

Planning Board

Progress Report PB22-0553



Team



Andres Carne de Res, Operator
John Paul Laverde, General Manager
Alan Khoudari, Owner

Property Location



Andres Carne De Res

- Unique Colombian Restaurant
- Vibrant, world class exquisite Design
- Experienced team with much success in Latin America
- Actors for guest entertainment



Planning Board Approvals

- **PB19-0330:** February 12, 2020, the Planning Board approved a CUP for a Neighborhood Impact Establishment with Entertainment. However, this CUP approval expired in August 2021.
- **HPB19-0367:** October 21, 2021, the Applicant obtained HPB approval for the roof top awning and a variance to operate the previously approved outdoor bar counter beyond the hours of 12:00 AM, until 3AM.
- **PB22-0553:** November 22, 2022, Planning Board approved a CUP for a Neighborhood Impact Establishment.

CFN: 20230045323 BOOK 33551 PAGE 3065
DATE: 01/23/2023 04:06:05 PM
CLERK OF CIRCUIT & COUNTY COURTS, MIAMI-DADE COUNTY FL

PLANNING BOARD CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 455 Lincoln Road

FILE NO. PB22-0553

IN RE: An application has been filed requesting a conditional use permit for a Neighborhood Impact Establishment with Entertainment and an occupant content in excess of 200 persons, pursuant to Chapter 118, Article IV and Chapter 142, Article V of the City Code.

LEGAL DESCRIPTION: LOT 1, Block 3, of "Lincoln Road Subdivision", according to the Plat thereof as recorded in Plat book 34, at Page 66, of the Public Records of Miami-Dade County.

MEETING DATE: November 22, 2022

CONDITIONAL USE PERMIT

The applicant, Opereta Ciudad Del Sol, LLC, requested a Conditional Use Permit, pursuant to Chapter 118, Articles IV and V, for a Neighborhood Impact Establishment (NIE) with a combined maximum occupant content in excess of 200 persons with entertainment, pursuant to Section 142, Article V. Notice of the request was given as required by law and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the of the record for this matter:



BTR

- BTR016114-10-2024: issued on October 28, 2024

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: CIUDAD DEL SOL LLC
DBA: ANDRES CARNE DE RES MIAMI
IN CARE OF: Alan Miro Khoudari
ADDRESS: 455 Lincoln Rd
Miami Beach, FL 33139-7735

LICENSE NUMBER: BTR016114-10-2024
Beginning: 10/28/2024
Expires: 09/30/2025
Parcel No: 0232340050100

TRADE ADDRESS: 455 Lincoln Rd

Code	Business Type
95005805	DANCE HALL/ENTERT. W/ALCOHOL
95016400	RESTAURANT / BARS

Restaurants/Bars: #Chairs	214
---------------------------	-----

A penalty is imposed for failure to keep this Business Tax Receipt exhibited conspicuously at your place of business. City Police, Fire, Code, and Building Department personnel shall be authorized to enter all public areas and spaces of commercial business establishments operating in the city whenever such areas and spaces are open to the public.

A Business Tax Receipt issued under Article 5 of Chapter 102 of the City Code 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.



Andres Carnes de Res Restaurant with 214 interior seats and 408 occ load. The outdoor rooftop shall be excluded from CU. The CU is associated with TCO2401714 and fire occupant load, FP0824-5570. Restaurants with full kitchen facilities, serving full meals, licensed as alcoholic beverage establishments, and also operating as dance halls, or entertainment establishments, may remain open 24 hours a day; however, alcoholic beverages may not be offered for sale or on-premises consumption between the hours of 5:00 a.m. and 8:00 a.m., and dancing and entertainment shall not be conducted between the hours of 5:00 a.m. and 8:00 a.m.

As per PB22-0553, the following conditions shall apply:

The restaurant shall comply with the Lincoln Road Requirements, per section 142-336 of the City Code, which regulate the requirements for both indoor and outdoor speakers.

DJ or live performance may play music in the indoor portions of the restaurant only. The music may start at 10:00 AM and shall cease by 4:00 AM.

Full meals shall be available during all hours that entertainment is occurring.

Speakers shall not be installed within twenty (20) feet of the main entrance, within the interior.

All operable windows, as well as all doors, shall be fully closed at all times that entertainment is occurring.

Televisions, and projectors shall not be located anywhere in the exterior areas of the property.

Exterior speakers for fire and life safety purposes, and ambient background music played at a volume that does not interfere with normal conversation may be permitted in compliance with requirements for outdoor speakers in the Land Development Regulations
Storage Locations

Summary of Complaint/Violations

- 10/31/2024 – PA2024-55692: Monster Energy setting up a tent. No Violations Issued.
- Explanation – Opening Day, the Owner invited sponsors, including Monster Energy. Monster Energy attempted to set up a tent, but it was immediately removed once the Owner was notified the tent was not permitted.

Summary of Complaint/Violations

- November 17, 2024: PA2024-57459: CUP Violation. "Immediate compliance by Owner. " While conducting a foot patrol in the area, an individual was observed playing instruments and a woman was observed performing dancing. Restaurant manager was informed that permit is needed to conduct street performance activity, and he understood. Restaurant came into immediate compliance by ceasing all activity.
- Explanation: The restaurant provides music and entertainment within the restaurant. Owner worked with the Lincoln Road Improvements District to amend the Lincoln Road Cultural Activation permit to include the language below.

Live Entertainment at Andres Carne de Res

Who: Andres Carne de Res

What: Live Entertainment

When: Tues-Sun from 1-11pm (2-10 minute intervals throughout the day)

Where: 455 Lincoln Road

Elements: Live Entertainers/Performers, Band/Musician, Instruments, Basic Sound and Lighting

Site-Plan Attached

Andres Carne de Res – Cow Sculptures and Live Entertainment



Summary of Complaint/Violations

- December 5, 2024: SV2024-25455: Sanitation violation regarding illegally disposing of industrial or bulky waste. Pallet, wooden crate, and other miscellaneous item dumped at the rear of the establishment. Violation was closed on December 10, 2024.
- Explanation: A crate was delivered to the restaurant with a table packaged inside. The crate was too large for the restaurant, so the Owner unpacked the table outside and brought it in, during which time they received a violation.
- No Further instances – General Manager advised team to dismantle wooden crates, pallets and other items for pick up.

Summary of Complaint/Violations

- December 10, 2024: PA2024-59375: Proactive investigation regarding benches and tables on the right of way. ROW PERMIT issued is for cow furniture. Not complying with the conditions of their ROW Permit by having benches and tables. Restaurant came into immediate compliance with the conditions of their ROW Permit by removing unapproved benches and chairs on December 10, 2024.
- Explanation: Due to the ROW permit for cow furniture, the Owner mistakenly believed a bench could be placed against the building and below the awning.
- “Immediate compliance with conditions of their ROW Permit”

Live Entertainment at Andres Carne de Res

Who: Andres Carne de Res

What: Live Entertainment

When: Tues-Sun from 1-11pm (2-10 minute intervals throughout the day)

Where: 455 Lincoln Road

Elements: Live Entertainers/Performers, Band/Musician, Instruments, Basic Sound and Lighting

Site-Plan Attached



Andres Carne de Res – Cow Sculptures and Live Entertainment



Summary of Complaint/Violations

- December 12, 2024: PA2024-59471: CUP Condition Violation. Immediate compliance by owner. A proactive foot patrol in the area revealed a silk backdrop at the front of Carne De Res Miami (Restaurant) located at 455 Lincoln Road. Performers in costumes were observed entering the establishment. Restaurant has BTR that allows them to have entertainment, hall, dance and alcohol inside. Entertainment outside required a special event permit which they do not have. Silk backdrop was removed immediately.
- Explanation: Event held in the restaurant. The event planner put a silk backdrop outside for patrons to enter through.

Summary of Complaint/Violations

- January 31, 2025: PA2025-64017: Patrol – check for a Planning permit for the signs including the ones that cover the whole windows (typically not approved). Signs were removed and violation was closed on February 11, 2025.
- Explanation: Storefront windows were vandalized. Owner put signs to cover the vandalism.

Summary of Complaint/Violations

- February 22, 2025: PA2028-66079: Noise complaint. No violation was issued and closed on February 22, 2025. Conducted proactive inspection and advising of noise ordinance. No violation observed. While I was at a noise complaint at 1604 Drexel, I overheard music coming from the north of the location which was 455 Lincoln Road. Upon further inspection the noise that I was hearing was people at the location singing to the music that was playing. I spoke to the manager to advise him of the City Noise ordinance. I advised the manager John of the noise ordinance after 11 PM and he understood. No violation observed.
- Explanation: "No violation observed"

Thank You

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

www.brzoninglaw.com

305.374.5300 office

305.377.6222 fax

Info@brzoninglaw.com