

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### PLANNING BOARD

TO: Chairperson and Members  
Planning Board

DATE: April 19, 2016

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: **File No. 1840 –2301-2399 Collins Ave and 102 24<sup>th</sup> Street–The  
1Hotel–Progress Report**

#### **UPDATE**

The applicant will provide a verbal update to the Board.

#### **BACKGROUND**

- September 25, 2007* Sandy Lane Residential LLC, and related entities obtained approval for a Conditional Use Permit to operate two restaurants on site, a ground level VIP lounge, a ballroom and a rooftop pool and bar, which in the aggregate constituted a Neighborhood Impact Establishment.
- September 23, 2008* Several conditions of the Conditional Use Permit were modified by the Board to clarify terms and impose further restrictions intended to reduce negative impact on the residential neighbors.
- June 22, 2010* The applicants, Sandy Lane Residential, LLC, Sandy Lane Retail LLC, and Sandy Lane Beach Front, LLC were approved for a modification to a Conditional Use Permit (MCUP) to introduce the new operator and for the operator to affirm its understanding of the conditions of the Conditional Use Permit; and to modify the condition that refers to decibels in order to be consistent with the City's noise ordinance.
- December 14, 2010* Modifications were made to the final order due to a modification hearing resulting from a Progress Report. The modifications clarified terms and imposed further safeguards and restrictions intended to reduce negative impact on the residential neighbors.
- April 24, 2012* The applicant, 2377 Collins Resort, L.P., was approved for a modification to the MCUP to introduce new property owners and operators of the property as required by Condition 3 of the Modified Conditional Use Permit.
- October 29, 2013* The applicant, 2377 Collins Resort, L.P., was approved for a Conditional Use Permit (File No. 2138), for a mechanical parking system within the existing parking garage.
- June 24, 2014* The applicant, 2377 Collins Resort, LP, was approved for a Modification to the MCUP, in order to relocate a portion of the hotel kitchen serving the rooftop level from the ground floor to just below the rooftop level.

- November 24, 2015* The applicant appeared before the Board for a Progress Report and the Board requested a further Progress Report be scheduled for the January 26, 2016 meeting.
- December 15, 2015* An application for the modification of the CUP to change the name of the owners was approved and the re-approval of mechanical lifts in the existing garage (PB File # 2301) was approved. The applicant proffered to hire a traffic control person who would be responsible for the direction of traffic on 24<sup>th</sup> Street.
- January 26, 2016* A Progress Report was heard by the Board and the applicant was directed by the Board to meet with the condominium association directly to the north of the property on the other side of 24<sup>th</sup> Street and continued to the February 23, 2016 meeting.
- February 23, 2016* A Progress Report was heard by the Board and discussed. The Board continued the item to March 22, 2016.
- March 22, 2016* A verbal update to the Progress Report was heard by the Board and discussed. The Board continued the item to April 19, 2016.

As a point of reference, this Progress Report encompasses the entire building with the addresses of 2301-2399 Collins Ave and 102 24<sup>th</sup> Street. This includes but is not limited to the Roney Plaza condominium (2301 Collins Ave) and the 1Hotel (2377 Collins Ave) and Residences (102 24<sup>th</sup> Street).

Additionally, in the interest of clarity, during the last decade, the hotel component has been known as “The Paradiso”, “The Gansevoort”, and “The Perry” (not necessarily in that order). And the restaurants, lounge and rooftop operations have been known as “STK”, “Phillipe Chow”, “The Gansevoort Lounge”, “Louis”, “Beachcraft”, and “Plunge”.

### **PROGRESS REPORT**

Staff research found that the following open violations are showing in the City’s records as of this writing (the current status is in parenthesis):

1. **CE15007779** 04/13/2015 STK MIAMI LLC at 2305 Collins Avenue (Special Master) “Failing to obtain a BTR/CU.” Fines have been assessed by the Special Master **JC15000396**.
2. **CE15013854** 10/3/2015 2377 COLLINS RESORT, LP. D/B/A 1 HOTEL SOUTH BEACH at 2377 Collins Avenue (Violation) “Loud music” appealed to Special Master under case number **JC16000047**.
3. **CE16001341** 01/31/2016 at 2377 Collins Avenue (Invalid) “Construction noise”.
4. **CE16003742** 03/30/2016 at 2377 Collins Avenue (Open) Beachcraft “Failing to obtain a BTR/CU.”

**STAFF ANALYSIS**

Since the last Progress Report on March 22, 2016 one new violation has been issued to the restaurant, Beachcraft, for failing to obtain a BTR. This restaurant is located in the lobby/first floor space at the northwest corner and is covered under the CUP.

Item number # 3, although invalid, was referenced at the direction of the Board.

Additionally the existing noise violation is being appealed to the special master and the applicant is working toward obtaining all required BTR'S and BCU'S.

**STAFF RECOMMENDATION**

Staff recommends that the Board hear a verbal update from the applicant, discuss the item, and continue the Progress Report to a date certain of May 24, 2016 so that the Board can be updated on the status of the violations.

TRM/MAB/TUI