

MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR
MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.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: 1669 Collins Avenue a/k/a 1 Lincoln Road, Miami Beach, Florida 33139

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

FOLIO NUMBER (S) 02-3234-123-0030

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

NAME Tatel Miami LLC
 ADDRESS 665 Northeast 25th Street, #2503, Miami, Florida 33137
 BUSINESS PHONE 305-491-7844 CELL PHONE N/A
 E-MAIL ADDRESS srodriguez@mabelcapital.com

OWNER IF DIFFERENT THAN APPLICANT:

NAME Di Lido Beach Hotel Corporation
 ADDRESS 605 Lincoln Road, 5th Floor, Miami Beach, Florida 33139
 BUSINESS PHONE 305-728-8240 CELL PHONE N/A
 E-MAIL ADDRESS Javier@lionstone.net

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 James E. Rauh, Esq.
 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

*For Tatel Miami LLC

3. PARTY RESPONSIBLE FOR PROJECT DESIGN:

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

NAME Thomas Telesco
 ADDRESS 1111 Kane Concourse, #301, Bay Harbor Islands, Florida 33154
 BUSINESS PHONE (305) 866-1014 CELL PHONE N/A
 E-MAIL ADDRESS tom@telescoassociates.com

FILE NO. _____

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

NAME _____
 ADDRESS _____
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

OWNER IF DIFFERENT THAN APPLICANT: (Sublessor)

NAME Di Lido Beach Resort LLC
 ADDRESS 605 Lincoln Road, 5th Floor, Miami Beach, Florida 33139
 BUSINESS PHONE 305-728-8240 CELL PHONE N/A
 E-MAIL ADDRESS Javier@lionstone.net

2. AUTHORIZED REPRESENTATIVE(S):

☒ ATTORNEY: *

NAME Carter McDowell, Esq., Bilzin Sumberg Baena Price & Axelrod LLP
 ADDRESS 1450 Brickell Avenue, 23rd Floor, Miami, Florida 33131
 BUSINESS PHONE 305-350-2355 CELL PHONE 305-351-2239
 E-MAIL ADDRESS cmcdowell@bilzin.com

*For Di Lido Beach Hotel Corporation and Di Lido Beach Resort LLC

☐ AGENT:

NAME _____
 ADDRESS _____
 BUSINESS PHONE _____ CELL PHONE _____
 E-MAIL ADDRESS _____

☒ CONTACT: *

NAME Carter McDowell, Esq.
 ADDRESS 1450 Brickell Avenue, 23rd Floor, Miami, Florida 33131
 BUSINESS PHONE 305-350-2355 CELL PHONE 305-351-2239
 E-MAIL ADDRESS cmcdowell@bilzin.com

*For Di Lido Beach Hotel Corporation and Di Lido Beach Resort LLC

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:

Conditional Use Permit for a Neighborhood Impact Establishment consisting of a restaurant with
entertainment and a patron occupant content of 200 or more persons.

- 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 (Applicant)

SIGNATURE: _____

PRINT NAME: Santiago Rodriguez, Manager of Tatel Miami 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.

Not Applicable

NOTARY PUBLIC

NOTARY SEAL OR STAMP

Not Applicable

PRINT NAME

My Commission Expires:

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

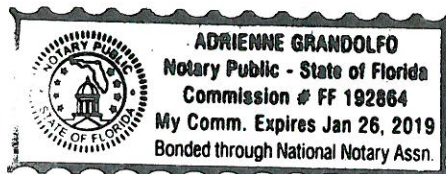
STATE OF Florida
COUNTY OF Miami-Dade

I, Santiago Rodriguez, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Tatel Miami 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 6th day of June, 2016. The foregoing instrument was acknowledged before me by Santiago Rodriguez, Manager of Tatel Miami 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:



My Commission Expires:

Adrienne Grandolfo

NOTARY PUBLIC

Adrienne Grandolfo

PRINT NAME

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF
COUNTY OF

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

Not Applicable

My Commission Expires:

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

(Circle one)

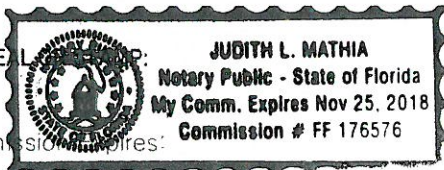
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Diego Lowenstein, being duly sworn, depose and certify as follows: (1) I am the President (print title) of Di Lido Beach Hotel Corporation (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 15th day of June, 2016. The foregoing instrument was acknowledged before me by Diego Lowenstein, President of Di Lido Beach Hotel Corporation, 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



My Commission Expires:

JUDITH L. MATHIA
Notary Public - State of Florida
My Comm. Expires Nov 25, 2018
Commission # FF 176576

Nov. 24, 2018

NOTARY PUBLIC

PRINT NAME

FILE NO. _____

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

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 15th day of JUNE, 2016. 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

Not Applicable

My Commission Expires:

PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR
CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

(Circle one)

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

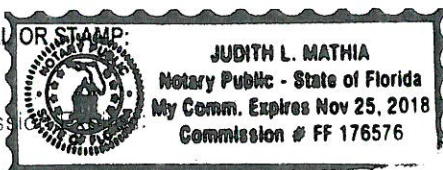
I, Diego Lowenstein, being duly sworn, depose and certify as follows: (1) I am the Manager (print title) of Di Lido Beach Resort LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of 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.

*The corporate entity named herein is the sublessor of the property that is the subject of this application.

SIGNATURE

Sworn to and subscribed before me this 15th day of JUNE, 2016. The foregoing instrument was acknowledged before me by Diego Lowenstein, Manager of Di Lido Beach Resort 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:



My Commission Expires:

NOTARY PUBLIC

JUDITH L. MATHIA

PRINT NAME

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida
 COUNTY OF Miami-Dade

I, Santiago Rodriguez, 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., and 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.

Santiago Rodriguez, Manager of Tatel Miami LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 10th day of June, 2016. The foregoing instrument was acknowledged before me by Santiago Rodriguez, Manager of Tatel Miami 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

Michele Rennert

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, stock holders, 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 FLORIDA
 COUNTY OF Miami-Dade

I, Diego Lowenstein, 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 Carter McDowell, Esq. & Bilzin Sumberg Baena Price & Axelrod LLP 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.

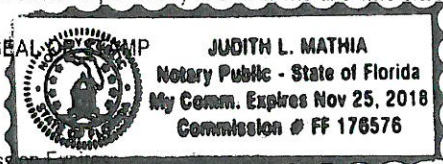
Diego Lowenstein, President of Di Lido Beach Hotel Corporation

PRINT NAME (and Title, if applicable)

[Signature]
 SIGNATURE

Sworn to and subscribed before me this 15th day of JUNE, 2016. The foregoing instrument was acknowledged before me by Diego Lowenstein, President of Di Lido Beach Hotel Corporation who has produced as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL



My Commission Expires

Nov. 25, 2018

[Signature]
 NOTARY PUBLIC

JUDITH L MATHIA

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.

FILE NO. _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF FLORIDA
 COUNTY OF MIAMI-DADE

I, Diego Lowenstein, 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 Carter McDowell, Esq. & Bilzin Sumberg Baena Price & Axelrod LLP 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.

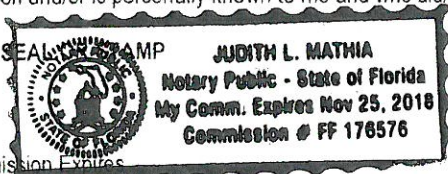
Diego Lowenstein, Manager of Di Lido Beach Resort LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 15th day of JUNE, 2016. The foregoing instrument was acknowledged before me by Diego Lowenstein, Manager of Di Lido Beach Resort 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

NOV. 25, 2018

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.

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.*

Tatel Miami, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

See Exhibit "B"

Di Lido Beach Hotel Corporation

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.*

Di Lido Beach Resort 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	1601 Washington Avenue, St. 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

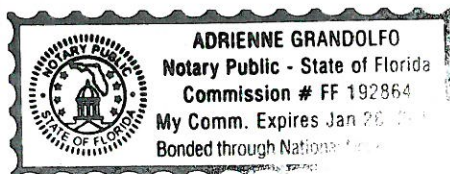
STATE OF Florida
COUNTY OF Miami Dade

I, Santiago Rodriguez, 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.

SIGNATURE

Sworn to and subscribed before me this 6th day of June, 2016. 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:

Adrienne Grandolfo

NOTARY PUBLIC

Adrienne Grandolfo

PRINT NAME

FILE NO. _____

EXHIBIT "A"

LEGAL DESCRIPTION

DI LIDO CONDO ALTON BEACH 1ST SUB PB 2-77 LOTS 1 THRU 4 LOT 17 & 1/2 OF
LOTS 5 & 16 BLK 29 & STRIP OF LAND DESC IN DB 3781-543 & LOTS 18-19 & 20 BLK
29

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.*

Tatel Miami LLC

CORPORATION NAME

NAME AND ADDRESS

% OF STOCK

Tatel Miami LLC

Leisure Partners Americas, LLC
665 Northeast 25th Street, #2503
Miami, Florida 33137

100%

Leisure Partners Americas, LLC

Abel Matutes
665 Northeast 25th Street, #2503
Miami, Florida 33137

50%

Manuel Campos Guallar
665 Northeast 25th Street, #2503
Miami, Florida 33137

50%

EXHIBIT C

Disclosure of Interest

Di Lido Beach Hotel Corporation, a Florida corporation
605 Lincoln Road, 5th Floor
Miami Beach, FL 33139

Ownership

- | | |
|-----------------------------|------|
| 1) Lionstone Group, Inc: | 100% |
| 605 Lincoln Road, 5th Floor | |
| Miami Beach, FL 33139 | |
| | |
| 2) Ultimate Owner: | |
| Alfredo Lowenstein | 100% |
| c/o Javier A. Granda | |
| 605 Lincoln Road, 5th Floor | |
| Miami Beach, FL 33139 | |

EXHIBIT D

Disclosure of Interest

Di Lido Beach Resort, LLC, a Florida limited liability company
605 Lincoln Road, 5th Floor
Miami Beach, FL 33139

Ownership

- 1) Di Lido Beach Resort Mezz LLC: 100%
605 Lincoln Road, 5th Floor
Miami Beach, FL 33139
- 2) Ultimate Owners:
c/o Javier Granda
605 Lincoln Road, 5th Floor
Miami Beach, FL 33139

Alfredo Lowenstein	38.75%
Diego Lowenstein	3%
Flavia Lowenstein	3%
Carla Lowenstein	3%
Paula Lowenstein-Boano	3%
Bruce Lazar	2%
John Cooney	2%
Paul Kanavos	25.889800%
Peter J. Kanavos	5.046575%
James Kramer	0.249900%
Sheldon Lowe	1.937400%
Mona Morello	0.312600%
Juan Loumiet	1.4971125%
Mitchell Nelson	0.010465%
Leslie Nelson	0.184984%
Jeffrey Nelson	0.287201%
Kate Nelson Harper	0.287201%
Thomas Nelson	0.287201%
Maria Lowe	0.498197%
Billy Lowe	0.498197%
Alex Lowe	0.498197%
Danielle Lowe	0.498197%
Dayssi Olarte de Kanavos	5.588591%
Peter Kanavos	0.559391%
Nicholas Kanavos	0.559391%
Sophia Kanavos	0.559391%

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: KNPM RESTAURANT GROUP LLC
IN CARE OF: FREDERIC PUREN
ADDRESS: 100 S POINTE DR, APT 3401
MIAMI BEACH, FL 33139-7374

RECEIPT NUMBER: RL-10000099
Beginning: 11/22/2006
Expires: 09/30/2007
Parcel No: 0232341230010

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

A certificate of Use / 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 Receipt are obtained prior to the opening of the new location.

Additional Information

Storage Locations

TRADE ADDRESS: 1669 COLLINS AVE

Code	Certificate of Use/Occupation
016400	RESTAURANT / BARS

CERTIFICATE OF USE	900
# OF SEATS	200
OCCUPANCY LOAD	223
C_U # OF UNITS	200

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

FREDERIC PUREN
407 LINCOLN RD, STE 10F
MIAMI BEACH, FL 33139-3026



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: 1669 PARTNERS LLC DBA DORE
IN CARE OF: PASCAL COHEN
ADDRESS: 2000 ISLAND BLVD, APT 1907
AVENTURA, FL 33160-4962

RECEIPT NUMBER: RL-10006010
Beginning: 10/01/2012
Expires: 09/30/2013
Parcel No: 0232341230010

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

A certificate of Use / 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 Receipt are obtained prior to the opening of the new location.

Additional Information

Storage Locations

TRADE ADDRESS: 1669 COLLINS AVE

Code	Certificate of Use/Occupation
004100 btrapp	CATERERS BUSINESS TAX RECEIPT APPLICATION FEE

# OF SEATS	200
ALC BEV, THROUGH 2AM	Y
Caterers FF	Y

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

PASCAL COHEN/ DIEGO LOWENSTEIN
1669 COLLINS AVE
MIAMI BEACH, FL 33139-3136



GreenspoonMarder

From the desk of:
James E. Rauh, Esq.
1601 Washington Avenue, Suite 300
Miami Beach, Florida 33139
Direct Phone: 305.789.2732
Direct Fax: 305.537.3928
Email: james.rauh@gmlaw.com

June 20, 2016

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 Conditional Use Permit for Neighborhood Impact
Establishment for Tatel Restaurant at the Ritz Carlton Hotel at 1669 Collins
Avenue a/k/a 1 Lincoln Road

Dear Chair and Members of the Planning Board:

Our Law Firm represents Tatel Miami LLC (the "Applicant"), the tenant of the restaurant space located on the ground floor fronting Collins Avenue (the "Restaurant Premises") within the historic Ritz Carlton Hotel (the "Hotel"). The Applicant is making this application for a Conditional Use Permit for a Neighborhood Impact Establishment ("NIE"), pursuant to §142-1361 and §142-1362 of the City Code, to operate its Tatel restaurant concept within the Restaurant Premises. Please allow this letter, as well as the enclosed Tatel Restaurant Operations Plan, included with the application materials, to serve as the Applicant's Letter of Intent ("LOI") in connection with the foregoing application.

Historic Ritz Carlton Hotel Site. The One Lincoln Road Building was originally constructed in stages between 1949 and 1950 and designed by Igor Polevitsky. The first stage of the building was constructed in 1949 and consisted of a one (1) story retail structure with varied glass storefronts. The second stage was conducted in 1950 and consisted of a two (2) story office building. The Di Lido Hotel at 1669 Collins Avenue was originally constructed in 1953 and designed by Architect Melvin Grossman and Associate Architect Morris Lapidus and consisted of a nine (9) story masonry hotel structure.

Restaurant Premises. The Restaurant Premises was previously fully licensed and operated as a 200 seat full service restaurant, as indicated by the prior tenants' Business Tax Receipt(s) & Certificate(s) of Use included with the application materials. Most recently, the Restaurant Premises has been continuously used as an event space by the Hotel with food and

beverage services.

Tatel Restaurant Concept. The Applicant is proposing to operate its “Tatel” restaurant concept within the Restaurant Premises. Tatel first opened its doors in Madrid, Spain serving traditional Spanish food with a contemporary twist. The Spanish recipes have been passed down from generation to generation and Tatel aims to provide every patron with a unique experience (a copy of the restaurant’s proposed menu is included with the application materials). The Tatel concept is inspired by the 1920’s and provides entertainment for patrons to enjoy while dining. The entertainment will consist of a live band with no more than three musicians playing acoustic instruments such as a Spanish guitar or flute, performing near the private dining room and DJ booth located at the East end of the restaurant. In addition, the restaurant will occasionally have a DJ playing a play list. Since the restaurant’s patron occupancy content will exceed 199 persons, the venue is considered a Neighborhood Impact Establishment requiring a Conditional Use Permit.

The Hotel is located within the RM-3 (Residential Multi-Family, High Intensity) zoning district, which is designed for high intensity multiple-family residences and hotels. A “hotel” is a main permitted use, and a NIE is an accessory conditional use, in the RM-3 zoning district. As detailed in this LOI, the operational program for the subject restaurant has been designed to minimize the potential impact on the surrounding neighborhood in terms of noise, traffic, parking, security, and waste disposal.

The Applicant's proposed operation of Tatel Restaurant satisfies the criteria set forth under the NIE review guidelines pursuant to §142-1362(a) of the City Code’s Land Development Regulations as follows:

(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/business plan within the enclosed Tatel Restaurant Operations Plans submitted with this application, which addresses the hours of operation, number of employees required to effectively operate the restaurant, 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. Although the restaurant has no parking requirement under the City Code by virtue of the Hotel site’s historic designation status, Tatel’s patrons will be serviced by the Hotel’s existing valet parking company, which utilizes the on-site parking garage as a storage facility. The restaurant’s valet pick up / drop off is located in front of the restaurant on Collins Avenue under the existing porte-cochere. Once dropped off, the vehicles are then driven north on Collins Avenue, west on 17th Street, south on Washington Avenue, and east on Lincoln Road to enter the Hotel’s on-site parking garage. The Hotel operation has a separate valet pick up /

drop off located at the Hotel's entrance on Lincoln Road. The valet ramp located under the existing porte-cochere entrance on Collins Avenue contains a substantial driveway for the efficient circulation and queuing of vehicles in connection with the valet operation. Even considering the foregoing parking accommodations made available to restaurant 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.

(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 restaurant's Indoor & Outdoor Crowd Control Plan is contained in the Tatel Restaurant Operations Plans submitted with this application. As evidenced by the floor plan, Tatel's interior layout is designed to accommodate patrons waiting to be seated inside the Restaurant Premises. There will be no patron queuing within the public right of way. The restaurant's main entrance is set back away from Collins Avenue under the existing porte-cochere. Hotel guests are also able to access the restaurant from inside the Hotel. Therefore, the Applicant's crowd control plan will rely primarily on queuing patrons inside the restaurant. *See also* Security Plan contained in the Tatel Restaurant Operations Plans submitted with this application.

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

Satisfied. The Security Plan is contained in the Tatel Restaurant Operations Plans submitted with this application. The Applicant will employ its own security staff and will have one (1) security officer on shift during operations. The security officer on shift will have access to the video surveillance of the restaurant, which will be placed at the main entrance of the venue on Collins Avenue. 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 Applicant has engaged Traf Tech Engineering, Inc. ("Traf Tech") to conduct a traffic impact analysis to confirm and ensure the Applicant's traffic circulation plan will not have an adverse impact on the immediate neighborhood. Traf Tech's report concludes the "new trips" associated with the Applicant's proposed restaurant will be "minimal." Tatel's valet operations will be serviced by the Hotel's existing valet operator and will sufficiently accommodate the parking needs of patrons of the Applicant's restaurant. The restaurant's valet pick up / drop off is located in front of the restaurant on Collins Avenue under the existing porte-cochere. Once dropped off, the vehicles are then driven north on Collins Avenue, west on 17th Street, south on Washington Avenue, and east on Lincoln Road to enter the Hotel's on-site parking garage. The Hotel operation has a separate valet pick up / drop off located at the Hotel's entrance on Lincoln Road. The valet ramp located under the existing porte-cochere entrance on Collins Avenue contains a substantial driveway for the efficient circulation and queuing of

vehicles in connection with the valet operation. Also, 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 The Ritz Carlton Hotel.

(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 is contained in the Tatel Restaurant Operations Plans submitted with this application and is designed to minimize the potential impact of the restaurant operation on local residents, hotel guests, and traffic. The restaurant will use the Hotel's existing sanitation facilities, located on the south side of the property. Trash pickup occurs one day per week or as needed. The Ritz Carlton Hotel currently utilizes a compactor located within the Waste Management dumpster. This allows space for more items to be placed inside, which also reduces the number of times the dumpster needs to be emptied. Waste removal trucks will utilize the existing loading dock drive on the south side of the property.

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

Satisfied. The Applicant has engaged The Audio Bug, Inc. to conduct a sound impact analysis and recommend sound mitigation measures to ensure the entertainment within the restaurant complies with the City's noise ordinance and does not create any adverse impact on the immediate neighborhood. The "entertainment" will consist of a live band with no more than three musicians playing acoustic instruments such as a Spanish guitar or flute, performing near the private dining room and DJ booth located at the East end of the restaurant. In addition, the restaurant will occasionally have a DJ playing a play list. As evidenced by the floor plan, the entrance to the restaurant is set back away from Collins Avenue under the porte-cochere, and the "entertainment" is proposed for the eastern most portion of the restaurant, and therefore the entertainment is unlikely to have an adverse impact from sound emanating from inside the restaurant.

(8) Proximity of proposed establishment to residential uses:

Satisfied. The Restaurant Premises is embedded within the Hotel space with its entrance on Collins Avenue. There are no residential uses are within the close proximity of that entrance. To the south of the Applicant are Walgreens and The Ritz Carlton Hotel. And to the north is The Sagamore Hotel

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

Satisfied. The adjacent use to the north is The Sagamore Hotel and the adjacent uses to the south are Walgreens and The Ritz Carlton Hotel. The Restaurant Premises was previously fully licensed and operated as a 200 seat full service restaurant, as indicated by the prior tenants' Business Tax Receipt(s) & Certificate(s) of Use included with the application materials. Most recently, the Restaurant Premises has been continuously used as an event space by the Hotel with

food and beverage services. In light of the foregoing, Tatel's operations are not anticipated to have any adverse effect when other adjacent pre-existing uses are considered.

In addition to satisfying the NIE review guidelines criteria set forth above, the Applicant's proposed operation of the Hotel's food and beverage venues satisfies the standard Conditional Use Review Guidelines pursuant to §118-192 of the City 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 restaurant use within the Hotel is an accessory use 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 Engineering, Inc. ("Traf Teck") to conduct a traffic impact analysis to confirm and ensure the Applicant's traffic circulation plan will not have an adverse impact on the immediate neighborhood. Traf Tech's report concludes the "new trips" associated with the Applicant's proposed restaurant will be "minimal."

(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 restaurants, such as Tatel in this case, that are classified as a NIE, are permissible as accessory conditional uses in the RM-3 zoning district.

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

Satisfied. The proposed restaurant use, classified as an NIE, is permitted as an accessory conditional use in the RM-3 zoning district and future land use category. In addition, the Applicant has taken measures to ensure the renovation of this existing restaurant are designed in a manner that will not have any adverse impact on the public health, safety, morals and general welfare of the local residents and hotel guests. Lastly, the pre-existing use of the venue was that of a restaurant and the two adjacent properties are hotels/commercial uses.

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

Satisfied. The Applicant has engaged Traf Tech Engineering, Inc. ("Traf Teck") to conduct a traffic impact analysis to confirm and ensure the Applicant's traffic circulation plan will not have an adverse impact on the immediate neighborhood. Traf Tech's report concludes the "new trips" associated with the Applicant's proposed restaurant will be "minimal." The restaurant's valet pick up / drop off is located in front of the restaurant on Collins Avenue under

the existing porte-cochere. Once dropped off, the vehicles are then driven north on Collins Avenue, west on 17th Street, south on Washington Avenue, and east on Lincoln Road to enter the Hotel's on-site parking garage. The Hotel operation has a separate valet pick up / drop off located at the Hotel's entrance on Lincoln Road. The valet ramp located under the existing porte-cochere entrance on Collins Avenue contains a substantial driveway for the efficient circulation and queuing of vehicles in connection with the valet operation. Even considering the foregoing parking accommodations made available to restaurant 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) Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

Satisfied. The Applicant has designed its operation to ensure the restaurant will not have any adverse impact on surrounding property, persons and neighborhood values. As set forth in the cumulative application materials, the Applicant has provided for necessary safeguards in the Tatel Restaurant Operations Plan. Further, the adjacent uses are Walgreens, The Ritz Carlton Hotel, which Tatel is located within, and The Sagamore Hotel.

(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. The Restaurant Premises was previously fully licensed and operated as a 200 seat full service restaurant, as indicated by the prior tenants' Business Tax Receipt(s) & Certificate(s) of Use included with the application materials. Most recently, the Restaurant Premises has been continuously used as an event space by the Hotel with food and beverage services. There are no similar accessory conditional uses in the hotel or The Sagamore Hotel. As such, Tatel's restaurant operations are not anticipated to have any negative impact on the surrounding neighborhood.

In light of the foregoing, and the cumulative application materials submitted herewith, we respectfully request your favorable review and approval of this application.

Very Respectfully Submitted,



James E. Rauh, Esq.
For the Firm

enclosures

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

Address: 1669 COLLINS
File Number:

Date:

4-6-16

BOARD APPLICATION CHECK LIST

A pre-application meeting must be scheduled with Board staff to review all submittals. Pre-application meetings are scheduled on a first come first serve basis and must occur no later than five (5) business days PRIOR to the First Submittal deadline. Incomplete or submittals found to be insufficient will not be placed on a Board agenda.

ITEM #	FIRST SUBMITTAL CHECK LIST	Required	Provided
	ALL PLANS MUST BE DIMENSIONED AND LEGIBLE. INCLUDE A GRAPHIC SCALE		
1	Make an appointment with Board Liaison at least 2 days in advance of the submittal deadline	X	
2	Completed Board Application, Affidavits & Disclosures of Interest (original signatures)	X	
3	Copies of all current or previously active Business Tax Receipts	X	
4	Letter of Intent with details of application request, hardship, etc.	X	
5	Application Fee	X	
6	Mailing Labels - 2 sets and a CD including: Property owner's list and Original certified letter from provider.	X	
7	School Concurrency Application, for projects with a net increase in residential units (no SFH)	X	
8	Provide four (4) , 11"X17" collated sets, <u>two (2)</u> of which are signed & sealed, to include the following:	X	
9	Cover Sheet with bullet point scope of work, clearly labeled "First Submittal" and dated with First Submittal deadline date	X	
10	All Applicable Zoning Information (see Zoning Data requirements)	X	
11	Location Plan, Min 4" x 6" Aerial 1/2 mile radius, colored with streets and project site identified	X	
12	Survey (original signed & sealed) dated less than 6 months old at the time of application (lot area shall be provided by surveyor), identifying grade (if no sidewalk, provide a letter from Public Works, establishing grade), spot elevations and Elevation Certificate	X	
13	Existing FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X	
14	Proposed FAR Shaded Diagrams (Single Family Districts: Unit Size and Lot Coverage Shaded Diagrams)	X	
15	Site Plan (fully dimensioned with setbacks, existing and proposed, including adjacent right-of-way widths)	X	
15a	Indicate any backflow preventer and FPL vault if applicable	X	
16	Current color photographs, dated, Min 4"x 6" of project site and existing structures (no Google images)	X	
17	Current, dated color photographs, min 4"X6" of interior space (no Google images)		
18	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	
19	Existing Conditions Drawings (Floor Plans & Elevations with dimensions)	X	
20	Demolition Plans (Floor Plans & Elevations with dimensions)	X	
21	Proposed Floor Plans and Roof Plan, including mechanical equipment plan and section marks	X	
22	Proposed Elevations, materials & finishes noted (showing grade, base flood elevation, heights in NGVD values and free board if applicable)	X	
23	Proposed Section Drawings	X	
24	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.	X	
25	Hardscape Plan, i.e. paving materials, pattern, etc.	X	
26	Color Renderings (Elevations and three dimensional perspective drawings)	X	

Indicate N/A If Not Applicable

Initials: MB

MIAMI BEACH
 Planning Department, 1700 Convention Center Drive
 Miami Beach, Florida 33139, www.miamibeachfl.gov
 305.673.7550

Address:

File Number:

ITEM #	FIRST SUBMITTAL ADDITIONAL INFORMATION AS MAY BE REQUIRED AT THE PRE APPLICATION MEETING	Required	Provided
27	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		
28	Copy of original Building Permit Card, & Microfilm, if available		
29	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)		
30	Contextual Elevation Line Drawings, corner to corner, across the street and surrounding properties (dated)		
31	Line of Sight studies		
32	Structural Analysis of existing building including methodology for shoring and bracing		
33	Proposed exterior and interior lighting plan, including photometric calculations		
34	Exploded Axonometric Diagram (showing second floor in relationship to first floor)		
35	Neighborhood Context Study		
36	Open Space calculations and shaded diagrams		
37	Proposed Operational Plan		
38	Traffic Study (Hard copy), Site plan(s) and AutoCAD in 3 CDs, including calculations for peer review. Send digital version as an attachment via e mail to: Xfalconi@miamibeachfl.gov	X	
39	Sound Study report (Hard copy) with 1 CD	X	
40	Set of plans 24"x 36" (when requested by staff)	X	
41	Copies of previous Recorded Final Orders		
42	Location Plan, Aerial or survey indicating width of canals (Dimension shall be certified by a surveyor)		
43	Scaled, signed, sealed and dated specific purpose survey (Alcohol License/Distance Separation)		
44	Site Plan (Identify streets and alleys)	X	X
a	Identify: setbacks <u> </u> Height <u> </u> Drive aisle widths <u> </u> Streets and sidewalks widths <u> </u>		
b	# parking spaces & dimensions <u> </u> Loading spaces locations & dimensions <u> </u>		
c	# of bicycle parking spaces <u> </u>		
d	Interior and loading area location & dimensions <u> </u>		
e	Street level trash room location and dimensions <u> </u>		
f	Delivery route <u> </u> Sanitation operation <u> </u> Valet drop-off & pick-up <u> </u> Valet route in and out <u> </u>		
g	Valet route to and from <u> </u> auto turn analysis for delivery and sanitation vehicles <u> </u>		
45	Floor Plan (dimensioned)	X	
a	Total floor area <u> </u>		
a	Identify # seats indoors <u> </u> outdoors <u> </u> seating in public right of way <u> </u> Total <u> </u>		
b	Occupancy load indoors and outdoors per venue <u> </u> Total when applicable <u> </u>		

Indicate N/A If Not Applicable

Initials: mb

MIAMI BEACH

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

Address:

File Number:

46	In the Letter of Intent for Planning Board include and respond to all review guidelines in the code as follows:	X	
47	For Conditional Use -Section 118-192 (a)(1)-(7) + (b)(1)-(11)	X	
48	CU -Entertainment Establishments - Section 142-1362 (a)(1)-(9)	X	
49	CU - Mechanical Parking - Section 130-38 (3)(c)(i)(1)-(2) & (4)(a)-(k)		
50	CU - Structures over 50,000 SQ.FT. - Section 118-192(b) (1)-(11)		
51	CU - Religious Institutions - Section 118-192 (c) (1)-(11)		
52	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			

ITEM #	FINAL SUBMITTAL CHECK LIST:	Required	Provided
53	One (1) signed and sealed 11"X17" unbound collated set of all the required documents , as revised and/or supplemented to address Staff comments. Plans should be clearly labeled "Final Submittal" and dated with Final Submittal deadline date. With a CD of this document 11"X17" as a PDF compatible with Adobe 8.0 or higher at 300 DPI resolution.	X	
54	14 collated copies of all the above documents	X	
55	One (1) CD/DVD with electronic copy of entire final application package	X	

NOTES:

- A. Other information/documentation required for first submittal will be identified during pre-application meeting.
- B. Is the responsibility of the applicant to make sure that the sets, 14 copies and electronic version on CD are consistent.
- C. Plan revisions and supplemental documentation will not be accepted after the Final Submittal deadline
- D. ALL DOCUMENTS ARE TO BE PDF'D ON TO A MASTER DISK, WHICH DISK SHALL BE CONSIDERED THE OFFICIAL FILE COPY TO BE USED AT HEARING. ALL MODIFICATIONS, CORRECTIONS, OR ALTERATIONS MUST BE REFLECTED ON THE MASTER DISK. APPLICANT CERTIFIES COMPLIANCE WITH THE FOREGOING. FAILURE TO COMPLY MAY RESULT IN A REHEARING BEFORE THE APPLICABLE BOARD
- E. 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

 4-6-2016
 Date

Indicate N/A If Not Applicable

Initials: mb