

# CONDITIONAL USE APPLICATION OF EXISTING BUILDING

## 1350 COLLINS AVE. MIAMI BEACH

# FINAL SUBMITTAL NOVEMBER 3rd 2024

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ARI L. SKLAR  
LICENSE #AR14173

### PROJECT TEAM

### PROJECT RENDERING

### DRAWING INDEX

\*COMBINED SET: SIGN & SEAL ON COVER PAGE APPLY FOR ALL ARCHITECTURE DRAWINGS (SEE INDEX BELOW)

ARCHITECT OF RECORD:

## SKLARchitecture

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#### ARCHITECTURAL

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- A.O.2 STREET PROFILE PHOTOS
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- A.S.1 PROPOSED ELEVATIONS
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REVISIONS

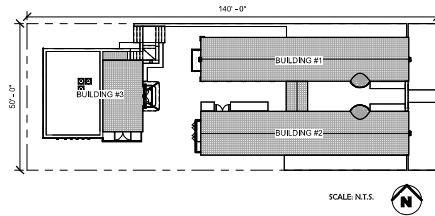
### SCOPE OF WORK

### KEY PLAN

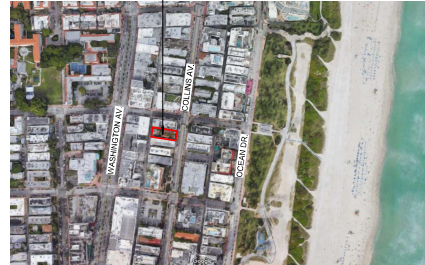
### LOCATION MAP

### CODE ANALYSIS / PROJECT DATA

CONDITIONAL USE APPLICATION FOR A NEW RESTAURANT



#### LOCATION OF WORK



ZONING LEGEND (as per planning department)			
ZONING	REQUIREMENTS	EXISTING	PROPOSED
	MXE Mixed use entertainment	MXE Mixed use entertainment	MXE Mixed use entertainment
HISTORICAL DISTRICT:	OCEAN DRIVE-COLLINS AVENUE HISTORIC DISTRICT		
ADDRESS:	1350 COLLINS AVENUE MIAMI BEACH, FL 33139		
FOLIO NUMBER:	02-3234-008-0900		
YEAR CONSTRUCTED:	1930		
BASE FLOOD ELEVATION:	8' NGVD	8,05' NGVD	8,05' NGVD
LOT WIDTH:	50 FT.	50 FT.	50 FT.
LOT DEPTH:	140 FT.	140 FT.	140 FT.
LOT AREA:	7,000 FT.	7,000 FT.	7,000 FT.
HEIGHT:	75 FT.	35'	35'
NUMBER OF STORES:	2 STORY BUILDING		2 STORY BUILDING
GROSS SQ FOOTAGE (FOOTPRINT):	6,340 SF		6,340 SF
<b>SETBACKS</b>			
FRONT SETBACK (EAST):	20' VARIANCE PER ORB 10026 PG 3304	10' - 0"	10' - 0" - NO CHANGE
SIDE SETBACK (NORTH):	7.5'	5' - 0"	5' - 0" - NO CHANGE
SIDE SETBACK (SOUTH):	7.5'	4' - 9"	4' - 9" - NO CHANGE
REAR SETBACK (WEST):	10'	5' - 6"	5' - 6" - NO CHANGE
<b>PARKING:</b>			
PARKING RATIO:	2 SPACES PER DWELLING UNIT	NO PARKING PROVIDED	

INTERIOR RENOVATION OF EXISTING BUILDING  
**RESTAURANT**  
 1350 COLLINS AVE MIAMI BEACH

- REVIEW SET
- COMMISSION SUBMITTAL
- NOT FOR CONSTRUCTION
- DIV RUN PERMIT SET
- BID SET
- CONSTRUCTION SET

DRAWN BY:  
Author  
CHECKED BY:  
ARI SKLAR

**FINAL SUBMITTAL  
NOVEMBER 3rd 2024**

# Ao.O

PROJECT #: Project #22-009

DATE: 10-10-2024

Scale As Indicated



01



02



03



04



ORCHID HOUSE



05



11



10



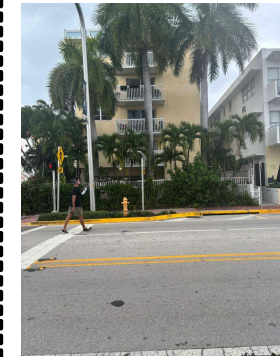
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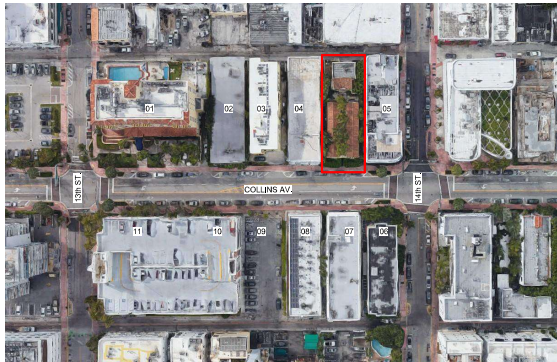
08



07



06



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SEAL  
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REVISIONS

INTERIOR RENOVATION OF EXISTING BUILDING  
**RESTAURANT**  
 1830 COLLINS AVE MIAMI BEACH

- REVIEW SET
- PRELIMINARY
- NOT FOR CONSTRUCTION
- DIVISION PERMIT SET
- PERMIT SET
- BID SET
- CONSTRUCTION SET

SUBMITTAL DATE:  
 DRAWN BY:  
 Author  
 CHECKED BY:  
 ARI SKLAR

**STREET PROFILE PHOTOS**

# A0.2

PROJECT #: Project #2-009

DATE: 10-10-2024









# Operational Plan

## General Description

The restaurant combines authentic Italian cuisine, offering a warm, inviting atmosphere that reflects Italy's rich culture. It will feature a modern Italian dining experience, emphasizing fresh, high-quality ingredients, traditional recipes, and innovative presentations. The bar will offer a curated selection of Italian wines, craft cocktails, and various spirits, creating a perfect balance between dining and a lively social environment. Primarily, ambient-level music, pre-recorded, live or a DJ, will be played. On certain occasions, the music is proposed to be above ambient levels in the restaurant, but the sound system will be designed to prevent disturbing neighbors.

## Operational Hours: Generally

7:00 AM – 2:00 AM

### Operational Hours: Entertainment (DJ or Live Music, Above Ambient)

Friday	7:00 PM – 11:00 PM
Saturday	12:00 PM – 4:00 PM 7:00 PM – 11:00 PM
Sunday	11:30 AM – 6:00 PM

## Staffing

**Total staffing:** vary from 25-30.

**Staff:** Cooks, Bartenders, Servers, Hosts, Bussers, Cleaners

## Security

**Video cameras** will be installed throughout the property, including the interiors of the restaurant and bar spaces. Cameras will also be installed along the exteriors of the building walkways and alleyways.

**Maitre d's/Hostess:** All guests, whether they have reservations or not, will be welcomed at the entrance and assisted in finding and assigning tables.

**Age Control** Guests will be asked to show their ID to the staff when ordering alcoholic beverages.

## Indoor/Outdoor Crowd Control Plan

This is a restaurant, not a night club. Consisting of only 82 seats, this venue will not attract large groups waiting to gain entry. The restaurant has only one private dining area that can accommodate a large group. Guests need to book this space in advance in order for it to be available. Apart from this private dining area, the floor plan does not have the capacity to accommodate a large group.

**Venue sound study**

A sound study for the proposed venue was conducted to satisfy that requirement for the Conditional Use Permit application. An aerial view of the proposed venue location at 1350 Collins Avenue is seen below.



Proposed restaurant venue location at 1350 Collins Avenue.

The location of the proposed venue at 1350 Collins Avenue is in the heart of the South Beach district. This site is surrounded by other restaurant and bar operations.

Collins Avenue is located directly to the east of the proposed venue. The entrance to the proposed venue will be from Collins Avenue.

Areas of interest outside the venue include those listed above, and as shown in the aerial photo. Residential uses include the Hotel Clifton and Rock Apartments across Collins Ave, the Shepley Hotel to the south, the building adjacent to the Shepley Hotel (1334 Collins), the Commodore Hotel to the north, and the Hotel Orchid guest suites above the venue. To the west is a commercial use, the Club Deuce.

The property is comprised of 3 buildings. The proposed restaurant venue is located on the first floor of the building. Some of the outdoor seating is situated between two of the buildings, creating a barrier. Most of the seating will not be visible from the street or neighboring properties.

The Miami Beach Planning Staff generally recommends that Miami Beach’s standard for nighttime sound levels should be applied. According to this standard, sound should not be clearly audible at 100 ft beyond the property’s boundary.

Since the adjacent properties are less than 100 ft from the boundaries of the venue, the venue must take steps to prevent sound-related impacts on the neighboring properties. Furthermore, the venue should not operate in a manner that could result in complaints from hotel guests.

The venue is designed to contain the sound within the property. The layout of multiple buildings provides structural barriers that will help reduce the level of sound coming from the outdoor area. Sound can be further controlled and contained through careful audio system design, installation, and regulation.

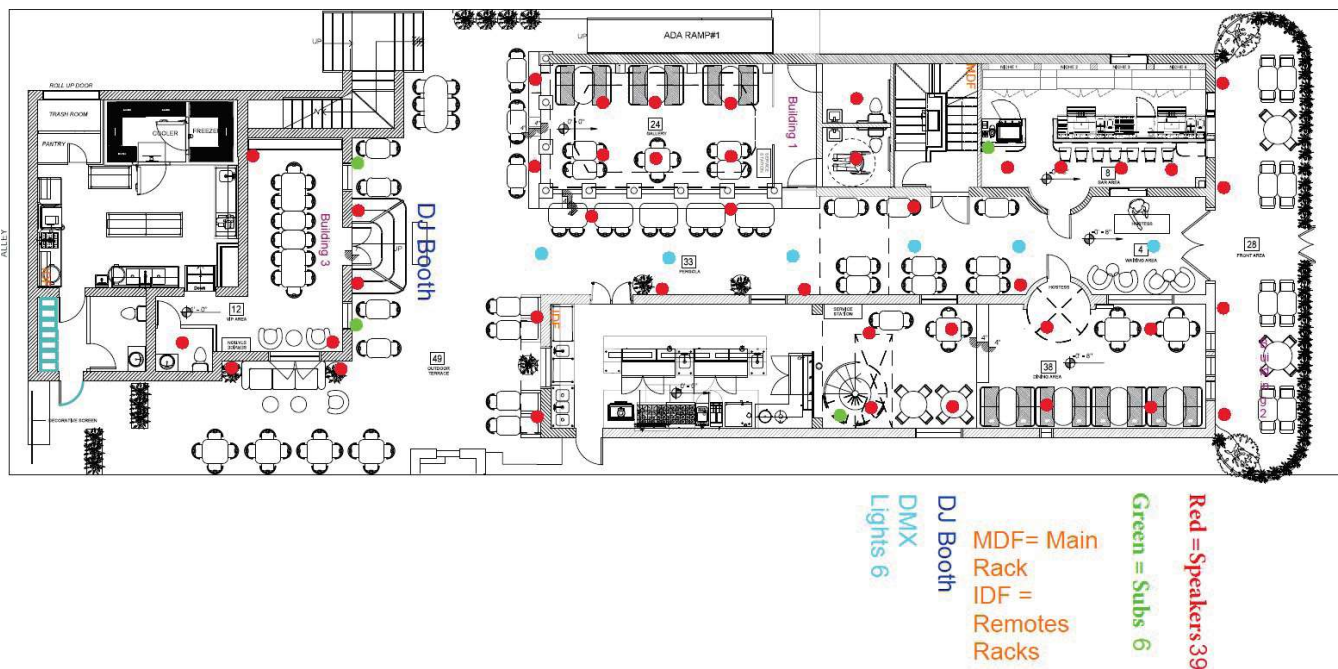
Ambient/background music and non-ambient entertainment music will be provided during all regular operating hours at sound levels that will not interfere with normal conversation outside of the property.

The entertainment sound systems which are proposed to be installed will be the latest technology and designed to operate in a robust and reliable manner. The sound components of the system are to be installed in an equipment rack with a lockable door.

Only Management will be able to adjust the maximum output. None of the sound components in the rack are adjustable at the component. The sound adjustments for the system will be made using various password protected presets for entertainment scenes such as dining background music.

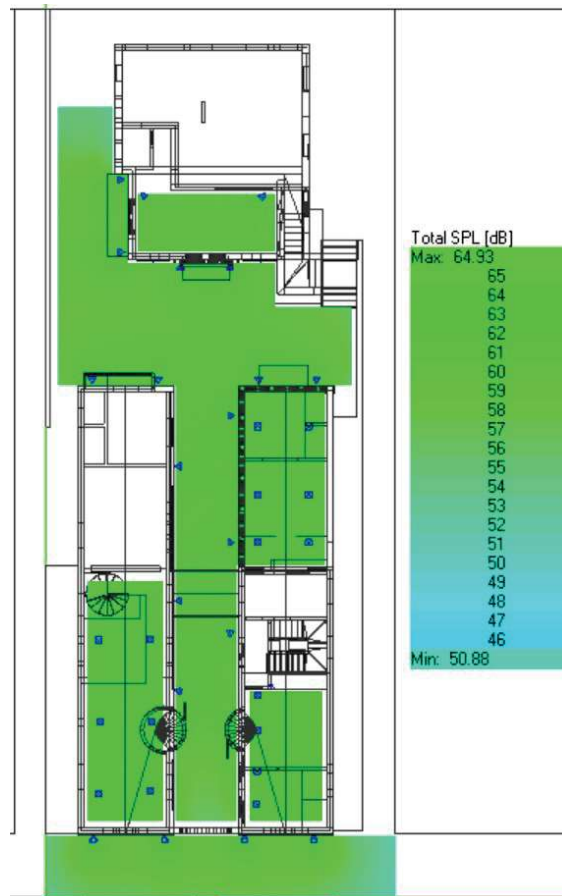
Once installed and commissioned, these preset conditions cannot be altered and will be under the control of the venue management. It is noted that no televisions or projectors are planned for outside the building.

A proposed floor plan for the venue is shown below, with the audio system loudspeaker and equipment layout, based on Mico Design drawing A-01, dated 1/19/2024.



Proposed Casa Orchidea restaurant sound system.

The spectral chart above shows small differences across the sound spectrum for the current design loudspeaker array in the restaurant. This is also seen in the sound pressure level (SPL) map, below.



Sound Pressure Level MAP in dBA – 65 dBA max (plan view)

The calculated sound pressure level map above shows the distribution of sound level across the venue space in A-weighted decibels (dBA). This map shows the smooth and even consistency of the background music sound level across the entire restaurant space. With the loudspeakers set up in this way, the audio design will provide a background music atmosphere that enhances guest conversation, as appropriate for a fine dining venue.

Inside the Restaurant space – non-ambient entertainment music

The sound calculations were conducted with the loudspeaker systems set to produce a fairly constant sound level across all spectrum frequencies, from bass to treble, as a worst case. The non-ambient entertainment music level was also set to result in a *maximum* sound level of about **80 dBA** (85 dBC) in the restaurant seating area. This sound level was selected as providing enjoyable entertainment music for the guests.

The non-ambient entertainment music level is 15 dBA higher than the ambient background music level. As the response of the building to the sound system is expected to be a linear (straight line) function, the sound levels for the non-ambient entertainment music will have the same relative distribution in the restaurant seating area as the ambient background music, shown in the map above, except at levels 15 dBA higher.

Sound level calculation results – outside the venue at receiver locations – background ambient music

Sound level calculations were made for the background ambient music using the 3D model for the receiver locations of interest outside the venue. Detailed calculation sheets are given in the attached Appendix.

Sound level *calculation results* for **background ambient music** are shown in the Table below.

Operating Condition	Receiver Distance	Sound level Outside (A-weighted)	Sound level Outside (C-weighted)
<b>Background music</b> in proposed restaurant venue	Pos 1 – Sidewalk to E Collins Ave ~ 12 feet	52 dBA (soft voice)	55 dBC
<b>Background music</b> in proposed restaurant venue	Pos 1a – Rock Apts to E ~ 70 feet across Collins	47 dBA (very soft voice)	50 dBC
<b>Background music</b> in proposed restaurant venue	Pos 2 - Club Deuce to W ~ 20 feet across alley	45 dBA (whisper)	50 dBC
<b>Background music</b> in proposed restaurant venue	Pos 3 – Hotel to N Commodore ~ 10 feet	53 dBA (soft voice)	57 dBC
<b>Background music</b> in proposed restaurant venue	Pos 4 – Hotel to S Shepley ~ 10 feet	49 dBA (very soft voice)	54 dBC
<b>Background music</b> in proposed restaurant venue	Pos 5 – Orchid Hotel Guest Rooms above	40 dBA (quiet whisper)	50 dBC

The calculated sound levels above may be compared to typical conversation levels of 65 to 70 dBA. This would also be the range for quiet television (TV) viewing or radio listening. The venue audio system design sound levels are *below these conversation levels* at the outside receiver locations.

The sound level calculated at Position 1, the sidewalk to the east, is about **52 dBA** (52 A-weighted decibels), the level of a *soft voice*. The sound level at this location is well below that of a normal conversation.

The sound level calculated at Position 1a, the Rock Apartments to the east, is about **47 dBA**, the level of a *very soft voice*. The sound level at this location is well below that of a normal conversation.

The sound level calculated at Position 2, across the alley to Club Deuce to the west is about **45 dBA**. This is the level of a *whisper*, well below a normal conversation.

The sound level calculated at Position 3, the Hotel Commodore to the north, is about **53 dBA**, the level of a *soft voice*. This is estimated to be the highest receiver level outside. Still, the sound level at this location is well below that of a normal conversation

The sound level calculated at Position 4, the Hotel Shepley to the south, is about **49 dBA**. This is the level of a *very soft voice*, well below a normal conversation.

It is also *estimated* that the sound level at the residences located at **1334 Collins Avenue**, (Pos. 4a) south of the Hotel Shepley, will be even lower by 7 to 10 dBA than at the Shepley. This is due to two factors, 1) the greater distance to 1334 Collins, and 2) the fact that the music speakers are on the first floor of the Orchid and the two story Shepley Hotel will provide an additional sound barrier buffer to 1334 Collins.

The sound level at Position 5, in the *Orchid guest rooms* above the venue is estimated from typical sound attenuation for windows, and floor/ceiling assemblies to be about **40 dBA**. This is the level of a *quiet whisper*, well below a normal conversation.

Sound level calculation results – outside the venue at receiver locations – non-ambient entertainment music

The sound level calculations which were made for background ambient music using the 3D model for the receiver locations of interest outside the venue may be extrapolated for non-ambient entertainment music.

As noted above, the response of the building to the sound system is expected to be a linear (straight line) function. Therefore, the sound levels for the non-ambient entertainment music will have the same relative distribution outside the venue as the ambient background music, except at levels 15 dBA higher.

Sound level calculation results for **non-ambient entertainment music** are shown in the Table below.

Operating Condition	Receiver Distance	Sound level Outside (A-weighted)	Sound level Outside (C-weighted)
<b>Background music</b> in proposed restaurant venue	Pos 1 – Sidewalk to E Collins Ave ~ 12 feet	67 dBA (normal voice)	70 dBC
<b>Background music</b> in proposed restaurant venue	Pos 1a – Rock Apts to E ~ 70 feet across Collins	62 dBA (quiet voice)	65 dBC
<b>Background music</b> in proposed restaurant venue	Pos 2 - Club Deuce to W ~ 20 feet across alley	60 dBA (quiet voice)	65 dBC
<b>Background music</b> in proposed restaurant venue	Pos 3 – Hotel to N Commodore ~ 10 feet	68 dBA (normal voice)	72 dBC
<b>Background music</b> in proposed restaurant venue	Pos 4 – Hotel to S Shepley ~ 10 feet	64 dBA (quiet voice)	69 dBC
<b>Background music</b> in proposed restaurant venue	Pos 5 – Orchid Hotel Guest Rooms above	55 dBA (very quiet voice)	65 dBC

The calculated sound levels above may be compared to typical conversation levels of 65 to 70 dBA. This would also be the range for quiet television (TV) viewing or radio listening. The venue audio system design sound levels are *below these conversation levels* at the outside receiver locations.

The sound level calculated at Position 1, the sidewalk to the east, is about **67 dBA** (67 A-weighted decibels), the level of a *soft voice*. The sound level at this location is compatible with and will not interfere with a normal conversation.

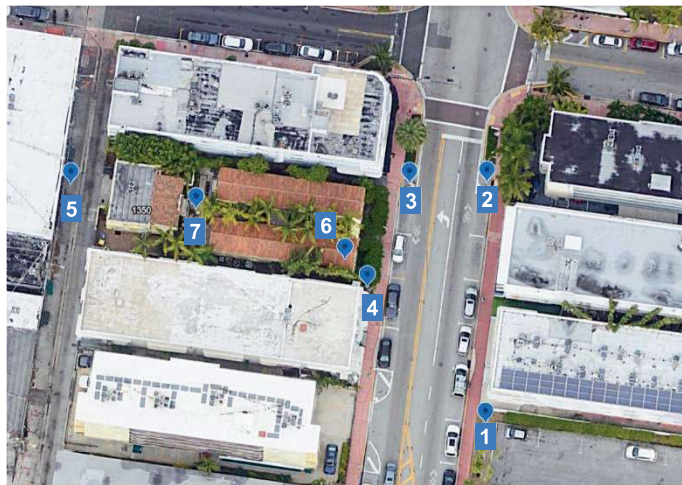
The sound level calculated at Position 1a, the Rock Apartments to the east, is about **62 dBA**, the level of a *quiet voice*. The sound level at this location is below that of a normal conversation.

For a particular test period, sound levels may fluctuate due to the variation of sound source signals which are received at that location. In the case of this sound survey, sound level fluctuations occurred due to the variations in the activity including road traffic and people on the nearby Collins Avenue. Statistically derived acoustical metrics are therefore provided. These statistical quantities are useful for characterizing environmental sound in terms of its steadiness, or its variation with time. The following statistical metrics are presented in this measurement study:

- LAeq level: The LAeq metric, called the equivalent sound level, represents energy average during the test period.
- LA90 level: This metric is the A-weighted sound pressure level that is exceeded 90 percent of the time over the duration of the data sample period. The LA90 level is defined as the ambient background baseline sound level.
- LA10 level: This metric is the A-weighted sound pressure level that is exceeded 10 percent of the time over the total duration of the sound level recording.

Measurement Locations

The field survey test positions were selected to best represent the ambient sound levels of interest. The test positions are shown in the aerial photo below.



Aerial view of the proposed venue site (Source: Google Earth).

- Pos. 1: Collins Ave: Clifton Hotel
- Pos. 2: Collins Ave: Rock Apartments and Coyote Taqueria Bar
- Pos. 3: Collins Ave: Commodore Hotel and FL Cafe
- Pos. 4: Collins Ave: Shepley Hotel
- Pos. 5: Back Alley (Collins Ct): Behind 1350 Collins Ave (Casa Orchidea)
- Pos. 6: 1350 Collins Ave - Hotel Orchid Guest Suites: SE Corner Bedroom
- Pos. 7: 1350 Collins Ave - Casa Orchidea Building: Outside Venue (Court Center)

The field survey test positions, shown above, are listed in the table below.

Position 1	Collins Ave: Clifton Hotel
Position 2	Collins Ave: Rock Apartments and Coyote Taqueria Bar
Position 3	Collins Ave: Commodore Hotel and FL Cafe
Position 4	Collins Ave: Shepley Hotel
Position 5	Back Alley (Collins Ct): Behind 1350 Collins Ave (Casa Orchidea)
Position 6	1350 Collins Ave - Hotel Orchid Guest Suites: SE Corner Bedroom
Position 7	1350 Collins Ave - Casa Orchidea Building: Outside Venue Court

Photographs documenting the measurement positions are given below.



Pos. 1: Collins Ave: Clifton Hotel



Pos. 2: Collins Ave: Rock Apartments and Coyote Taqueria Bar



Pos. 3: Collins Ave: Commodore Hotel and FL Cafe



Pos. 4: Collins Ave: Shepley Hotel



Pos. 5: Back Alley (Collins Ct): Behind 1350 Collins Ave (Casa Orchidea)



Pos. 6: 1350 Collins Ave - Hotel Orchid Guest Suites: SE Corner Bedroom



Pos. 7: 1350 Collins Ave - Casa Orchidea Building: Outside Venue (Court Center)

Spectral Analysis – 1/3 Octave Bands (3rdOCT)

Also included in this report are spectral sound test data.

These data are the result of a spectral analysis of the measured sound. In this analysis, the measured sound of the test record is divided into bands, known as 1/3 octave bands (OB), which range from low frequency (bass) to high frequency (treble) sounds. The sound levels associated with each of these frequency bands may be shown on a **spectrum chart** ranging from low pitch on the left to high pitch on the right, like the arrangement of a piano keyboard. The measured 1/3 OB levels may be used in an engineering analysis to determine the causation mechanisms of the sound.

**Sound survey – Measurement results**

The sound survey results in terms of the LAeq (dBA), LA90 (dBA) and LCeq (dBC) metrics measured during the entire test record at each location are shown in the Tables below.

Late Afternoon Measurement (Timeframe: 4:00 PM to 6:00 PM)

Pos. Nbr.	Position Name	Measured Acoustical Metrics			Notable Sound Events during Recording Period
		LCeq [dBC]	LAeq [dBA]	LA90 [dBA]	
1	Collins Ave: Clifton Hotel	75.8	<b>61.6</b>	58.2	Moderate traffic on Collins Ave.
2	Collins Ave: Rock Apartments and Coyote Taqueria Bar	80.7	<b>69.0</b>	61.4	Main sound source: Cars at nearby red light.
3	Collins Ave: Commodore Hotel and FL Cafe	76.6	<b>66.9</b>	59.6	Main sound source: Passersby on Collins Ave sidewalk.
4	Collins Ave: Shepley Hotel	82.9	<b>75.4</b>	59.3	Car accelerating nearby, sound level peak: 102.9 dBA
5	Back Alley (Collins Ct): Behind 1350 Collins Ave	72.7	<b>61.1</b>	56.7	HVAC systems from nearby buildings audible.

Casa Orchidea Venue Measurement (Timeframe: 6:15 PM to 7:00 PM)

Pos. Nbr.	Position Name	Measured Acoustical Metrics			Notable Sound Events during Recording Period
		LCeq [dBC]	LAeq [dBA]	LA90 [dBA]	
6	1350 Collins Ave - Hotel Orchid Guest Suites: SE Corner Bedroom	51.4	<b>41.0</b>	37.4	HVAC system turned OFF in the measured room.
7	1350 Collins Ave - Casa Orchidea Building: Outside Venue Court	68.8	<b>55.8</b>	52.8	Main sound source: HVAC exhaust fans from the neighboring Shepley hotel.

Evening Measurement (Timeframe: 8:30 PM to 10:30 PM)

Pos. Nbr.	Position Name	Measured Acoustical Metrics			Notable Sound Events during Recording Period
		LCeq [dBC]	LAeq [dBA]	LA90 [dBA]	
1	Collins Ave: Clifton Hotel	76.2	<b>65.0</b>	57.4	Main sound source: Passersby on the Collins Ave sidewalk.
2	Collins Ave: Rock Apartments and Coyote Taqueria Bar	84.9	<b>80.4</b>	63.2	Main sound source: Cars at nearby red light.
3	Collins Ave: Commodore Hotel and FL Café	75.9	<b>67.4</b>	61.1	Moderate traffic on Collins Ave.
4	Collins Ave: Shepley Hotel	74.4	<b>65.4</b>	59.8	Main sound source: Music coming from the nearby Coyote Taqueria Bar.
5	Back Alley (Collins Ct): Behind 1350 Collins Ave	72.2	<b>63.0</b>	54.3	No notable sound event during recording.

The results of each separate measurement, including time history charts and spectral graphs, and more detail about the measurement conditions and significant sound generating events, are given in the Appendix, attached.

The measured background ambient sound levels are consistent with or higher than the estimated sound levels for the proposed audio system operating at its maximum volume. Therefore, it is expected that the audio system will not be a disturbance at residences or hotel guest rooms near the proposed venue.

**Conclusions**

- Responses are provided to the comments raised by the Peer Reviewer.
- Sound survey measurements were performed to determine the prevailing background ambient sound levels in the Casa Orchidea area for purposes of implementing the requirements of the Conditional Use Permit (CUP).
- Based on the measured background ambient sound levels it is concluded that no disturbance will occur from the operation of the proposed audio system at Casa Orchidea.

Please contact me if you have any questions concerning these findings.

Very truly yours,  
 BROOKS ACOUSTICS CORPORATION

Bennett M. Brooks, PE, FASA, INCE  
 President

Attachments