

**Carter N. McDowell**

Tel 305-350-2355

Fax 305-351-2239

cmcdowell@bilzin.com

September 7, 2025

Thomas Mooney  
Planning Director  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach, FL 33139

**Re: PB25- 0779 Letter of Intent for Modification to Conditional Use Permit (PB 17-0108 f/k/a PB 2032) - 1545 Collins Avenue – The Royal Palm Hotel**

Dear Mr. Mooney:

This firm represents RP Hotel Holdings, LLC, the applicant ("Applicant") and owner of the Royal Palm Hotel located at 1545 Collins Avenue, Miami Beach, Florida (the "Property"). The Applicant requests a modification to an existing Conditional Use Permit ("CUP") (PB17-0108 f/k/a PB 2032) which is applicable to the Property. Please accept this correspondence as the Applicant's letter of intent for the attached application package seeking review and approval of the below described modifications to the CUP by the Planning Board in accordance with Section 2.5.2 of the Miami Beach Resiliency Code (the "Code").

The Property consists of two buildings. The reconstructed Royal Palm Hotel is the primary namesake for the Property and is the northern building on the Property. To its south is the Shorecrest building. The CUP was initially approved in September 2011, allowing for the operation of a Neighborhood Impact Establishment comprising three (3) distinct venues. The most recent modification to the CUP occurred in April 2019, addressing operational matters related to deliveries, loading, and trash pickup.

In 2024, the Historic Preservation Board issued a Certificate of Appropriateness for renovations designed to modernize the Property while complementing its architectural and historic identity. These renovations include updates to the three CUP-approved venues as part of a comprehensive upgrade to enhance the guest experience. Consequently, the Applicant seeks related modifications to the CUP to align with these approved improvements.

### **Modifications to the Existing Conditional Use Permit**

The most significant changes to the CUP approved venues are twofold: (1) the removal of the nightclub dancefloor area within the full-service "destination" restaurant and lounge, which will be replaced with additional restaurant/lounge seating, and (2) the reimagining of the lobby bar as an indoor/outdoor lobby bar that also utilizes the breezeway area, which is situated entirely on the Property, between the Royal Palm and Shorecrest buildings. The Three-meal restaurant will also be reconfigured to add additional seating; however, the overall occupancy of the approved

venues is expected to decrease significantly relative to the existing approved CUP. All proposed changes are reflected in architectural plans included in this application submittal and are specifically highlighted within the included strikethrough/underlined version of the modified CUP.

### *Outdoor Entertainment*

The proposed CUP modifications also requests approval for outdoor entertainment, limited to background levels, at two new locations. A sound study has been provided in support of this application concluding the entertainment proposed within the modified CUP will comply with the City's noise ordinance.

The first location, a rendering of which is depicted in Figure A, is the new second-floor outdoor terrace (the former pool deck of the north building). This space will not be open to the general public and will be limited in its use to customary hotel events. Entertainment on the terrace will only be permitted until 10:00 P.M., after which all entertainment must transition to the indoor event and ballroom space. Consistent with the existing timeframes allowed for outdoor bar counters at this location, when it's being used in connection with a customary hotel event, the second floor terrace will close no later than 11:00 p.m. on Sunday through Thursday and midnight on Friday and Saturday.



*Figure A: Rendering of Hotel Event Terrace from HPB4-0623*

The second location, a rendering of which is depicted in Figure B, is the outdoor portion of the reimagined indoor/outdoor lobby bar. Similar to the second-floor outdoor terrace, entertainment located at the outdoor portion of this venue will be limited to background levels and at 10:00 PM the doors to the outdoor breezeway shall be closed and any entertainment shall be moved indoors. Bar service outdoors will continue outdoors no later than 11:00 p.m. on Sunday through Thursday and midnight on Friday and Saturday. The hours of operation for the indoor portion of the Lobby Bar remain unchanged.



*Figure B: Rendering of Indoor/Outdoor Lobby Bar from HPB4-0623*

#### *Hours of Operation*

The proposed modifications do not expand the overall operating hours of the CUP-approved venues. The new outdoor portion of the Lobby Bar and the second floor outdoor terrace (formerly a pool deck), which will only be used in conjunction with customary hotel events not open to the general public, will both close no later than 11:00 pm on Sunday through Thursday and midnight on Friday and Saturday.

#### *Occupancy and Seat Count / Number of Venues*

The maximum total occupant load for the three venues will decrease from 774 to 653 persons.

- The lobby lounge/bar, now extending into the outdoor breezeway, will have approximately 59 seats and have a maximum occupancy of 122 persons.
- The full-service “destination” restaurant and lounge will be reduced to a maximum occupancy of 379 persons (from the currently approved 543 persons with a nightclub), consisting of approximately 34 outdoor dining seats, 250 indoor dining seats, and 95 indoor lounge/dining seats.
- The three-meal restaurant (formerly Jimmy’s) will decrease to approximately 122 seats and a maximum occupancy of 152 persons.

A full strikethrough and underline markup of the existing CUP document has been provided with the Application for completeness. For the sake of clarity, portions of the CUP were reorganized to consolidate all of the relevant information regarding the regulated venues and hotel accessory uses into Conditions 6 and 7. As such, an Amended and Restated CUP was also

uploaded which provides a clean new final order after all of the strikethroughs and underlines are incorporated.

### **Sea Level Rise and Resiliency Review Criteria**

As part of its review, the Planning Board shall also consider how the project addresses the City's **Sea Level Rise and Resiliency Review Criteria** pursuant to **Section 7.1.2.4** of the Resiliency Code, addressed below:

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

*To the extent required, the Applicant will provide a recycling and salvage plan to the City prior to any partial demolition of any existing structure.*

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

*N/A*

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

*Where appropriate, passive cooling systems have been incorporated into the project.*

- 4) Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida-friendly plants) shall be provided, in accordance with chapter 126 of the city Code.

*Landscaping shall comply with all code requirements.*

- 5) 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.

*The architect studied the land elevation of the property and adjacent parcels, and proposed a design that is compliant with the current Florida Building Code and addresses the need for improved resiliency to future sea level rise.*

- 6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-way 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 three additional feet in height.

*N/A*

- 7) 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.

*For this redevelopment project, all critical mechanical and electrical systems are located above base flood elevation.*

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

*All habitable portions of the buildings are located above base flood elevation.*

- 9) 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 54 of the City Code.

*The Project will comply with Chapter 54 of the City Code, as applicable.*

- 10) As applicable to all new construction, stormwater retention systems shall be provided.

*N/A*

- 11) Cool pavement materials or porous pavement materials shall be utilized.

*Cool pavement or porous pavement materials are being utilized where possible and most effective.*

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

*The architect is utilizing materials that minimize the heat island effect.*

### **General Standards for Approval**

Pursuant to Sec. 2.5.2.2 of the Resiliency Code, the Planning Board may approve a Conditional Use if it finds that the use meets the following general standards for approval:

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

*The Property's MXE Comprehensive Plan future land use designation permits hotels and their accessory uses.*

- 2) The intended use or construction shall not result in an impact that will exceed the thresholds for the levels of service as set forth in the comprehensive plan.

*The intended uses will not result in an impact that will exceed established level of service thresholds.*

- 3) Structures and uses associated with the request shall be consistent with these land development regulations.

*All structures and uses are consistent with applicable land development regulations.*

- 4) The public health, safety, morals, and general welfare shall not be adversely affected.

*The uses at the Property will not adversely affect public health, safety, morals, and general welfare.*

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

*All parking requirements required by the land development regulations shall be met.*

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

*Neighborhood property, persons, and values shall be safeguarded.*

- 7) The concentration of similar types of uses shall not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.

*Approval of this CUP shall not result on a negative impact on the neighborhood due to geographic concentration of conditional uses. The number of venues is the same and the cumulative impact of entertainment establishments on the neighborhood actually decreases as, based on the revised occupancy counts proposed in the Application, the overall occupancy for all venues is decreasing by more than 100 persons.*

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

*The structure and site are designed to meet the sea level rise and resiliency criteria, as approved by the HPB24-0623 and as noted above.*

- 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.

*Friendliness to pedestrian traffic has been considered throughout the design process.*

#### **Supplemental Standards for Approval of Entertainment Establishments**

- 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.

*An operations plan, with hours of operation, initial number of employees, menu items, goals of business, and other operational characteristics is provided as part of the application.*

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

*A parking plan is incorporated within the submitted Traffic Impact Statement.*

- 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 will be controlled.

*The primary use of the Property is a hotel which shall primarily be used by hotel guests and visitors. The Applicant does not anticipate large groups of people waiting to gain entry into the hotel premises or any particular venue for any reason, as any large crowds would be limited to private hotel events coordinated through management. However, the operations plan does address staffing and security which would be employed to control such a situation at the Property.*

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

*A security plan has been provided.*

- 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.

*A traffic circulation analysis and plan is included within the submitted Traffic Impact Statement.*

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

*A sanitation plan has been provided.*

- 7) A noise attenuation plan which addresses how noise will be controlled to meet the requirements of the noise ordinance.

*The Applicant has engaged Edward Dugger & Associates to conduct a sound impact analysis which concludes all entertainment will comply with the City's noise ordinance and does not create any adverse impact on the immediate neighborhood.*

- 8) Proximity of proposed establishment to residential uses.

*The eastern portion of the adjacent property to the south continues to be a residential condominium, 1500 Ocean Drive.*

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

*The renovations will revitalize the building, uplift the neighborhood, and are not expected to have any adverse impact on the adjacent uses.*

The proposed renovations to the existing Property improvements are consistent with the character of the surrounding neighborhood, complement the architectural and historic identity of the Property, and will elevate the guest experience at the Property. Based on the foregoing, the Applicant respectfully requests that the Planning Board approve this Application.

Sincerely,

*Carter N. McDowell*

Carter N. McDowell