

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

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.

Application Information			
FILE NUMBER PB24-0670		Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ☒ No (if "Yes," provide office of the property appraiser summary report)	
Board of Adjustment ☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision ☐ Modification of existing Board Order		Design Review Board ☐ Design review approval ☐ Variance ☐ Modification of existing Board Order	
Planning Board ☐ Conditional Use Permit ☐ Lot Split ☐ Amendment to the Land Development Regulations or Zoning Map ☐ Amendment to the Comprehensive Plan or Future Land Use Map ☒ Modification of existing Board Order		Historic Preservation Board ☐ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic District/Site Designation ☐ Variance ☐ Modification of existing Board Order	
☐ Other:			
Property Information – Please attach Legal Description as "Exhibit A"			
ADDRESS OF PROPERTY 4041 Collins Ave Miami Beach, FL 33140			
FOLIO NUMBER(S) 02-3226-001-1920			
Property Owner Information			
PROPERTY OWNER NAME Golden Palms, LLC			
ADDRESS 15 Enterprise, Suite 200		CITY Aliso Viejo	STATE CA
BUSINESS PHONE 949-382-3096		CELL PHONE	EMAIL ADDRESS legal@sunstonehotels.com
Applicant Information (if different than owner)			
APPLICANT NAME Same as Owner			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Modify Conditional Use Permit File No. PB22-0519 a.k.a PB 0416-0008, f.k.a., File No. 2136 to approve modification and reorganization of the existing venues.			

Project Information			
Is there an existing building(s) on the site?		☒ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?		☒ Yes	☐ No
Does the project include interior or exterior demolition? See HPB 22-0553		☒ Yes	☐ No
Provide the total floor area of the new construction.		N/A	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		N/A	SQ. FT.
Party responsible for project design			
NAME Malcolm Berg, EoA, Inc.		☒ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other _____	
ADDRESS 1929 Ponce de Leon Blvd.		CITY Coral Gables	STATE FL
		ZIPCODE 33146	
BUSINESS PHONE 305-444-0990	CELL PHONE	EMAIL ADDRESS mb@eoagroup.com	
Authorized Representative(s) Information (if applicable)			
NAME Javier F. Aviño, Bilzin Sumberg		☒ Attorney ☒ Contact ☐ Agent ☐ Other _____	
ADDRESS 1450 Brickell Avenue, Suite 2300		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-350-7202	CELL PHONE	EMAIL ADDRESS javino@bilzin.com	
NAME Nicholas A. Noto, Bilzin Sumberg		☒ Attorney ☐ Contact ☐ Agent ☐ Other _____	
ADDRESS 1450 Brickell Avenue, Suite 2300		CITY Miami	STATE FL
		ZIPCODE 33131	
BUSINESS PHONE 305-350-2398	CELL PHONE	EMAIL ADDRESS nnoto@bilzin.com	
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other _____	
ADDRESS		CITY	STATE
		ZIPCODE	
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

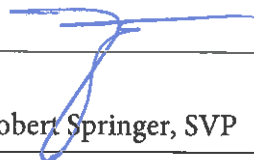
- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the 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 fees. All checks are to be made payable to the "City of Miami Beach".
- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
 - (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.
- 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 an application 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, engineers, landscape architects, 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.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, 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 service 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
 Robert Springer, SVP

PRINT NAME
 6-27-24

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, 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 remove this notice after the date of the hearing.

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

NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF CaliforniaCOUNTY OF Orange

I, Robert Springer, being first duly sworn, depose and certify as follows: (1) I am the SVP (print title) of Golden Palms, 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 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 my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by Robert Springer, 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: _____

PRINT NAME

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

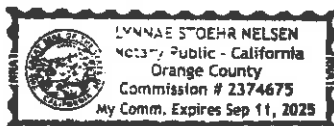
- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)



Signature of Document Signer No. 1_____
Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me

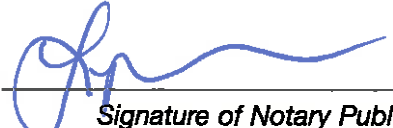
on this 27th day of June, 2021,
by Robert Springer
Date Month Year(1) Robert Springer

(and (2) _____),

Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.

Signature


Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

POWER OF ATTORNEY AFFIDAVIT

STATE OF California

COUNTY OF Orange

I, Robert Springer, being first duly sworn, depose and 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 Javier F. Avino and Nicholas A. Noto to be my representative before the Planning Board. (3) 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. (4) I am responsible for remove this notice after the date of the hearing.

Robert Springer, SVP
PRINT NAME (and Title, if applicable)

[Signature]
SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by Robert Springer, 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: see attached

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 contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(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.

NAME

DATE OF CONTRACT

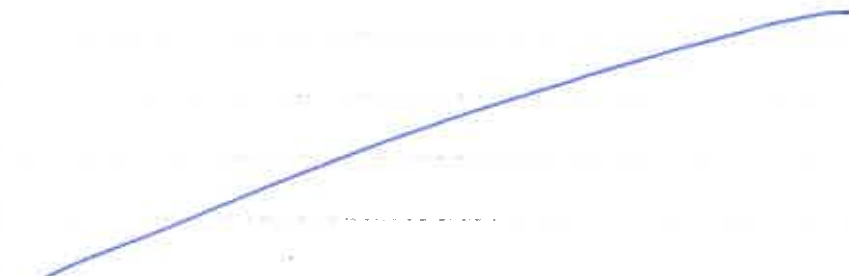
NAME, ADDRESS AND OFFICE

% OF STOCK

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

CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202**

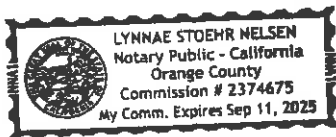
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Signature of Document Signer No. 1_____
Signature of Document Signer No. 2 (if any)

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State of California

County of Orange

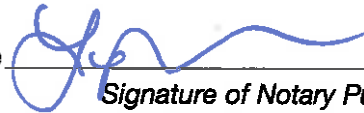
Subscribed and sworn to (or affirmed) before me

on this 27th day of June, 2024,
by Date Month Year(1) Robert + Springer(and (2)),

Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.

Signature



Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

**DISCLOSURE OF INTEREST
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.

Golden Palms, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

See ownership chart attached as Exhibit "B"

% OF OWNERSHIP

Publicly Traded Company

NAME OF CORPORATE ENTITY

NAME AND ADDRESS

% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the 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.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

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
Javier F. Avino, Bilzin Sumberg	1450 Brickell Ave., Suite 2300, Miami, FL 33131	305-350-7202
Nicholas A. Noto, Bilzin Sumberg	1450 Brickell Ave., Suite 2300, Miami, FL 33131	305-350-2398
Malcolm Berg, EoA, Inc.	1929 Ponce de Leon Blvd., Coral Gables, FL 33146	305-444-0990

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

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN 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 California

COUNTY OF Orange

I, **Robert Springer**

, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (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.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by Robert Springer, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

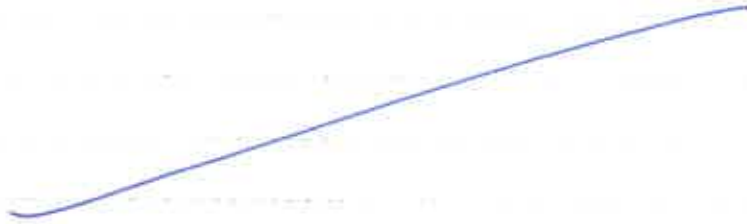
NOTARY PUBLIC

My Commission Expires: _____

PRINT NAME

CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202**

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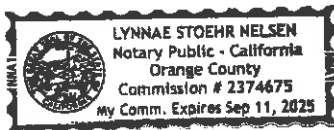


Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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State of California

County of Orange

Subscribed and sworn to (or affirmed) before me

on this 27th day of June, 2024,
by Date Month Year(1) Robert Springer(and (2) _____),
Name(s) of Signer(s)proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.Signature [Signature]
Signature of Notary Public

Seal
Place Notary Seal Above

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Number of Pages: _____ Signer(s) Other Than Named Above: _____

EXHIBIT A

Legal Description of the Property

PARCEL A

Begin at the Southwest corner of Lot 8, Block 33, amended map of the ocean front property of the Miami Beach Improvement Company, according to the plat thereof as recorded in Plat Book 5, Pages 7 and 8, of the Public Records of Miami-Dade County, Florida; thence North 07° 25' 55" East for 200.00 Feet; thence South 82° 34' 49" East for 355.40 Feet to the intersection with erosion control line recorded in Plat Book 105, Page 62 Sheet 14, of Miami-Dade County, Florida; thence South 06° 58' 25" West along the erosion control line recorded in Plat Book 105, Page 62 Sheet 14 for 200.01 Feet; thence North 82° 34' 43" West for 357.00 Feet to the Point of Beginning.

Exhibit B

THE CONFIDANTE MIAMI BEACH

Organizational Chart

