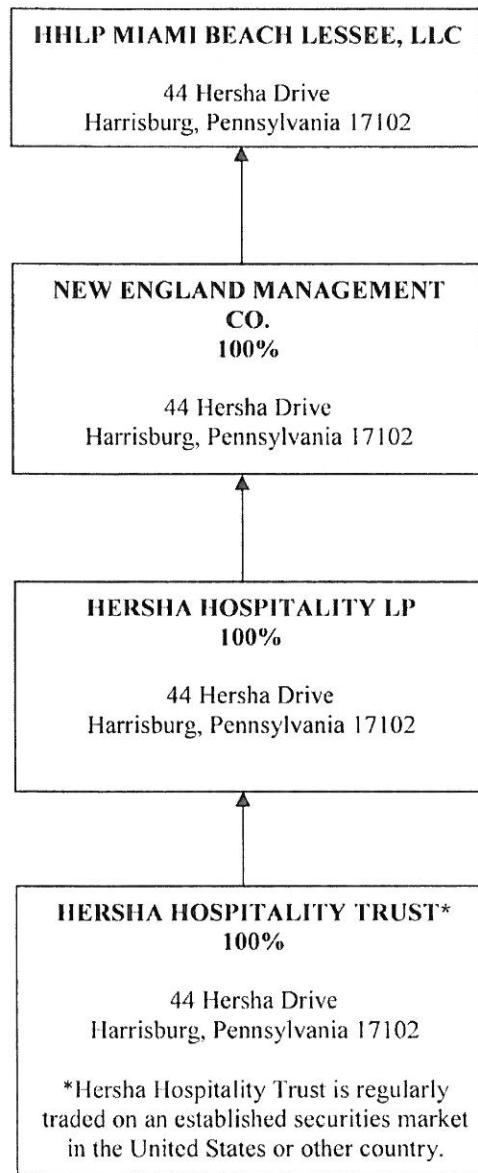
HHLP MIAMI BEACH LESSEE, LLC

CORPORATION NAME	
<u>NAME AND ADDRESS</u>	<u>% OF STOCK</u>
HHLP MIAMI BEACH LESSEE, LLC	
44 New England Management Co. 44 Hersha Drive Harrisburg, Pennsylvania 17102	100%
44 NEW ENGLAND MANAGEMENT CO.	
Hersha Hospitality LP 44 Hersha Drive Harrisburg, Pennsylvania 17102	100%
HERSHA HOSPITALITY LP	
Hersha Hospitality Trust* 44 Hersha Drive Harrisburg, Pennsylvania 17102	100%

HERSHA HOSPITALITY TRUST*

*Hersha Hospitality Trust is regularly traded on an established securities market in the United States or other country.

**HHLP MIAMI BEACH LESSEE, LLC
DISCLOSURE OF INTEREST***



*Same Disclosure of Interest as Reflected on Exhibit "C"

EXHIBIT "D"

DISCLOSURE OF INTEREST

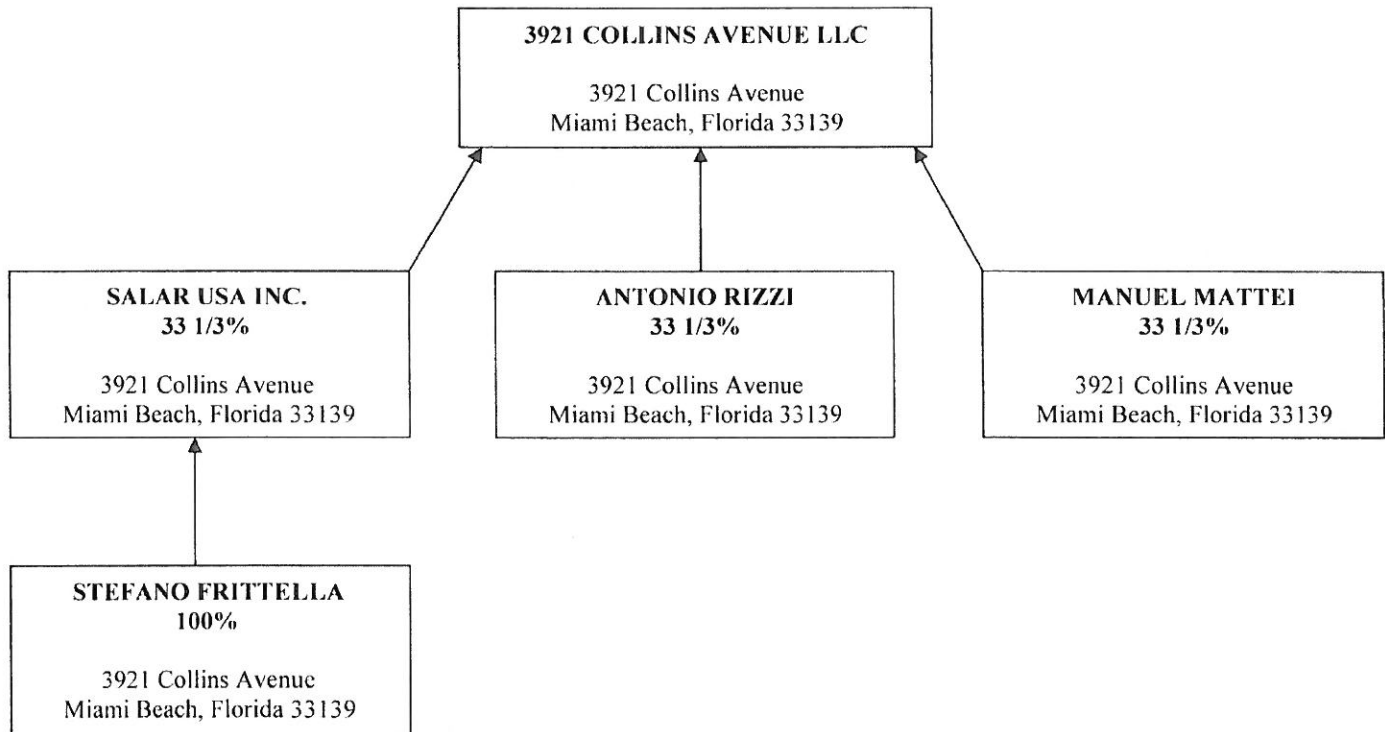
1. CORPORATION

If the property which is the subject of the application is owned or leased by a CORPORATION, list ALL of the stockholders, and the percentage of stock owned by each. Where the stockholders consist of another corporation(s), trustee(s), partnership(s) or other similar entity, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

3921 COLLINS AVENUE LLC

CORPORATION NAME	
<u>NAME AND ADDRESS</u>	<u>% OF STOCK</u>
3921 COLLINS AVENUE LLC	
Salar USA Inc. 3921 Collins Avenue Miami Beach, Florida 33139	33 1/3%
Antonio Rizzi 3921 Collins Avenue Miami Beach, Florida 33139	33 1/3%
Manuel Mattei 3921 Collins Avenue Miami Beach, Florida 33139	33 1/3%
SALAR USA INC.	
Stefano Frittella 3921 Collins Avenue Miami Beach, Florida 33139	100%

**3921 COLLINS AVENUE LLC
DISCLOSURE OF INTEREST***



*Same Disclosure of Interest as Reflected on Exhibit "D"

CITY OF MIAMI BEACH
CERTIFICATE OF USE, ANNUAL FIRE FEE, AND BUSINESS TAX RECEIPT

1700 Convention Center Drive
Miami Beach, Florida 33139-1819

TRADE NAME: CARRABBA'S ITALIAN GRILL
IN CARE OF:
ADDRESS: 3921 Collins Ave
MIAMI BEACH, FL 33140-3711

LICENSE NUMBER: RL-05000628
Beginning: 10/01/2016
Expires: 09/30/2017
Parcel No: 0232260011850

TRADE ADDRESS: 3921 Collins Ave

Code	Business Type
95016400	RESTAURANT / BARS

Restaurants/Bars: #Chairs	241
---------------------------	-----

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business.

A Business Tax Receipt issued under this article does not waive or supersede other City laws, does not constitute City approval of a particular business activity and does not excuse the licensee from all other laws applicable to the licensee's business.

This Receipt may be transferred:

A. Within 30 days of a bonafide sale, otherwise a complete annual payment is due.

B. To another location within the City if proper approvals and the Additional Information

Storage Locations

FROM: CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139-1819

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
MIAMI BEACH, FL
PERMIT No 1525

CARRABBA'S ITALIAN GRILL
2202 N. West Shore Blvd, 5Th Fl
Tampa, FL 33607



CITY OF MIAMI BEACH
CERTIFICATE OF USE, ANNUAL FIRE FEE, AND BUSINESS TAX RECEIPT

1700 Convention Center Drive
Miami Beach, Florida 33139-1819

TRADE NAME: HHLP MIAMI BEACH LESSE, LLC / DBA COURTYARD BY MARRIOTT

LICENSE NUMBER: BTR000686-05-2016

IN CARE OF:

Beginning: 10/01/2015

ADDRESS: 3925 Collins Ave

Expires: 09/30/2016

MIAMI BEACH, FL 33140-3711

Parcel No: 0232260011850

TRADE ADDRESS: 3925 Collins Ave

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business.

A Business Tax Receipt issued under this article does not waive or supersede other City laws, does not constitute City approval of a particular business activity and does not excuse the licensee from all other laws applicable to the licensee's business.

This Receipt may be transferred:

A. Within 30 days of a bonafide sale, otherwise a complete annual payment is due.

B. To another location within the City if proper approvals and the Additional Information

Storage Locations

Code	Business Type
95011307NO	LAUNDRY (EACH MACHINE)
95952600	BEACH CONCESSION-FOOD
95003602	AUTO TELLER MACHINES
95018550	SWIMMING POOL
95016400	RESTAURANT / BARS
95002601	BEACH CONCESSION PER EQUIP
95005102	25 CENTS AND OVER MACHINES
95009500	HOTELS (SMOKE DETECTOR)

Beach Front Concessions: #Locations	1
ATM: #Machines	1
Coin Operated: #1-25¢ Machines	1
Hotel: #Rooms	356
Coin Laundry: #Machines	13
Restaurants/Bars: #Chairs	100

FROM: CITY OF MIAMI BEACH
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139-1819

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
MIAMI BEACH, FL
PERMIT No 1525

HHLP MIAMI BEACH LESSE, LLC / DBA COURTYARD BY MARRIOTT - I
44 Hersha Drive
Harrisburg, PA 17102-2279



August 31, 2017

Via Hand Delivery

Honorable Chair and Members of the Planning Board
Planning & Zoning Department
City of Miami Beach
1700 Convention Center Drive, Second Floor
Miami Beach, Florida 33139

Re: Letter of Intent for a Conditional Use Permit for a Neighborhood Impact Establishment
for Courtyard Cadillac Hotel at 3921-3925 Collins Avenue ("Property")

Dear Chair and Board Members:

Our Law Firm represents HHLP Miami Beach Associates, LLC, as the property owner, HHLP Miami Beach Lessee, LLC, as the current tenant of the hotel and hotel operator, and 3921 Collins Avenue LLC, as the food and beverage operator (collectively, the "Applicant") in this application for a Conditional Use Permit for a Neighborhood Impact Establishment ("NIE"), pursuant to §142-1361 and §142-1362 of the City Code. Please allow this letter, as well as the enclosed operations plan, to serve as the Applicant's Letter of Intent ("LOI") in connection with the foregoing application.

The Courtyard Cadillac Hotel was been owned and operated by HHLP Miami Beach Associates, LLC and HHLP Miami Beach Lessee, LLC as an upscale family resort since 2011. During that time, Carrabba's Italian Grill operated the restaurant space located at the south end of the Property. 3921 Collins Avenue LLC has now entered into a lease to operate the restaurant space along with the various food and beverage operations associated with the Property.

There are no changes proposed to the food and beverage operations. Since 3921 Collins Avenue LLC will become the licensee of the food and beverage areas at the Property and all of the above referenced food and beverage areas will have an occupant content of more than 300 persons, the Property will be a NIE as defined under §142-1361 and §142-1362 of the City Code. The proposed seat count and occupant content of the food and beverage operations is contained on Page A3.01 of the enclosed architectural plans and also recited below:

PROPOSED HOTEL OCCUPANT COUNT			PROPOSED OCCUPANT COUNT		
LOCATION	SEAT COUNT	OCC. LOAD	LOCATION	SEAT COUNT	OCC. LOAD
MEETING / LIBRARY ROOM	74	110	RESTAURANT	241	306
HOTEL BAR LOUNGE	58	94			
OUTDOOR SEATING	44	67			
MEETING ROOM	93	145			
EAST POOL	58	127			
BAR DECK	57	165			
SOUTH POOL	58	290			
TOTAL:	436	999	TOTAL:	241	306

The Applicant will operate La Trattoria, an Italian style restaurant in the space previously known as Carrabba's Italian Grill and will also operate the food and beverage operations at the lobby bar, tiki bar, and pool areas. Both the restaurant and the lobby bar will be open to the public. The tiki bar will be open to the public during its daytime hours as the Applicant anticipates that the majority of patrons frequenting the tiki bar (who are not guests of the hotel), will be beachgoers who will enter the tiki bar directly from the hotel's beach access. The pool areas and the corresponding amenities are only open to guests of the hotel.

The Property is located within the RM-3 (Residential Multi-Family, High Intensity) zoning district, which is designed to accommodate multiple-family residences and hotels.

Neighborhood Impact Establishment Criteria. In addition to the other materials submitted with this application, the following supplemental information relating to this request is provided pursuant to §142-1362(a) of the City Code's Land Development Regulations:

(1) An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application:

Satisfied. The Applicant has provided a detailed operational and business plan (included in the Operations Plans with the application materials), which addresses the hours of operation, number of employees required to effectively operate the food and beverage operations, menu items, goals of the business, and other operational characteristics pertinent to the application.

(2) A parking plan which fully describes where and how the parking is to be provided and utilized:

Satisfied. As explained in the Applicant's Parking Plan (included in the Operations Plans with the application materials), the Property contains an on-site parking garage, where the valet operator will park all compact and mid-sized vehicles for patrons, while oversized vehicles will be parked at one of two off-site parking lots (4025 Pine Tree Drive or 300 Arthur Godfrey Road). In addition, there are a host of other self-parking options for patrons in the immediate area, including surface parking lots and garages. However, even considering those parking accommodations, the venue is located within an area of the City where patrons can easily walk instead of drive (and the Applicant anticipates many patrons will walk or take public transportation, such as a taxi).

(3) An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises will be controlled:

Satisfied. The Applicant's Crowd Control Plan is included in the Operations Plans with the application materials. The venue is designed to accommodate a sufficient number of patrons so that those patrons waiting to gain entry do not have to wait within the public right-of-way. The restaurant's main

entrance is set back away from Collins Avenue under the porte-cochere and hotel guests or those patrons utilizing the lobby bar are also able to access the restaurant from inside the hotel. Therefore, the crowd control plan will rely primarily on queuing patrons inside the restaurant and/or lobby bar.

(4) A security plan for the establishment and any parking facility, including enforcement of patron age restrictions:

Satisfied. The Applicant's Security Plan is included in the Operations Plans with the application materials. The Applicant provides overnight security guards who are on shift from 11:00 p.m. to 7:00 a.m. Should there be a special event in which a large group of people are expected, the Applicant will hire security guards for the duration of the event. If after opening there should be a need for daytime security, the Applicant will employ security staff during those times required. The Applicant's staff will specifically enforce patron age restrictions.

(5) A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated:

Satisfied. The Traffic Circulation Plan is included in the Operations Plans with the application materials. The Applicant has engaged Traf Tech Engineering, Inc. ("Traf Tech") to conduct a valet analysis to confirm and ensure the Applicant's existing valet operations do not have an adverse impact on the immediate neighborhood. Enclosed please find Traf Tech's Valet Analysis, which concludes that the existing valet operation was found to be acceptable from a traffic-engineering standpoint. Even considering the foregoing parking accommodations made available to patrons, the Applicant anticipates many patrons will either walk from nearby hotels or take public transportation, along with those patrons who are already guests staying within this hotel, thereby further reducing the demand for parking and potential impact on traffic.

(6) A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment:

Satisfied. The Sanitation Plan (included in the Operations Plans with the application materials) explains that the Property contains an air conditioned trash room, which is located in the basement. The Applicant will utilize that trash room, which has a sufficient capacity to accommodate the proposed operations. Trash is picked up seven (7) days a week around 10:00 a.m.

(7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance:

Satisfied. A sound study was not required to be submitted with the application as the Applicant is not proposing to have entertainment. The Applicant will play ambient music in the food and beverage areas for its patrons, such as the lobby bar, restaurant, pool areas, and tiki bar. The Applicant will only have a DJ for special events approved under a Special Event Permit by the City of Miami Beach.

(8) Proximity of proposed establishment to residential uses:

Satisfied. There is no intensification of the current uses at the property, as all of the food and beverage uses are in operation at the hotel and currently licensed as the Business Tax Receipt(s) submitted with the application materials indicate. The Applicant's operations are not anticipated to have any adverse effect on the surrounding residential uses.

(9) Cumulative effect of proposed establishment and adjacent pre-existing uses:

Satisfied. The restaurant premises is fully licensed and operating as a 241 seat full service restaurant, as indicated by the Business Tax Receipt issued to Carrabba's Italian Grill included with the application materials. Further, the remainder of the food and beverage operations are current uses at the Property as indicated by the Business Tax Receipt issued to HHLP Miami Beach Lessee, LLC included with the application materials. In light of the foregoing, the Applicant's operations are not anticipated to have any adverse effect when the pre-existing uses are considered.

Standard Conditional Use Criteria. In addition to the other materials submitted with this application, the following information is submitted in accordance with the conditional use review guidelines under §118-192 of the City's Code's Land Development Regulations.

(1) The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.

Satisfied. The proposed food and beverage operations at the Property are accessory uses which are consistent with the comprehensive plan future land use designation of the Property of RM-3.

(2) The intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the comprehensive plan.

Satisfied. The Applicant has engaged Traf Tech to conduct a valet analysis to confirm and ensure the Applicant's existing valet operations do not have an adverse impact on the immediate neighborhood. Enclosed please find Traf Tech's Valet Analysis, which concludes that the existing valet operation was found to be acceptable from a traffic-engineering standpoint.

(3) Structures and uses associated with the request are consistent with the land development regulations.

Satisfied. The hotel is a main permitted use within the RM-3 (Residential Multi-Family, High Intensity) zoning district. Further, accessory food and beverage uses, such as those proposed in this application that are classified as a NIE, are permissible accessory conditional uses in the RM-3 zoning district.

(4) The public health, safety, morals, and general welfare will not be adversely affected.

Satisfied. As set forth in the cumulative application materials, the proposed use and controlled operation of the venue will not adversely affect the public health, safety, morals, and general welfare.

(5) Adequate off-street parking facilities will be provided.

Satisfied. As recited in the Applicant's Parking Plan (included in the Operations Plans with the application materials), the Property contains an on-site parking garage, where the valet operator will park compact and mid-sized vehicles for patrons. All oversized vehicles will be parked at one of two off-site parking lots (4025 Pine Tree Drive or 300 Arthur Godfrey Road) by the valet operator. In addition, there are a host of other self-parking options for patrons in the immediate area, including surface parking lots and garages. However, even considering those parking accommodations, the venue is located within an area of the City where patrons can easily walk instead of drive (and the Applicant anticipates patrons will walk or take public transportation, such as a taxi).

(6) Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

Satisfied. As set forth in the cumulative application materials, the proposed use and controlled operation of the venue will not adversely affect the public health, safety, morals, and general welfare. In addition, the Applicant has provided for necessary safeguards in its Operations Plans attached hereto, providing for the protection of surrounding the properties, persons and neighborhood values.

(7) The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.

Satisfied. All of the food and beverage uses described herein are current uses as indicated by the prior tenant and Applicant's Business Tax Receipt(s) included within the application materials. Further, the safeguards included in the Operations Plans attached hereto will ensure there is no negative impact on the surrounding neighborhood. The Applicant's proposed use is unique and should serve to improve the surrounding neighborhood.

Conclusion. In light of the foregoing, and the application materials submitted herewith, we respectfully request the Planning Board's approval of this application.

Very Respectfully Submitted,



Adrienne R. Grandolfo, Esq.
For the Firm

Enclosures

MIAMI BEACH

Page 1 of 4

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

Property address:

Board:

Date:

3925 Collins Ave BOARD APPLICATION CHECK LIST

Planning

7/3/17

- ✓ A pre-application meeting must be scheduled with the Board staff to review all submittals.
- ✓ Applications that require a traffic study must meet 60 days* prior to CAP first submittal deadline with Planning staff, Transportation Department and peer reviewer to determine the methodology for the traffic impact study. After this meeting the applicant must create a CAP application in order to be invoiced and pay fees. Applicant must submit online (CAP) the traffic study 30 days prior to CAP first submittal (see Transportation Department list requirements). *n/a*
- Transportation Department/Peer Reviewer will submit first round of comments 15 days prior first submittal. *n/a*
- Applicant must address comments and submit revised traffic study/plans for CAP first submittal deadline. *n/a*
- ✓ Pre-application meetings for applications that doesn't required a traffic study are schedule on a first come first serve basis and must occur no later that five(5) business days prior to the Cap first submittal
- Incomplete, or submittals found to be insufficient will not be placed on a Board agenda.

ITEM CAP FIRST SUBMITTAL

#	To be uploaded online (CAP) by the applicant before 5:00 pm on first submittal deadline.	Required
1	Application Fee shall be paid after pre-application meeting and before the first submittal.	X
2	Copy of signed and dated check list issued at pre-application meeting.	X
3	Completed Board Application, Affidavits & Disclosures of Interest (original signatures).	X
4	Letter of Intent dated and signed with details of application request. (see also Items # 43,44,45 and 46).	X
5	Mailing Labels (2 printed sets and a CD including: Property owner's list and Original certified letter from provider, see Item #52).	X
6	Copies of all current or previously active Business Tax Receipts.	X
7	School Concurrency Application, for projects with a net increase in residential units (no SFH). (Provide Planning Department Miami Dade School Concurrency list).	
8	Survey (original signed & sealed) dated less than 6 months old at the time of application. 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.	X
9	Architectural Plans and Exhibits (must be 11"x 17" size): ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE.	X
a	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date.	X
b	Copy of the original survey	X
c	All Applicable Zoning Information (Use Planning Department zoning data sheet format).	X
d	Location Plan, Min 4"x6" Color Aerial 1/2 mile radius, showing name of streets and project site identified.	X
e	Full legal description of the property if not included in survey (for lengthy legal descriptions, attach as a separate document if necessary).	X
f	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams).	X
g	Proposed FAR Shaded Diagrams(Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams).	<i>n/a</i> X
h	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths).	<i>n/a</i> X
i	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X
j	Current, color photographs, dated, Min 4"x6" of interior space (no Google images)	X
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)	X

* 60 day lead time for projects including traffic studies is necessary to ensure completion of review by final submittal deadline and scheduling for hearing.

Indicate N/A If Not Applicable

Initials: _____

MIAMI BEACH

Page 2 of 4

Planning Department, 1700 Convention Center Drive 2nd Floor
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Property address:

l	Existing Conditions Drawings (Floor Plans & Elevations with dimensions). Number of seats, furniture layout if applicable	X
m	Demolition Plans (Floor Plans & Elevations with dimensions)	X
n	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks. Plans shall indicate location of all property lines and setbacks.	n/a X
o	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X
p	Proposed Section Drawings	n/a X
q	Color Renderings (elevations and three dimensional perspective drawings).	n/a X
10	Landscape Plans and Exhibits (must be 11"x 17" size):	optional
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.	

ITEM CAP FIRST SUBMITTAL

#	ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE-APPLICATION MEETING	Required
11	Copy of original Building Permit Card, & Microfilm, if available.	
12	Copy of previously approved building permits. (provide building permit number).	
13	Copy of previously recorded Final Orders if applicable.	X
14	Existing and Proposed detailed topographic survey depicting existing spot grades (NAVD) as well as all underground/overhead utilities and easements/agreements with recordation data. See Part 1 / Section 1 / A. Surveying & Mapping Standards and submittal Requirements of the Public Works Manual. http://www.miamibeachfl.gov/publicworks/engineering/engineeringmanual.aspx?id=12920	
15	Vacant or 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 Department.	
16	Historic Resources Report (This report shall include, but shall not be limited to, copy of the original Building Permit Card and any subsequent evolution, Microfilm, 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).	
17	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated).	
18	Line of Sight studies.	
19	Structural Analysis of existing building including methodology for shoring and bracing.	
20	Proposed exterior and interior lighting plan, including photometric calculations.	
21	Exploded Axonometric Diagram (showing second floor in relationship to first floor).	
22	Neighborhood Context Study.	
23	Required yards open space calculations and shaded diagrams.	
24	Required yards section drawings.	
25	Variance and/or Waiver Diagram	
26	Schematic signage program	
27	Detailed sign(s) with dimensions and elevation drawings showing exact location.	
28	Elevation drawings showing area of building façade for sign calculation (Building ID signs).	
29	Daytime and nighttime renderings for illuminated signs.	
30	Floor Plan Indicating area where alcoholic beverages will be displayed.	
31	Survey showing width of the canal (Dimension shall be certified by a surveyor)	

Indicate N/A if Not Applicable

Initials: _____

MIAMI BEACH

Page 3 of 4

Planning Department, 1700 Convention Center Drive 2nd Floor
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Property address:

32	Site Plan showing total projection of structures from seawall, location and dimension of all structures inclusive of dock, mooring piles, boat lift, etc.	
33	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.	
34	Technical specifications of the boat lift and/ or boat, ship of vessel to be docked or moored.	
35	Survey shall include spot elevations in rear yard and elevation points on the dune adjacent to the property. Provide highest elevation point on the dune within the property. Erosion control line and Bulkhead line shall be indicated if present.	
36	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation) distance shown on survey with a straight line.	
37	Proposed Operational Plan: Include deliveries and trash pickup times, hours of operations, number of employees, security and restaurant menu (if applicable).	X
38	Maneuvering plan for loading within the existing/proposed conditions, delivery and garbage trucks size (length and width).	X
39	Traffic Study, Site plan(s) : Revised version addressing first round of comments from Transportation Department and peer review.	
40	Sound Study report	
41	Site Plan (Identify streets and alleys)	only if proposing Entertainment
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	
42	Floor Plan (dimensioned)	
a	Total floor area _____ Identify # seats indoors _____ outdoors _____ seating in public right of way _____ Total _____	
b	Occupancy load indoors and outdoors per venue _____ Total when applicable _____	
43	Letter of Intent - Waivers: Detailed list of all Waivers from the Land Development Regulations that are being requested as part of the application.	
44	Letter of Intent - Sea level rise and resiliency: Include and respond to all review criteria per section 133-50 of the City Code.	
45	Letter of Intent - Variances: Include and respond to all review guidelines in the code as follows:	
a	Section 118-53 (d) of the City Code for each Variance.	
46	In the Letter of Intent for Planning Board include and respond to all review guidelines in the code as follows:	
a	For Conditional Use - Section 118-192 (a)(1)-(7)	X
b	CU - Entertainment Establishments - Section 142-1362 (a)(1)-(9)	X
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)	
f	For Lot Splits - Section 118-321 (B) (1)-(6). Also see application instructions	
Notes: The applicant is responsible for checking above referenced sections of the Code. If not applicable write N/A		

Indicate N/A if Not Applicable

Initials: _____

MIAMI BEACH

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Planning Department, 1700 Convention Center Drive 2nd Floor
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Property Address:

CAP FINAL SUBMITTAL:	
ITEM #	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. To be uploaded online (CAP) by the applicant before 5:00 pm on final submittal deadline. Staff will review and issue a notice to proceed to Paper final submittal or to continue if the application is still incomplete.
47	Traffic Study, Site plan(s): This is the final traffic study including any modifications required to address comments from the City's Transportation Department. Any required permit by FDOT should be obtained prior to CAP Final submittal.

PAPER FINAL SUBMITTAL:		Required
48	Original application with all signed and notarized applicable affidavits and disclosures.	X
49	Original of all applicable items.	X
50	One (1) signed and sealed 11"x17" bound, collated set of all the required documents.	X
51	14 collated copies of all the above documents	X
52	One (1) CD/DVD with electronic copy of entire final application package (plans, application, Letter of Intent, traffic/sound study, etc.) see details for CD/DVD formatting.	X
53	Traffic Study (Hard copy)	
54	Sound Study (Hard copy)	
55	Mailing Labels - 2 printed sets and a CD including: Property owner's list and Original certified letter from provider.	X

NOTES:

- Other information/documentation required for first submittal will be identified during pre-application meeting.
- Is the responsibility of the applicant to make sure that the CAP submittal, Paper Submittal (sets, 14 copies) and electronic version on CD are consistent.
- Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- 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.
- 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, as applicable.


Applicant's or designee's signature

03/05/2017
Date

Indicate N/A If Not Applicable

Initials: _____