

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

FROM: Thomas R. Mooney, AICP  ^{DS} for TRM
Planning Director

SUBJECT: PB23-0625 1509 – 1515 Washington Avenue.

DATE: April 25, 2024

An application has been filed requesting a conditional use approval for a Neighborhood Impact Structure (NIS) for a new 7-story hotel exceeding 50,000 square feet, and a Neighborhood Impact Establishment (NIE) that includes, an alcoholic beverage establishment or restaurant located on the top floor of a building, whether fully enclosed, partially open, or open to the sky, including all open-air portions above the roof-top, which is located on a property that is within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

RECOMMENDATION
Approval with conditions.

ZONING / SITE DATA

Legal Description: See Exhibit “A”

Zoning: CD-2, Commercial Medium-Density District

Future Land Use: CD-2, Commercial Medium-Density District

Lot Size: 27,625 SF (Main Parcel)

Proposed FAR: 91,230 S.F. / (Max FAR = 2.0 = 55,220 S.F.). The additional FAR is taken from the other parcels that are part of this project site. (as represented by the applicant, see zoning data and plans).

Proposed Height: 7-stories (75’-0” from DFE)

Proposed Use: Main Parcel:
Restaurants: Ground floor: 4,420 SF
Level 7: 2,646 SF
Hotel: 238 units
Hotel lobby and lounge amenity 1,723 SF

Surrounding Uses: See Zoning Site Map at the end of this report
North: Commercial Building
West: Hotel
South: Hotel and Commercial
East: Hotel

THE PROJECT

The applicant, 1515 Washington Acquisition LLC, has submitted plans entitled “1509 – 1515 WASHINGTON AVENUE”, prepared by Arquitectonica, dated February 25, 2024. The applicant is requesting conditional use approval for the following:

1. A Neighborhood Impact Structure (NIS) for a new 7-story, mixed-use building exceeding 50,000 square feet.
2. A Neighborhood Impact Establishment (NIE) for an alcoholic beverage establishment (restaurant) located on the top floor of a building, which is located on a property that is within 200 feet of a property containing a residential unit.

The subject property is composed of four parcels containing an existing one-story commercial building and a hotel. The main parcel contains the proposed new building, which fronts Washington Avenue, and the other buildings within the development site will remain with no modifications.

The project will also require the review of the Historic Preservation Board, which is scheduled to review the application on May 14, 2024 (HPB23-0591). The HPB application includes a waiver to allow on-street loading in an historic district, a waiver to reduce certain long frontage standards, and a variance for architectural projections into the north interior side yard.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES:

Conditional Uses may be approved in accordance with the procedures and standards set forth in the Miami Beach Resiliency Code Chapter 2, Article V, Section 2.5.2.2.a:

1. **The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.**

Consistent – The request is consistent with the permissible uses in the CD-2 category as designated on the Future Land Use Map within the Comprehensive Plan.

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.**

Consistent – The proposal should not result in an impact that would exceed the thresholds for the levels of service as set forth in the Comprehensive Plan.

3. **Structures and uses associated with the request are consistent with these land development regulations.**

Consistent – Developments exceeding 50,000 square feet and Neighborhood Impact Establishments, are permitted as conditional use in this zoning district. This comment shall not be considered final zoning review or approval. This and all zoning matters shall require final review and verification prior to the issuance of a Building Permit.

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

Consistent – The proposed project may adversely affect the general welfare of nearby residents if impacts are not controlled. Staff has recommended conditions to ensure that the public health, safety, morals, and general welfare are not adversely affected. The facility would have to comply with all applicable laws and regulations for licensure.

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

Consistent – Parking is not required for the proposed Use per City Resiliency Code Section 5.2.4.2 Parking Tier 2c. A full zoning analysis will be performed as part of the building permit review.

6. Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

Consistent – Staff is recommending conditions to mitigate any adverse impacts from noise, and other issues on the surrounding neighborhood.

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.

Partially Consistent – There are large developments within the vicinity, which is permitted in the CD-2 Zoning District. If not carefully controlled, such concentration could negatively impact the surrounding neighborhood.

8. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.

Consistent – see below, sea level rise and resiliency review criteria provided in Code Section 7.1.2.4.

9. Appropriate consideration is given to the safety of and friendliness to pedestrian traffic; passageways through alleys is encouraged where feasible and driveways shall be minimized to the extent possible.

Partially Consistent – The project is not proposing any driveways which is great for this area; However, there are steps and ramps proposed on the sidewalk outside the property line; These elements constraint the pedestrian safety, friendliness and traffic; This area of the City has a heavy pedestrian traffic and the sidewalk may not be wide enough to accommodate this with the existing landscape, trash bins, traffic signal poles and light poles. These details will be reviewed by the Historic Preservation Board, and will also require the review and approval of the Public Works Department.

COMPLIANCE WITH REVIEW GUIDELINES CRITERIA FOR NEW STRUCTURES 50,000 SQUARE FEET AND OVER

Pursuant to the Miami Beach Resiliency Code Chapter 2, Article V, Section 2.5.2.2.b. in reviewing an application for conditional use for new structures 50,000 square feet and over, the planning board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines:

1. Whether the proposed business operations plan has been provided, including hours of operation, number of employees, goals of business, and other operational characteristics pertinent to the application, and that such plan is compatible with the neighborhood in which it is located.

Consistent – The applicant's operations plan provides characteristics of the proposed

project. The proposed mixed used building is compatible with the surrounding neighborhood, which consist primarily of commercial, and residential and hotel uses.

2. **Whether a plan for the mass delivery of merchandise has been provided, including the hours of operation for delivery trucks to come into and exit from the neighborhood and how such plan shall mitigate any adverse impacts to adjoining and nearby properties, and neighborhood.**

Consistent – The operational plan was submitted with the application including details on loading/deliveries; The project requires four (4) loading spaces onsite; The applicant is requesting a waiver to the Historic Preservation Board for this and to utilize the existing loading zone located north of the proposed project.

3. **Whether the scale of the proposed use is compatible with the urban character of the surrounding area and creates adverse impacts on the surrounding area, and how the adverse impacts are proposed to be addressed.**

Consistent – The scale of the proposed project is compatible with the urban character of Washington avenue; However, the scale, massing, architecture and compatibility issues will be further discussed at the Historic Preservation Board meeting.

4. **Whether the proposed parking plan has been provided, including where and how the parking is located, utilized, and managed, that meets the required parking and operational needs of the structure and proposed uses.**

Consistent –The project does not require off-street parking; The applicant has submitted a Traffic Study where the Valet parking service and other traffic matters are analyzed. See Parking and Access Analysis.

5. **Whether an indoor and outdoor customer circulation plan has been provided that facilitates ingress and egress to the site and structure.**

Consistent – Per plans and documents submitted, pedestrians will be able to access the Hotel lobby and ground floor restaurant directly from Washington Avenue. Pedestrian queuing on public rights of way are not anticipated from the proposed uses.

6. **Whether a security plan for the establishment and supporting parking facility has been provided that addresses the safety of the business and its users and minimizes impacts on the neighborhood.**

Consistent – The applicant's operating plan provides security details. The applicant has indicated that cameras and security personnel will be provided throughout the building.

7. **Whether a traffic circulation analysis and plan has been provided that details means of ingress and egress into and out of the neighborhood, addresses the impact of projected traffic on the immediate neighborhood, traffic circulation pattern for the neighborhood, traffic flow through immediate intersections and arterials, and how these impacts are to be mitigated.**

Consistent – The applicant has provided a Traffic Study prepared by TrafTech; See attached memo from the Transportation & Mobility Department.

8. **Whether a noise attenuation plan has been provided that addresses how noise shall**

be controlled in the loading zone, parking structures and delivery and sanitation areas, to minimize adverse impacts to adjoining and nearby properties.

Consistent – Parking Loading and deliveries are not expected to generate significant noise concerns. Staff has recommendations to further minimize potential sound impacts from the development.

9. Whether a sanitation plan has been provided that addresses on-site facilities as well as off-premises issues resulting from the operation of the structure.

Consistent – The operational plan was submitted with the application including details on sanitation operations. Existing commercial loading zones on Washington Avenue will be utilized. Building employees will transport refuse from the trash room on the south side of the Project to the loading area for collection and disposal. Staff has incorporated recommendations regarding sanitation operations, including a limit on hours for pickups. See Delivery and Sanitation analysis.

10. Whether the proximity of the proposed structure to similar size structures and to residential uses create adverse impacts and how such impacts are mitigated.

Consistent – There are other large structures along Washington Avenue corridor however, proximity to these structures is not expected to create any adverse impacts, as this corridor is an appropriate location for such structures. The proposed project is not expected to create a negative impact to the existing residential uses on the west side area (Flamingo Park neighborhood).

11. Whether a cumulative effect from the proposed structure with adjacent and nearby structures arises, and how such cumulative effect shall be addressed.

Consistent – While there are other buildings over 50,000 gross square feet in the area, adverse impacts are not expected from the geographic concentration of such uses if the impacts are properly controlled. Staff is recommending conditions to mitigate any adverse impacts from noise and other issues on the surrounding neighbors.

NEIGHBORHOOD IMPACT ESTABLISHMENT REVIEW GUIDELINES

In accordance with Chapter 7, Article 5 Sec. 7.5.5.4 of the Miami Beach Resiliency Code, in reviewing an application for an outdoor entertainment establishment, open air entertainment establishment or a neighborhood impact establishment, the Planning Board shall apply the following supplemental review guidelines criteria in addition to the standard review guidelines for conditional uses pursuant to Chapter 2, Article V:

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.

Consistent – The applicant's operations plan provides characteristics of the proposed project. The proposed mixed used building is compatible with the surrounding neighborhood, which consist primarily of commercial, and residential and hotel uses.

2. A parking plan which fully describes where and how the parking is to be provided and utilized, e.g., valet, self-park, shared parking, after-hour metered spaces and the manner in which it is to be managed.

Consistent – The project does not require off-street parking; The applicant has submitted a Traffic Study where the Valet parking service and other traffic matters are analyzed. See Parking and Access Analysis

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 would be controlled.**

Consistent – The restaurant space at the ground floor will have direct access from Washington Avenue. The proposed rooftop restaurant does not anticipate any large groups. The pool will only be accessible to hotel guests. these accesses will be managed within the ground floor lobby.

4. **A security plan for the establishment and any parking facility, including enforcement of patron age restrictions.**

Partially Consistent – The Operations Plan includes security related details, but it does not provide information on how enforcement of patron age restrictions will take place.

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.**

Consistent – The applicant has provided a Traffic Study prepared by TrafTech; See attached memo from the Transportation & Mobility Department.

6. **A sanitation plan which addresses on-site facilities as well as off-premises issues resulting from the operation of the establishment.**

Consistent – The operational plan was submitted with the application including details on sanitation operations. They will utilize the existing commercial loading zones on Washington Avenue. Building employees will transport refuse from the trash room on the south side of the Project to the loading area for collection and disposal. Staff has incorporated recommendations regarding sanitation operations, including a limit on hours for pickups. See Delivery and Sanitation analysis.

7. **A noise attenuation plan which addresses how noise would be controlled to meet the requirements of the noise ordinance.**

Consistent –The Applicant's submitted operations plan that outlines the sound operations of all the hotel accessory uses. There is no entertainment being proposed; only background music that does not interfere with normal conversations. A sound study prepared by Criterion Acoustics is included with the application materials. The applicant submitted a sound study that was peer reviewed by the City's sound consultant.

8. **Proximity of proposed establishment to residential uses.**

Consistent –The project is located near residential uses; per recent City Code amendment any venue that is located on a property that is within 200 feet of a property containing a residential units is considered a Neighborhood Impact Establishments and requires the approval from the Planning Board. Staff has proposed conditions to ensure that nearby residents are not negatively affected.

9. **Cumulative effect of proposed establishment and adjacent pre-existing uses.**

Consistent –. There are other NIEs within the vicinity of this district. If not carefully controlled, such concentration could negatively impact the surrounding neighborhood. However, staff has proposed conditions to minimize potential impacts.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4.a.1. of the Resiliency Code establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

- A. A recycling or salvage plan for partial or total demolition shall be provided.

Satisfied – The applicant will provide a recycling or salvage plan during the permitting phase of the project.

- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.

Satisfied – The applicant has indicated that all windows will be hurricane proof impact windows.

- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

Satisfied – Passive cooling systems, such as operable windows, may be installed as appropriate.

- D. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided in accordance with Chapter 4 in Land Development Regulations.

Satisfied – Landscaping with Chapter 4 of the resiliency code.

- E. The project applicant shall consider the adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.

Satisfied – The project has been designed to accommodate rising sea levels and the future raising of roads.

- F. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to 3 additional feet in height.

Satisfied – The ground floor will be located at 9 feet NGVD and the first floor will have sufficient elevation to be able to accommodate future increases.

- G. As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practicable and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Satisfied – All critical mechanical and electrical systems will be located above base flood

elevation (BFE).

- H. Existing buildings shall, where reasonably feasible and economically appropriate, be elevated up to the base flood elevation, plus City of Miami Beach Freeboard.

Not applicable.

- I. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 in the General Ordinances.

Not applicable.

- J. As applicable to all new construction, stormwater retention systems will be provided.

Consistent – Water retention systems as applicable will be provided for the Project.

- K. Cool pavement materials or porous pavement materials shall be utilized.

Satisfied – Cool paving materials will be utilized.

- L. The design of each project shall minimize the potential for heat island effects on-site

Satisfied. – The project will reduce heat island effects by incorporating multiple green spaces on the ground floor and second floor with specific materials and landscaping to minimize any potential for heat island effects on-site.

ANALYSIS

The proposal is for a new 7-story mixed use building fronting Washington Avenue. The ground floor will consist of a restaurant and lounge/lobby access for the Hotel use and the upper levels will contain hotel rooms, a second level bar and pool deck and rooftop restaurant. The development site consists of several parcels that contains an existing hotel. The new building will be located on the “main parcel” (the northern portion of the site) and will replace an existing one story commercial and residential building.

The new structure will utilize available floor area ratio (FAR) from other parcels included within the unified development site. As noted on the zoning data submitted in the submitted plans, the maximum allowable FAR for the combined unified development site is 165,612 square feet. The proposal includes transferring 35,980 square feet from the other parcels within the unified site, which results in a total square footage of 157,838 square feet for the unified site.

In addition to this, the project is providing a minimum of 20% of the gross floor area for hotel amenity spaces to allow the hotel unit size to be less than 300 square feet, but no less than 175 square feet per hotel unit. Such hotel amenities include a lounge, co-working space, theater, library, yoga lawn, pool deck and restaurants.

Access to the public is limited to the ground floor restaurant (12:00 p.m. to 2:00 a.m.) and the roof top restaurant (5:00 p.m. to 2:00 a.m.). The other amenities are limited to hotel guests only.

No entertainment is proposed within the entire project; only ambient background music at a volume that does not interfere with normal conversation is proposed. The following chart describes the proposed hours operations, seat count, occupancy load for the different amenities:

AMENITY	USERS	PROPOSED HOURS OF OPERATIONS		PROPOSED OCCUPANCY		NUMBER OF SEATS		SOUND
Lobby Lounge Theater Library	Hotel guests	7 AM - 2 AM		241		53		Ambient background music. No entertainment
Restaurant ground floor	Public	Indoor : Outdoor:	12 PM - 2 AM	Indoor : Outdoor: Subtotal:	294 65 395	Indoor : Outdoor: Subtotal:	247 40 287	Ambient background music. No entertainment
Bar Pool Deck	Hotel guests only	8 AM - 8 PM		431		61		Ambient background music. No entertainment
Rooftop Lounge	Public Access only after 5:00 PM	Indoor : Outdoor:	7 AM - 2 AM 7 AM - 12 AM	Indoor : Outdoor: Subtotal:	176 132 308	Indoor : Outdoor: Subtotal:	135 56 191	Ambient background music. No entertainment
Total:					1375		592	

As presented, the new mixed-use building will contain 7,066 square feet of restaurant space and 238 hotel units. Given the scale of the development, the proposed uses are not expected to have any significant quality of life impacts on nearby residential properties.

Sound

The applicant is proposing to play ambient background music, played at a level that does not interfere with normal conversation; The applicant submitted a sound study prepared by Criterion Acoustics, which was peer reviewed by the City's consultant, Arpeggio Acoustic Consulting, LLC. The peer review had the following conclusion and suggestions:

"We recommend that significantly lower music sound level limits be targeted on the pool deck and rooftop lounge. The report offers limits of 73 to 75 dBA but such a music sound level would require patrons to speak loudly or shout to be understood. We feel that a music level of 60 to 65 dBA or lower would be more conducive to normal conversation and consistent with the descriptors of "background" and "ambient." Furthermore, we recommend that noise from the ground floor restaurant patio along Washington Avenue be included if there are to be loudspeakers there.

Beyond the aforementioned, we agree with several recommendations given by CA in their report. These include the use of small bass drivers in a distributed speaker system mounted low to the ground and the absence of subwoofers. We also agree with the use of a digital tamper-resistant sound level limiter with no local operational access. The report advises that this limiter be configured after on-site sound level calibration. We advise that this calibration include residential units at the northwest corners of 1447 and 1455 Washington Avenue. This is especially critical at the corner units at 1455 Washington Avenue which appear to be merely approximately 50' from the pool deck and, as such, will be especially vulnerable to music and activities at the hotel. Calibration should also address and establish C-weighted (dBC) in addition to A-weighted (dBA) sound levels so that low-frequency bass is controlled."

Staff agrees with the peer reviewer's findings to include the proposed background ambient-level music at the ground floor restaurant porch along Washington Avenue and to revise the sound level limits downward in order to comply with background music. The applicant should also calibrate the sound system per the City's sound peer review conclusions to include the units at the northwest corners of 1447 and 1455 Washington Avenue. The sound system will need to be tested under the

supervision of a qualified acoustical professional and the City's sound study peer reviewer. At that point the applicant would submit a revised report to be reviewed and approved by the City's sound peer reviewer and the Planning Department. Staff has recommended conditions in the attached draft order to ensure that the impact of the sound related operations are minimized.

Traffic, Parking, and Access

Parking is not required for the proposed use per City's Resiliency Code.

The ground floor level will be raised to base flood elevation. A partially covered porch along Washington Avenue is proposed fronting the ground-floor restaurant and a separate lobby located on the north side will give access to the hotel and the upper floors including the roof top lounge. Queuing of pedestrians in public rights of way is not expected at this location.

Per the parking calculations provided by the applicant, 28 short term bicycle spaces and 14 long term bicycle spaces are proposed. Valet parking is proposed for hotel guest and venue patrons, with the valet ramp located in front of the hotel lobby entry.

The applicant has provided a Traffic Study prepared by TrafTech; see attached Transportation Department's Memo.

The proposed steps and ramps encroaching in the sidewalk will be reviewed by the Historic Preservation Board and all encroachments in the right of way shall be subject to the review and approval of the Public Works Department.

Delivery and Sanitation

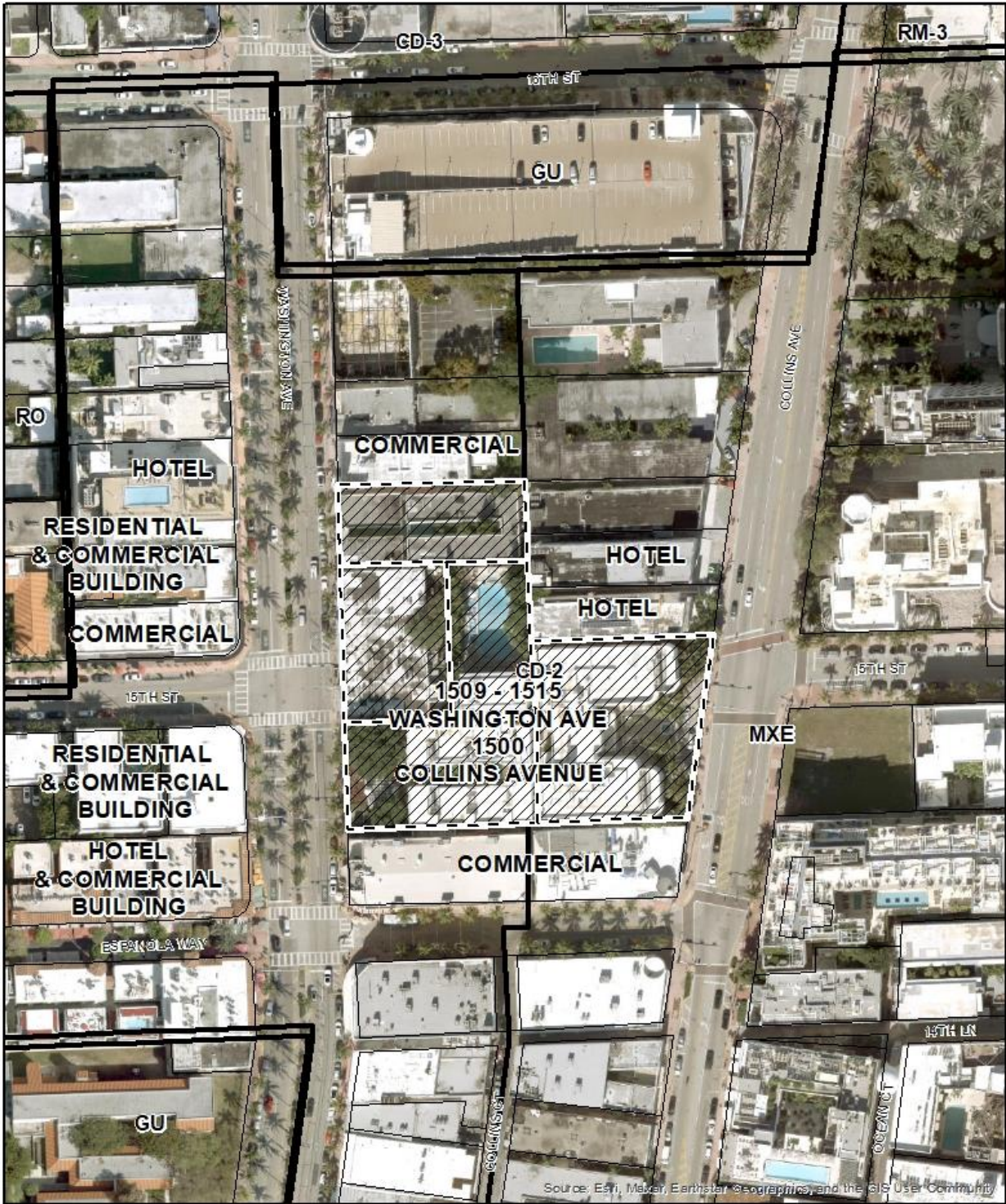
Pursuant to Section 5.2.6 of the LDR's, the project requires four (4) loading spaces onsite. The applicant is requesting a waiver from the Historic Preservation Board for this requirement in order to utilize the existing loading zone located north of the proposed project. Staff has recommended conditions to limit loading to off-peak daytime hours in order to minimize traffic disruptions and minimize noise impacts on surrounding properties.

Trash rooms are proposed at the south side of the property. Additionally, staff has recommended hours for trash pickups consistent with loading hours.

RECOMMENDATION

In view of the foregoing analysis, staff recommends the Conditional Use Permit be approved, subject to the conditions enumerated in the attached Draft Order.

ZONING/SITE MAP



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EXHIBIT "A"

1509 Washington Avenue

The West 100 feet of Lot 20 and the West 100 feet of the South 1/2 of Lot 19, in Block 57, and the closed portion of 15th Street lying North of Lots 4 and 5 in Block 76, of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Dade County, Florida.

1515 Washington Avenue

LOT 18 AND THE NORTH ONE-HALF OF LOT 19, BLOCK 57, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 77, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

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1500 Collins Avenue

PARCEL 1:

LOTS ONE (1) AND TWO (2) OF BLOCK SEVENTY-SIX (76) OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA, AND ALSO THE FOLLOWING DESCRIBED LAND: THAT PART OF VACATED FIFTEENTH STREET FORMERLY KNOWN AS A VENUE D, DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 76 OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE NORTHEASTERLY ALONG WEST LINE OF COLLINS AVENUE A DISTANCE OF 70.98 FEET TO THE SOUTHEAST CORNER OF LOT 1, OF BLOCK 57 OF THE AFORESAID SUBDIVISION; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOT 1, BLOCK 57 OF THE AFORESAID SUBDIVISION A DISTANCE OF 172.01 FEET, MORE OR LESS, TO A POINT WHERE THE WESTERLY LINE OF LOT 2 OF BLOCK 76 OF THE AFORESAID SUBDIVISION EXTENDED NORTHERLY INTERSECTS THE SOUTHERLY LINE OF LOT 1, OF BLOCK 57 OF THE AFORESAID SUBDIVISION; THENCE SOUTHERLY A DISTANCE OF 70 FEET TO THE NORTHWEST CORNER OF LOT 2 OF BLOCK 76 OF THE AFORESAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTHERLY LINE OF LOTS 2 AND 1 OF BLOCK 76 OF THE AFORESAID SUBDIVISION, A DISTANCE OF 15 5 .21 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 76, OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, AS SAME IS SHOWN UPON A RECORDED PLAT OF SAID SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE RUN EAST ALONG THE NORTH LINE OF SAID BLOCK 76, A DISTANCE OF ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED:

FROM SAID POINT OF BEGINNING RUN NORTH ALONG A LINE DEFLECTING 90 DEGREES TO THE LEFT, SAID LINE BEING PARALLEL TO AND ONE HUNDRED (100) FEET DISTANT EASTERLY FROM THE EASTERLY LINE OF WASHINGTON AVENUE, AS ABOVE RECORDED, A DISTANCE OF ONE HUNDRED FORTY-FIVE (145) FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF LOT 19, BLOCK 57, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE RUN EASTERLY ALONG A LINE DEFLECTING 90 DEGREES TO THE RIGHT ALONG THE NORTH LINE OF THE SOUTH 1/2 OF LOT 19, BLOCK 57, A DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT ON THE WEST LINE OF LOT 2, OF SAID BLOCK 57, THENCE RUN SOUTHERLY ALONG A LINE DEFLECTING 90 DEGREES TO THE RIGHT ALONG THE DIVIDING LINE BETWEEN LOTS 1 AND 2, AND LOT 20 AND THE SOUTH 1/2 OF LOT 19, BLOCK 57, A DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 20, OR THE SOUTHWESTERLY CORNER OF LOT 1, OF SAID BLOCK 57; THENCE RUN SOUTHEASTERLY ALONG A LINE DEFLECTING TO THE LEFT 04° 05' 08.2", A DISTANCE OF 70.178 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT 3, OF SAID BLOCK 76, FISHER'S FIRST SUBDIVISION; THENCE RUN WESTERLY ALONG A LINE DEFLECTING TO THE RIGHT 94° 05' 08.2" ALONG THE NORTHERLY LINE OF SAID BLOCK 76, A DISTANCE OF EIGHTY (80) FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED.

TOGETHER WITH THE EASEMENT DESCRIBED ON PAGE 2 OF THAT CERTAIN DEED FROM DANIEL I. TARADASH TO HADDON HALL CORP., DATED MAY 12, 1952, FILED JUNE 13, 1952 IN DEED BOOK 3609, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA, BUT SUBJECT TO THE TERMS OF SUCH EASEMENT.

AND

PARCEL 3:

LOTS 3, 4, AND 5, IN BLOCK 76 OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA.

THE ABOVE PARCELS 1, 2 AND 3 ARE ALSO DESCRIBED AS:

METES AND BOUNDS DESCRIPTION:

ALL OF LOT 1, ALL OF LOT 2, ALL OF LOT 3, ALL OF LOT 4 AND ALL OF LOT 5 OF BLOCK 76, A PORTION OF LOT 19 AND A PORTION OF LOT 20 OF BLOCK 57, AND A PORTION OF THE VACATED RIGHT OF WAY OF FIFTEENTH STREET, FORMERLY KNOWN AS A VENUE " D ", ALL OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 76; THENCE S 90°00' 00" W, ALONG THE SOUTHERLY LINE OF SAID BLOCK 76, FOR 318.38 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE N 00°00' 00" E, ALONG THE WESTERLY LINE OF SAID BLOCK 76, FOR 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; SAID WESTERLY LINE OF BLOCK 76 BEING COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF WASHINGTON A VENUE, FORMERLY KNOWN AS MIAMI A VENUE; THENCE N 90°00' 00" E, ALONG THE NORTHERLY LINE OF SAID BLOCK 76, FOR 100.00 FEET; THENCE N 00°00' 00" E, ALONG A LINE BEING PARALLEL WITH AND 100.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID EASTERLY RIGHT OF WAY LINE OF WASHINGTON AVENUE, FOR 145.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID LOT 19, BLOCK 57; THENCE N 90°00' 00" E, ALONG SAID NORTH LINE OF THE SOUTH 1/2 OF LOT 19, FOR 75.00 FEET TO A POINT ON THE WEST LINE OF LOT 2 OF SAID BLOCK 57; THENCE S 00°00' 00" W, ALONG THE EASTERLY LINE OF SAID SOUTH 1/2 OF LOT 19 AND THE EASTERLY LINE OF LOT 20, FOR 75.00 FEET TO THE SOUTHEAST CORNER OF LOT 20 AND THE SOUTHWEST CORNER OF SAID LOT 1 OF BLOCK 57; SAID EASTERLY LINES BEING COINCIDENT WITH THE WESTERLY LINE OF LOT 2 AND THE WESTERLY LINE LOT 1, OF SAID BLOCK 57; THENCE N 90°00' 00" E, ALONG THE NORTHERLY LINE OF THE VACATED RIGHT OF WAY OF FIFTEENTH STREET, FORMERLY KNOWN AS AVENUE " D ", FOR 172.01 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF COLLINS A VENUE; SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK 57; THENCE S 09°34' 00" W, ALONG SAID WESTERLY RIGHT OF WAY LINE OF COLLINS A VENUE AND THE EASTERLY LINE OF BLOCK 76, FOR 172.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 OF BLOCK 76 AND THE POINT OF BEGINNING.

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

PROPERTY: 1509 – 1515 Washington Avenue.

FILE NO. PB23-0625

IN RE: An application for a conditional use approval for a Neighborhood Impact Structure (NIS) for a new 7-story hotel exceeding 50,000 square feet, and a Neighborhood Impact Establishment (NIE) that includes, an alcoholic beverage establishment or restaurant located on the top floor of a building, whether fully enclosed, partially open, or open to the sky, including all open-air portions above the roof-top, which is located on a property that is within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

**LEGAL
DESCRIPTION:** See Exhibit "A"

MEETING DATE: April 25, 2024

CONDITIONAL USE PERMIT

The applicant, 1515 Washington Acquisition LLC, requested a Conditional Use approval for the construction of a new 7-story hotel exceeding 50,000 square feet, and a Neighborhood Impact Establishment (NIE) that includes, an alcoholic beverage establishment or restaurant located on the top floor of a building, whether fully enclosed, partially open, or open to the sky, including all open-air portions above the roof-top, which is located on a property that is within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.. 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:

The property in question is located in the CD-2, Commercial medium density District;

The use is consistent with the Comprehensive Plan for the area in which the property is located;

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;

The structures and uses associated with the request are consistent with the Land Development Regulations;

The public health, safety, morals, and general welfare will not be adversely affected;

Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under Resiliency Code Sec. 2.5.2.5.
2. This Conditional Use Permit is issued to 1515 Washington Acquisition LLC, (the applicant) and Washington Gardens MB LLC and Inverama USA Corp (owner of the property). Any changes in ownership or 50% (fifty percent) or more stock ownership, or the equivalent, shall require the new owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Certificate of Use/Business Tax Receipt.
3. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
4. The project authorized by this Conditional Use Permit includes the creation and operation of the proposed Neighborhood Impact Establishment, subject to the criteria listed below:

A. The proposed number of seats are:

Amenities open to the public:

Ground Floor Restaurant: 287 seats (247 Indoor and 40 Outdoor).

Rooftop Lounge: 191 seats (135 indoor and 56 Outdoor).

Amenities open to Hotel guests:

Bar/Pool Deck: 61 seats

Lobby lounge and amenities: 53 seats

B. The maximum occupant content subject to this CUP shall be:

Amenities open to the public:

Ground Floor Restaurant: 395 persons (294 Indoor and 65 Outdoor).

Rooftop Lounge: 308 persons (135 indoor and 56 Outdoor).

Amenities open to Hotel guests:

Bar/Pool Deck: 431 persons
Lobby lounge and amenities: 241 persons

Or any lesser such occupant content as determined by the Fire Marshal

C. The hours of operations may be as follows:

Amenities open to the public:

Ground Floor Restaurant: 12:00 PM until 2:00 AM (Indoor and Outdoor).
Rooftop Lounge: 12:00 PM until 2:00 AM (Indoor).
12:00 PM until 12:00 AM (Outdoor).

Amenities open to Hotel guests:

Bar/Pool Deck: 8:00 AM until 8:00 PM
Lobby lounge and amenities: 7:00 AM until 2:00 AM

These hours shall not supersede any future amendments to the City Code, pertaining to hours of operation for alcoholic beverage and/or entertainment establishments.

- D. Entertainment, as defined in City Resiliency Code Section 1.2.2.9, shall be strictly prohibited in all indoor and outdoor areas. except that recorded background music, played at a level that does not interfere with normal conversation, may be permitted, provided that a sound system with directional speakers and a digital tamper-resistant sound level limiter is used to minimize impacts to adjacent properties.
- E. Loudspeakers for audio playback shall use 6" bass drivers or smaller, be mounted as low as possible, and distributed, keeping individual sound levels low. Subwoofers shall not be used.
- F. Prior to the issuance of the Business Tax Receipt (BTR), the sound system shall be tested under the supervision of a qualified acoustical professional and the City's sound study peer reviewer, to ensure that all aspects of the system's performance comply with the design intent and recommendations of the sound system study submitted as part of this application. This shall include:
- i. Digital tamper-resistant sound level input limiter with no local operational access will be configured after on-site sound level calibration.
 - ii. Calibration shall include units located at 1455 and 1447 Washington Avenue. The sound level in the outdoor areas will kept sufficiently low to not disturb the peace of these buildings.
- A final report issued by such acoustical consultant shall be submitted to the City's sound study peer reviewer and Planning Department staff prior to the issuance of a BTR.
- G. After normal operating hours, the establishments shall remain closed and no patrons or other persons, other than those employed by the establishment, shall remain therein between the establishment's closing time and 7:00 AM.

5. The following shall apply to the operation of the entire project:

6. Deliveries and waste collections may occur between 9:00 AM and 5:00 PM each day.
7. The trash room shall be large enough to accommodate sufficient trash capacity in order to minimize refuse pickups to a maximum of one pick up per day. All trash rooms shall be air conditioned and sound-proofed in a manner to be approved by staff. The doors to the trash rooms shall remain closed and secured when not in use and all trash dumpsters shall be closed at all times except when in use.
8. All trash containers shall utilize rubber wheels, as well as a path consisting of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
9. The property and adjacent rights-of-way be maintained clean and free from debris.
10. Televisions and projectors shall not be located anywhere in the exterior areas of the property.
11. No patrons shall be allowed to queue on public rights-of-way.
12. Establishments with outdoor cafes or sidewalk café permits shall only serve alcoholic beverages at sidewalk cafes during hours when food is served in the restaurant.
13. Public access Use of the rooftop lounge shall be limited from 5:00 pm to closing time.
14. No dancehall shall be permitted on the site.
15. Special event permits shall be prohibited.
16. Steps and ramps encroaching in the sidewalk will be reviewed by the Historic Preservation Board; All encroachments in the right of way shall be subject to the review and approval of the Public Works Department.
17. A progress report shall be scheduled before the Planning Board 90 days after obtaining a business tax receipt (BTR).
18. The Planning Board shall retain the right to call the owner or operator back before the Board and make modifications to this Conditional Use Permit should there be valid complaints, as determined by Code Compliance, about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
19. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
20. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval.
21. The applicant shall address the following Transportation, Mobility, Concurrency, Delivery, and Parking requirements:
 - a. The applicant shall pay all impact, mobility, and concurrency fees due prior to obtaining a

- Building Permit, Certificate of Occupancy, or Business Tax Receipt, whichever may occur first, and any other fair share cost that may be due and owing.
- b. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan per the TDM strategies outlined in the most recent Traffic Impact Analysis, prior to the issuance of a building permit.
 - c. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Valet Operational Plan, including the location of the valet garage per Section 18-342(b)(2) of the City Code, prior to the issuance of a building permit.
22. The development shall comply with the “Green Building” requirements in section 7.1.3.2 of the Resiliency Code.
 23. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a Building permit.
 24. The applicant, operator and/or owner, both now and in the future, shall abide by all the documents and statements submitted with this application, as well as all conditions of this Order.
 25. The applicant shall resolve all outstanding violations and fines on the property, if any, prior to the issuance of a building permit for the project.
 26. A violation of Chapter 46, Article IV, “Noise,” of the Code of the City of Miami Beach, Florida (a/k/a “noise ordinance”), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in section 2.5.2.5, Code of the City of Miami Beach, Florida.
 27. The applicant shall obtain a full building permit within 18 months from the date of approval of this Conditional Use Permit, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.
 28. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
 29. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
 30. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Chapter 1, Article III, 1.3.8 of said Miami Beach Resiliency Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board

Filed with the Clerk of the
Planning Board on ()

EXHIBIT "A"

1500 Collins Avenue

PARCEL 1:

LOTS ONE (1) AND TWO (2) OF BLOCK SEVENTY-SIX (76) OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA, AND ALSO THE FOLLOWING DESCRIBED LAND: THAT PART OF VACATED FIFTEENTH STREET FORMERLY KNOWN AS A VENUE D, DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 76 OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE NORTHEASTERLY ALONG WEST LINE OF COLLINS AVENUE A DISTANCE OF 70.98 FEET TO THE SOUTHEAST CORNER OF LOT 1, OF BLOCK 57 OF THE AFORESAID SUBDIVISION; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOT 1, BLOCK 57 OF THE AFORESAID SUBDIVISION A DISTANCE OF 172.01 FEET, MORE OR LESS, TO A POINT WHERE THE WESTERLY LINE OF LOT 2 OF BLOCK 76 OF THE AFORESAID SUBDIVISION EXTENDED NORTHERLY INTERSECTS THE SOUTHERLY LINE OF LOT 1, OF BLOCK 57 OF THE AFORESAID SUBDIVISION; THENCE SOUTHERLY A DISTANCE OF 70 FEET TO THE NORTHWEST CORNER OF LOT 2 OF BLOCK 76 OF THE AFORESAID SUBDIVISION; THENCE EASTERLY ALONG THE NORTHERLY LINE OF LOTS 2 AND 1 OF BLOCK 76 OF THE AFORESAID SUBDIVISION, A DISTANCE OF 15 5 .21 FEET TO THE POINT OF BEGINNING.

AND

PARCEL 2:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, BLOCK 76, OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, AS SAME IS SHOWN UPON A RECORDED PLAT OF SAID SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE RUN EAST ALONG THE NORTH LINE OF SAID BLOCK 76, A DISTANCE OF ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED:

FROM SAID POINT OF BEGINNING RUN NORTH ALONG A LINE DEFLECTING 90 DEGREES TO THE LEFT, SAID LINE BEING PARALLEL TO AND ONE HUNDRED (100) FEET DISTANT EASTERLY FROM THE EASTERLY LINE OF WASHINGTON AVENUE, AS ABOVE RECORDED, A DISTANCE OF ONE HUNDRED FORTY-FIVE (145) FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF LOT 19, BLOCK 57, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA; THENCE RUN EASTERLY ALONG A LINE DEFLECTING 90 DEGREES TO THE RIGHT ALONG THE NORTH LINE OF THE SOUTH 1/2 OF LOT 19, BLOCK 57, A DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT ON THE WEST LINE OF LOT 2, OF SAID BLOCK 57, THENCE RUN SOUTHERLY ALONG A LINE DEFLECTING 90 DEGREES TO THE RIGHT ALONG THE DIVIDING LINE BETWEEN LOTS 1 AND 2, AND LOT 20 AND THE SOUTH 1/2 OF LOT 19, BLOCK 57, A DISTANCE OF SEVENTY-FIVE (75) FEET TO A POINT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF LOT 20, OR THE SOUTHWESTERLY CORNER OF LOT 1, OF SAID BLOCK 57; THENCE RUN SOUTHEASTERLY ALONG A LINE DEFLECTING TO THE LEFT 04° 05' 08.2", A DISTANCE OF 70.178 FEET TO A POINT, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT 3, OF SAID BLOCK 76, FISHER'S FIRST SUBDIVISION; THENCE RUN WESTERLY ALONG A LINE DEFLECTING TO THE RIGHT 94° 05' 08.2" ALONG THE NORTHERLY LINE OF SAID BLOCK 76, A DISTANCE OF EIGHTY (80) FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED.

TOGETHER WITH THE EASEMENT DESCRIBED ON PAGE 2 OF THAT CERTAIN DEED FROM DANIEL I. TARADASH TO HADDON HALL CORP., DATED MAY 12, 1952, FILED JUNE 13, 1952 IN DEED BOOK 3609, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA, BUT SUBJECT TO THE TERMS OF SUCH EASEMENT.

AND

PARCEL 3:

LOTS 3, 4, AND 5, IN BLOCK 76 OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI – DADE COUNTY, FLORIDA.

THE ABOVE PARCELS 1, 2 AND 3 ARE ALSO DESCRIBED AS:

METES AND BOUNDS DESCRIPTION:

ALL OF LOT 1, ALL OF LOT 2, ALL OF LOT 3, ALL OF LOT 4 AND ALL OF LOT 5 OF BLOCK 76, A PORTION OF LOT 19 AND A PORTION OF LOT 20 OF BLOCK 57, AND A PORTION OF THE VACATED RIGHT OF WAY OF FIFTEENTH STREET, FORMERLY KNOWN AS A VENUE "D", ALL OF FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 77 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 76; THENCE S 90°00' 00" W, ALONG THE SOUTHERLY LINE OF SAID BLOCK 76, FOR 318.36 FEET TO THE SOUTHWEST CORNER OF SAID LOT 5; THENCE N 00°00' 00" E, ALONG THE WESTERLY LINE OF SAID BLOCK 76, FOR 100.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; SAID WESTERLY LINE OF BLOCK 76 BEING COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF WASHINGTON A VENUE, FORMERLY KNOWN AS MIAMI A VENUE; THENCE N 90°00' 00" E, ALONG THE NORTHERLY LINE OF SAID BLOCK 76, FOR 100.00 FEET; THENCE N 00°00' 00" E, ALONG A LINE BEING PARALLEL WITH AND 100.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID EASTERLY RIGHT OF WAY LINE OF WASHINGTON AVENUE, FOR 145.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF SAID LOT 19, BLOCK 57; THENCE N 90°00' 00" E, ALONG SAID NORTH LINE OF THE SOUTH 1/2 OF LOT 19, FOR 75.00 FEET TO A POINT ON THE WEST LINE OF LOT 2 OF SAID BLOCK 57; THENCE S 00°00' 00" W, ALONG THE EASTERLY LINE OF SAID SOUTH 1/2 OF LOT 19 AND THE EASTERLY LINE OF LOT 20, FOR 75.00 FEET TO THE SOUTHEAST CORNER OF LOT 20 AND THE SOUTHWEST CORNER OF SAID LOT 1 OF BLOCK 57; SAID EASTERLY LINES BEING COINCIDENT WITH THE WESTERLY LINE OF LOT 2 AND THE WESTERLY LINE LOT 1, OF SAID BLOCK 57; THENCE N 90°00' 00" E, ALONG THE NORTHERLY LINE OF THE VACATED RIGHT OF WAY OF FIFTEENTH STREET, FORMERLY KNOWN AS AVENUE "D", FOR 172.01 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF COLLINS A VENUE; SAID POINT ALSO BEING THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK 57; THENCE S 09°34' 00" W, ALONG SAID WESTERLY RIGHT OF WAY LINE OF COLLINS A VENUE AND THE EASTERLY LINE OF BLOCK 76, FOR 172.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 OF BLOCK 76 AND THE POINT OF BEGINNING.

1509 Washington Avenue

The West 100 feet of Lot 20 and the West 100 feet of the South 1/2 of Lot 19, in Block 57, and the closed portion of 15th Street lying North of Lots 4 and 5 in Block 76, of FISHER'S FIRST SUBDIVISION OF ALTON BEACH, according to the Plat thereof, as recorded in Plat Book 2, at Page 77, of the Public Records of Dade County, Florida.

1515 Washington Avenue

LOT 18 AND THE NORTH ONE-HALF OF LOT 19, BLOCK 57, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 77, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, FL 33139, www.miamibeachfl.gov

TRANSPORTATION & MOBILITY DEPARTMENT

Tel: 305.673.7514

MEMORANDUM

TO: Thomas R. Mooney, AICP, Director of City of Miami Beach Planning Department

FROM: José R. González, PE, Director of City of Miami Beach Transportation & Mobility Department

DATE: April 8, 2024

SUBJECT: 1501-1515 Washington Avenue (Cloud One Hotel) – Traffic Impact Analysis – HPB23-0591/PB23-0625

for

DocuSigned by:

Ornel Rodriguez

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The City of Miami Beach Transportation & Mobility Department has reviewed the subject Traffic Impact Analysis submitted by the applicant as part of the Historic Preservation and Planning Board applications for the proposed “Cloud One Hotel” development project. The project is located at 1501-1515 Washington Avenue in Miami Beach, Florida. The site is currently occupied by 11,000 square feet of retail space, and the proposed redevelopment consists of 240 hotel rooms and 9,425 square feet of restaurant space.

The project is expected to be completed and opened by the year 2026. The Trip Generation, Traffic Impact Analysis, and Valet Parking Analysis associated with the subject project were performed in accordance with the requirements of the City of Miami Beach and the methodology approved by the City’s staff. According to the City of Miami Beach Resiliency Code Section 5.2.4.2.c.i, there are no parking requirements for hotel and restaurant land uses. Therefore, the 1501-1515 Washington Avenue (Cloud One Hotel) project is exempt from any parking requirements.

Trip Generation and Trip Distribution

The results of the Trip Generation Analysis show that the proposed redevelopment will generate an increase of 94 A.M. net weekday peak hour trips and an increase of 119 P.M. net weekday peak hour trips.

Multimodal Trips

The proposed redevelopment is located within an urban, dense, and mixed-land use area. This type of land use promotes the use of sustainable transportation modes and provides opportunities to employees and patrons to use transportation modes that do not rely on single-occupant motor vehicle rides. It is expected that employees, patrons, and guests will choose to walk, bicycle, or use public transit to and from the proposed redevelopment.

There are several transit lines that serve the vicinity of the project site, these include Miami-Dade County Metrobus routes 14 and 100. In addition, the City of Miami Beach operates the South Beach Trolley Loops A and B, which also serves the vicinity of the proposed subject project. The

nearest Miami-Dade County metrobus and Miami Beach Trolley stops are located at the project site, slightly south of the intersection of Washington Avenue and 15 Street.

Valet Operations

Valet service will be provided for hotel guests and restaurant customers. The analysis states that a minimum of two (2) on-site valet drop-off/pick-up spaces and four (4) valet runners will be needed during peak times to prevent spillover into the public right-of-way. The City of Miami Beach Transportation & Mobility Department has a concern regarding the proposed use of a public parking garage for valet storage. Per Section 18-342(b)(2) of the City of Miami Beach Code of Ordinances (“City Code”), “the storage of vehicles must be at private storage facilities or lots. Storage of vehicles on public rights-of-way is prohibited.”

Loading and Trash Operations

The loading operation for large trucks will require four (4) on-street parking spaces to be located on the east side of Washington Avenue near the project site. The site currently has three (3) parking spaces, and per coordination with the City of Miami Beach Parking Department, a fourth parking space will be added to the nearby existing loading zone to accommodate large delivery truck vehicles and satisfy the project’s loading needs.

Transportation Demand Management (TDM)

Transportation Demand Management (TDM) strategies promote bicycling and walking, encourage car/vanpooling, and offer alternatives to single-occupant vehicular transportation. The applicant has committed to implementing the following strategies:

- Offer two (2) Citi Bike passes to employees or tenant employees.
- Provide integrated bikeshare information with communication materials for commuters and visitors.
- Offer two (2) transit passes to employees or tenant employees.
- Create a carpool incentive program for employees.
- Offer two (2) free valet passes to carpooling/vanpooling designated riders.

Conditions of Approval

1. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan per the TDM strategies outlined in the most recent Traffic Impact Analysis, prior to the issuance of a building permit.
2. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Valet Operational Plan, including the location of the valet garage per Section 18-342(b)(2) of the City Code, prior to the issuance of a building permit.

Conclusion

The City of Miami Beach Transportation & Mobility Department, including the Peer Review Consultant, has no further comments on the Traffic Impact Analysis for the 1501-1515 Washington Avenue (Cloud One Hotel) project.

Please feel free to contact the City of Miami Beach Transportation & Mobility Department if you have any questions on the above.

CC: Otniel Rodríguez, E.I., Assistant Director, City of Miami Beach Transportation & Mobility Department

Ghassan Choueiry, P.E., Senior Transportation Engineer, City of Miami Beach Transportation & Mobility Department

Grant Webster, Transportation Planner, City of Miami Beach Transportation & Mobility Department

Enc. Govardhan Muthyalagari, P.E., PTOE (Peer Reviewer) Traffic Review Memo dated 1/24/24