



200 S. Biscayne Boulevard  
Suite 300, Miami, FL 33131

[www.brzoninglaw.com](http://www.brzoninglaw.com)

305.377.6238 office

305.377.6222 fax

[MMarrero@brzoninglaw.com](mailto:MMarrero@brzoninglaw.com)

## **VIA ELECTRONIC SUBMITTAL**

June 2, 2024

Alejandro Garavito, AICP  
Principal Planner  
City of Miami Beach  
1700 Convention Center Drive, 2nd Floor  
Miami Beach, Florida 33139

Re: **PB22-0539** – Narrative Responses to Comments  
Issued on 05/07/2024

2. Provide a narrative response when addressing the following comments with page(s) location if applicable.

- RESPONSE: Please allow this to serve as the narrative response to comments. Where applicable, pages numbers have been added.

3. Checklist item 7: Provide copies of all current BTRs. Provide a copy of the BTRs not the public information result records/history.

- RESPONSE: We have submitted multiple public records request for copies of the BTR history and followed up regarding the status. The only accessible manner to obtain and provide the BTRs is a copy of those listed on the City's Citizens Self Service website. We have updated the file to include the active BTR.

5. LOI: clarify what type of entertainment is proposed for the roof top. Per narrative and sound study submitted "The rooftop entertainment will be limited to ambient, background music through a DJ". The operational plan states: "Applicant proposes live entertainment and DJs for ambient music during the proposed hours of operation.". live entertainment is not mentioned on the LOI and sound study, this needs to be removed to be consistent with other documents. Please revise.

- RESPONSE: The LOI clarifies that the rooftop entertainment will be limited to ambient, background music through a live entertainment, such as a musician or a DJ.

9. Operational plan: Provide all the information requested per checklist item Number 38 for both, the pool deck and the lounge bar at the ground floor level and Hotel. Provide hours of deliveries/loading/trash operations, describe how trash and loading takes place, provide the location of the loading/trash rooms area for this project, show/highlight this on the site plan. Even though, there are no changes on the existing operations, we don't know how these operations are being managed, since this is a CU request all the operations needs to be described and revised for this request. Provide this information on the operational plan and highlight the location of the loading/trash areas on the ground floor plan otherwise the application cannot move forward.

- RESPONSE: Additional details have been added to the Operation Plan. Location of trash and deliveries area highlighted on the ground floor plan, A-1.

10. Narrative Response: "There is no bar on the rooftop proposed". But there is a bartender listed under employees, where is this bartender going to bartend? Describe on the OP how the alcoholic beverages are going be ordered and served from. There is no bar allowed/approved at this level. This is only a pool deck area. revise employees/bartender) clarify who is going to enforce patronage drinking age.

- RESPONSE: Operations Plan revised. There is no bartender or bar on the rooftop. Servers enforce patronage drinking age.

14. These comments have been provided as a first review of outstanding issues and are subject to additions and/or deletions pending further review before the meeting date and during building permit review. These comments do not constitute final zoning comments or final zoning approval of the project.

- RESPONSE: Noted.

15. For Planning Board, please upload to CSS the above information for the next available Final Submittal date (March 31, 2024). Provide a narrative and label electronic files as: 'MM-DD-YYYY Document Name'.

- RESPONSE: We do not have the ability to upload on CSS for this application. Therefore, we are submitting via email. Please allow this to serve as the narrative response to first submittal comments. Files have been labeled accordingly.