

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

MEETING DATE: December 9, 2025

PROPERTY/FOLIO: 1545 Collins Avenue / 02-3234-019-0960

FILE NO: PB25-0779 a.k.a. PB17-0108 a.k.a. PB 2032

APPLICANT: RP Hotel Holdings LLC

IN RE: An application has been filed requesting modifications to a previously issued conditional use permit, to operate an aggregate of uses, as a Neighborhood Impact Establishment (NIE). Specifically, the applicant is requesting approval for the reconfiguration of the previously approved venues, the introduction of ambient level outdoor entertainment and a second-floor rooftop alcoholic beverage establishment within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II; Chapter 2, Article V, and Chapter 7, Article II, of the Miami Beach Resiliency Code.

LEGAL: The south 12.65 feet of Lots 7 & 14 and all of Lots 5, 6, 15 and 16 and the north half of Lots 4 & 17, Block 56, of the Alton Beach 1st Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 77 of the public records of Miami Dade County, Florida and the portion lying east and adjacent west of the erosion control line per Plat Book 105, Page 62 of the public records of Miami Dade County, Florida.

MODIFIED CONDITIONAL USE PERMIT

The applicant is requesting modifications to a previously granted Modified Conditional Use Permit for the operation of an aggregate of uses, as a Neighborhood Impact Establishment. Specifically, the applicant is requesting approval for the reconfiguration of the previously approved venues, the introduction of ambient level outdoor entertainment and a second-floor rooftop alcoholic beverage establishment within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II; Chapter 2, Article V, and Chapter 7, Article II, 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:

That the property in question is located in the MXE, Mixed-Use Entertainment zoning district;

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

That 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;

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

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

That 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 recommendation, that a Modified Conditional Use Permit as requested and set forth above be GRANTED, subject to the conditions below, which have been accepted by the applicants. (~~Strikethrough~~ signifies deletions; Underlining signifies new language):

1. The Planning Board shall maintain jurisdiction of this Modified Conditional Use Permit (MCUP). ~~Ninety days after the issuance of the Business Tax Receipt or after general commencement of operations, whichever comes later, the applicant shall provide a progress report to the Planning Board. 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. A progress report shall be scheduled before the Planning Board 90 days after obtaining a business tax receipt (BTR). The applicant shall be required to provide a letter to the Planning Department subsequent to the initial progress report and on an annual basis thereafter attesting to the applicant's compliance with all conditions of the CUP. The Planning Director shall include a copy of all such letters on the next available meeting agenda of the Planning Board for informational purposes. Following receipt of an applicant's annual letter, the Planning Board may elect to schedule a progress report before the Board at its next available meeting. Failure to provide such letter on an annual basis shall constitute a violation of the MCUP and a progress report shall be scheduled. In addition to all enforcement provisions herein, the Board reserves the right to schedule a modification/revocation hearing if determined necessary when reviewing any annual progress report. This Modified Conditional Use is also subject to modification or revocation under City Code Sec. 118-194(e) Section 2.5.2.5 of the Land Development Regulations of the City Code.~~
2. This Modified Conditional Use Permit is issued to RP Hotel Holdings, LLC as owner of the property. ~~In the event of any change in the owner and/or operator, the new owner and/or operator shall appear before the Board to affirm their understanding of the conditions listed herein at the earliest Board meeting for which the Planning Department can lawfully include this item on the Board's agenda. Any change of operator or 50% (fifty percent) or more stock ownership shall require the new operator or owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new operator or owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Certificate of Use/Business Tax Receipt. A progress report shall be scheduled within 60 days followed by the submission and acceptance of the affidavit.~~
3. The conditions of approval for this Modified Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
4. 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.

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5. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application for a Neighborhood Impact Establishment Modified Conditional Use Permit.
6. As proposed by the applicant, the project authorized by this Modified Conditional Use Permit includes the ~~creation and~~ continued operation of the following three (3) venues, ~~with their respective subject to the following~~ approximate maximum occupant loads or such respective lower maximum occupant loads as the Fire Marshal may determine, resulting in an approximate aggregate maximum occupant load of ~~774~~ 653 persons or such lower aggregate maximum occupant load as the Fire Marshal may determine:
- (A) ~~the lobby lounge and bar, presently intended to be named James Club, to be located wholly in the inside of the first floor of the north building — 70 persons;~~
- (B) ~~the full-service "destination" restaurant, lounge, and nightclub, presently unnamed, to be located at the front of the first and second floors of the south building, with a total occupant load of 543 persons, and generally consisting of:~~
- (i) ~~54 outdoor dining seats to be located on the existing first floor terrace located on the west side of and wrapping around the north side of the south building;~~
- (ii) ~~233 indoor dining seats to be located on the first and second floors of the south building; and~~
- (iii) ~~256 persons in the lounge and nightclub to be located in the rear of the first floor of the south building;~~
- (C) ~~the three-meal restaurant (which also offers room service), presently intended to be named Jimmy's Restaurant, to be located wholly outside on the south side of the first floor of the north building (presently occupied in part by exercise equipment) and wrapping around to the pool deck on the east side of the north building (presently occupied in part by a bar) — 146 seats;~~
- (A) Destination Restaurant (1535 Collins Avenue):
- i. Total occupancy: approximately 338 persons.
- ii. Total seats: not to exceed the maximum occupancy.
- iii. Indoor hours of operation: close no later than 5:00 a.m.
- iv. Outdoor hours of operation: close no later than 2:00 a.m. (inclusive of all clean-up and other staff operations).
- v. Indoor entertainment: permitted until 5:00 a.m.
- vi. Outdoor entertainment: not permitted
- (B) Lobby Bar (1545 Collins Avenue):
- i. Total occupancy: approximately 158 persons.

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- ii. Total seats: not to exceed the maximum occupancy.
- iii. Indoor hours of operation: close no later than 5:00 a.m.
- iv. Outdoor hours of operation: close no later than 11:00 p.m. Sunday through Thursday and no later than 12:00 a.m. (midnight) Friday and Saturday.
- v. Indoor entertainment: permitted until 5:00 a.m.
- vi. Outdoor entertainment: shall be limited to an ambient volume level (i.e. a volume that does not interfere with normal conversation), and shall only be permitted until 10:00 p.m., at which time the partitions and doors to the outdoor portion of the lobby bar must be closed.

(C) Three-Meal Restaurant (1545 Collins Avenue):

- i. Total occupancy: approximately 158 persons.
- ii. Total seats: not to exceed the maximum occupancy.
- iii. Indoor hours of operation: close no later than 2:00 a.m.
- iv. Outdoor hours of operation: close no later than 2:00 a.m.
- v. Indoor entertainment: permitted until 2:00 a.m.
- vi. Outdoor entertainment: shall be limited to an ambient volume level (i.e. a volume that does not interfere with normal conversation), and shall be limited to customary accessory hotel uses only (invitation-only functions limited to registered guests and their invitees, such as weddings, birthdays, corporate functions, etc.). Entertainment under this paragraph shall only be permitted from 11:30 a.m. until 11:00 p.m. Sunday through Thursday, and from 11:30 a.m. until 12:00 a.m. (midnight) Friday and Saturday. At all other times, outdoor entertainment is not permitted.

~~7. The three (3) above-described venues shall have the following respective hours and operations:~~

- (A) ~~the lobby lounge and bar will close at 5 AM—entertainment is authorized, a dance hall is not authorized;~~
- (B) ~~the full service “destination” restaurant, lounge, and nightclub:~~
 - (i) ~~The outdoor dining area will close at 2 AM (inclusive of all clean-up and other staff operations)—Neither entertainment nor a dance hall is authorized; and~~
 - (ii) ~~The indoor area will close at 5 AM—Subject to compliance with applicable requirements, entertainment and a dance hall are authorized;~~

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- (C) ~~the three meal restaurant (Jimmy's) will close at 2 AM~~
7. In addition to the venues described above, this Modified Conditional Use Permit authorizes the following for outdoor areas of the property:
- (A) Ground level pool deck:
- i. Outdoor entertainment: shall be limited to an ambient volume level (i.e. a volume that does not interfere with normal conversation), and shall be limited to customary accessory hotel uses only (invitation-only functions limited to registered guests and their invitees, such as weddings, birthdays, corporate functions, etc.). Entertainment under this paragraph shall only be permitted from 11:30 a.m. until 11:00 p.m. Sunday through Thursday, and from 11:30 a.m. until 12:00 a.m. (midnight) Friday and Saturday. At all other times, outdoor entertainment is not permitted.
- (B) Second level roof terrace:
- i. Hours of operation: close no later than 11:00 p.m. Sunday through Thursday and close no later than 12:00 a.m. (midnight) Friday and Saturday.
- ii. Outdoor entertainment: not permitted
- (C) All other outdoor areas:
- i. Outdoor entertainment: not permitted.
7. Any updates to the submitted operational plan for the restaurants and commercial uses shall be submitted to Planning Department staff for review and approval prior to the issuance of a Certificate of Occupancy, Certificate of Completion or Business Tax Receipt, whichever occurs first.
8. None of the rooftops No rooftop (with the exception of the second level terrace and the terraces of the presidential suites) of the present buildings or any future buildings on the property shall have any guest, invitee, or public usage or facilities of any kind, and there shall be no access to any such rooftop except for:
- (A) emergency evacuations as required by the Fire Code and Fire Marshal, and/or
- (B) the hotel's operating, maintenance, and construction personnel and contractors.
9. Applicant will install and maintain a safe, secure, and locked rear gate which can be opened only by registered hotel guests (using their magnetic room key cards or other secure devices), hotel personnel, and public safety personnel.
10. Applicant will repair or install, and will thereafter maintain a fire alarm system which reduces false alarms to a generally accepted minimum number, and which complies in all other respects with all applicable requirements.
11. Applicant will adopt and enforce, on a 24-hour basis will apply, such practices and procedures as are reasonably likely to remedy inappropriate guest and invitee conduct. Without limiting

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the generality of the foregoing, applicant's personnel will, on a 24-hour basis, regularly inspect:

- (A) all outdoor areas in order to determine whether there is any yelling, screaming, or other inappropriate sounds being made by guests or invitees who are on any terrace, balcony, pool deck, breezeway, or any other outdoor area, and will promptly take such action as may be reasonably necessary to terminate the yelling, screaming, and other inappropriate sounds and to prevent a recurrence; and
- (B) all terraces, balconies, and other outdoor areas in order to determine whether any railings are being used to hang or dry towels, swim suits, beach toys, and other items, such inspection to be made from the ground or any other reasonable vantage point, and will promptly take such action as may be reasonable necessary to terminate such practices and to prevent their recurrence.

Applicant will arrange for hotel management on duty to be available by telephone, on a 24-hour basis, to receive and act promptly upon complaints of inappropriate guest or invitee conduct. Such contact information shall be provided to neighboring residents. If any venue is leased to a third party, the applicant will satisfy the forgoing obligations with respect to each such venue by requiring the third party to comply with this section.

12. No outdoor bar counters shall be permitted except that the bar at Jimmy's Restaurant for the outdoor portion of the lobby bar, and the three-meal restaurant which outdoor bar counter shall be part of a full service restaurant at all times. No permanent outdoor bar counter shall be placed on any roof, terraces, private decks, or balconies at any time. Temporary outdoor bar counters, including temporary outdoor bar counters on the 2nd floor pool deck second level terrace, will be permitted during customary hotel events accessory hotel uses or invitation-only functions that are not open to the general public and are limited to registered guests and their invitees, such as weddings, birthdays, corporate functions, etc. which shall be removed on no later than:

Sunday through Thursday: 11:00 p.m.

Friday and Saturday: 12:00 a.m. (Midnight)

13. Calculations for required parking for the project shall be determined by the Planning Department prior to approval of a building permit. Such parking calculations shall be based upon both the number of hotel rooms, residential units, and additionally, the intensity of the proposed accessory uses as measured by the number of seats in dining areas, and by the square footage of the liquor service areas not included in the areas for which seats are calculated. A final determination for the required parking shall be conducted at the time of the Building Permit and any deficiency may be paid by a fee in lieu of providing the required parking, which shall be paid before the building permit is issued.
14. A queuing analysis relating to the valet parking processing rate shall be revised to determine whether additional attendants will need to be added to the valet operation. The revised queuing analysis shall be submitted to Planning Department staff for review and approval prior to the issuance of a Certificate of Occupancy, Certificate of Completion, or Business Tax Receipt, whichever occurs first. The applicant shall comply with the following conditions as outlined in the Transportation & Mobility Department memorandum dated November 25, 2025:

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- (A) 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 Statement dated October 2025, prior to the issuance of a building permit.
- (B) A minimum of ten (10) valet runners will be maintained during the AM peak demand period, and ten (10) valet runners during the PM peak demand period, respectively. In order to request to reduce this minimum number, the applicant may prepare and submit a follow-up Valet Analysis using counts from the project site, collected a minimum of 6 months after opening, to show that fewer than the originally projected number of valet attendants are needed, subject to the approval of both the City of Miami Beach Transportation & Mobility Department, and the City of Miami Beach Parking Department.
- (C) The number of valet attendants should be adjusted when higher-than-normal peak demands are encountered to accommodate all vehicular queues on-site. Likewise, if it is determined that valet processing times can be performed more efficiently and/or actual traffic volumes are lower than projected, a reduced number of valet attendants may be adequate to serve the site, provided that a sufficient number of attendants is provided to ensure that the valet queue is contained on-site and does not obstruct the public right-of-way at any time. For the avoidance of doubt, all queuing shall be contained on-site and shall not obstruct the public right-of-way at any time.
15. ~~All parking and vehicle retrieval will be. The revised queuing analysis shall be submitted to Planning Department staff for review and approval prior to the issuance of a Certificate of Occupancy, Certificate of Completion, or Business Tax Receipt, whichever occurs first, by valet attendants only; self-parking will not be permitted (except in off-property parking garages elsewhere). Valet attendants will drive the vehicles to and retrieve the vehicles from either:~~
- (A) the present on-site garage with its 104 parking spaces, or
- (B) the City garage located on ~~the south side of~~ 16th Street immediately west of Collins Avenue.
- Applicant shall not in any manner directly or indirectly participate in the storage or parking of vehicles for non-hotel guests or invitees or entities in either of the above two facilities.
16. Directional signs shall be posted at the entrance to the hotel and exit to Collins Avenue. Such signs shall be submitted to the Planning Department and Public Works Department for review and approval and shall be indicated on the Plans submitted to the Building Department for final permit.
- ~~18. The following conditions of approval by the Historic Preservation Board for File No. 7245 are hereby incorporated as part of the Planning Board conditions of approval:~~
18. (A) The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced. Owner agrees to include the rules and regulations set forth in these conditions in any contract or assignment.
19. (B) The applicant shall install and/or maintain a distributive sound system for providing

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ambient music (played at a volume that does not interfere with normal conversation) in all open areas, as well as in facilities, such as the ~~proposed~~ restaurant on the first level, which are open to the outside. Exterior subwoofers shall not be permitted. A final exterior speaker plan shall be submitted for the review and approval by staff. Such speaker plan shall include the introduction of acoustical panels or similar sound-attenuating devices to mitigate exterior sound impacts particularly within the ground level breezeway. The controls for the distributive sound system shall be adjusted by a sound engineer professional to limit the amplitude of music and adjust the sound system so that it will comply with all applicable noise ordinance conditions in this Order and/or Chapter 46, Article IV of the City Code, as may be amended from time to time (the "Noise Ordinance"), whichever is stricter. Other than the sound engineer professional, only the Hotel Manager may have access to the controls which shall be locked. Prior to the issuance of Business Tax Receipt (BTR), the sound system shall be tested under the supervision of a qualified acoustical professional and Planning Department Staff, 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. Sound testing shall also occur from the residential balconies/terraces located at 1500 Ocean Drive to ensure that the sound is not plainly audible from any residential unit at 1500 Ocean Drive. A final report issued by such acoustical consultant shall be submitted to the Planning Department staff prior to the issuance of a BTR.

20. (C) All DJ performances or live music associated with "customary" accessory hotel uses (invitation-only functions limited to registered guests and their invitees, such as weddings, birthdays, corporate functions, etc.), not for the general public in the outside areas, on and around the pool deck on the first level, such as the restaurant on the first level which facilities are open to the outside, shall be ~~prohibited~~ except permitted from 11:30 am to 11:00 pm, Sunday through Thursday, and from 11:30 a.m. to midnight, Friday and Saturday. No other live music or DJ shall occur in these areas except according to a special event permit. Any DJ shall use the approved distributed sound system only. Outdoor customary hotel events with live music shall also use the hotel's approved distributed sound system only.

~~(D) Live music is prohibited on the second level pool deck, except in accordance with a valid Special Event Permit.~~

21. (E) Should the applicant desire to materially increase the size of the outside pool deck areas greater than as proposed in the application, that change must be presented and approved by the HPB in pursuant to a subsequent application, and not by staff review, unless such change is approved in writing by the 1500 Ocean Drive Condominium Association.

22. (F) The applicant will establish rules that prohibit guests from bringing audible electronic amplification devices on the decks and balconies that may disturb the residents of 1500 Collins Avenue Ocean Drive.

23. (G) The rooftops of the lanai building shall not be used as habitable areas.

24. (H) Owner agrees to install and/or maintain an exhaust system, if required by code, for the kitchen that will substantially reduce grease and smoke that would otherwise escape to the surrounding area. This may include the installation of a fan in connection with the kitchen exhaust system within the interior of the building in order to reduce noise levels at the exhaust outlet.

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25. ~~19.~~ Hotel security personnel and other hotel staff shall take measures to enforce the Patron Age Restriction of the City Code during the hours of operation of all alcoholic beverage establishments.
26. ~~20.~~ The Applicant will provide supervisory training to senior staff personnel to ensure that at all times there are trained staff members on site to monitor and control guest behavior in the outdoor areas, in particular open spaces at ~~Jimmy's the three-meal restaurant~~ and pool deck areas. Senior staff will ensure that all conditions stipulated in the Modified Conditional Use Permit are followed by hotel guests and invitees. In addition, the Applicant will purchase a two-way radio system so personnel can maintain contact with the general manager and/or the senior manager on duty. Additionally, security cameras will be utilized and off-duty police or security personnel will be hired on an as-needed basis.
27. ~~24.~~ If any outdoor venue has doors which open upon any indoor venue which is authorized by this Modified Conditional Use Permit to remain open later than its connected outdoor venue, then, at and after the time specified in this Modified Conditional Use Permit for that outdoor venue to close, the indoor venue must either: (A) close those connecting doors, or (B) reduce the volume of the music to comply with the level specified in the Noise Ordinance. Background ambient music (played at a volume that does not interfere with normal conversation) will be turned off ~~around the pool area~~ no later than:
- (A) Around the pool area: Sunday through Thursday: 11:00 p.m., Friday and Saturday: 12:00 a.m. (Midnight).
- (B) ~~Jimmy's Restaurant (Three-meal restaurant): 2:00 a.m.~~
- (C) Outdoor portion of destination restaurant: 2:00 a.m.
28. ~~22.~~ No third-party outside sound systems shall be permitted; only house sound systems shall be used. At all times, each of the house sound systems shall be under the control only of the general manager, the manager on duty, ~~or the hotel manager on duty, or the restaurant manager for the destination restaurant and lounge.~~ Following installation and testing, each sound system shall be locked and password-protected, so that its volume cannot be changed:
- (A) by anyone other than one of ~~these~~ the above-named individuals, or
- (B) to a volume which would violate the City's Noise Ordinance. Each sound system shall, in all respects, be installed, tested, and operated so that it complies, in all material respects, with the specifications and requirements of the Noise Study prepared by The Audio Bug, Inc. and dated July 25, 2014 Edward Dugger and Associates, P.A., dated August 1, 2025 ("Sound Study"). ~~The Audio Bug, Inc. will prepare an updated letter from its report addressing directional noise transfer issues that may exist in the direction of the 1500 Ocean property.~~
29. ~~23.~~ Special events may be allowed, pursuant to a Special Event Permit, to exceed applicable restrictions except for the Noise Ordinance and any other Ordinances, rules or regulations existing at the time, ~~and.~~ Any special event permit request shall be noticed by the applicant in advance of filing an application for special events permit approval, proof of which shall be filed together with the application, to abutting residential condominium associations for suggestions and objections. If a Special Event Permit is issued, a specific condition of the special event permit approval shall be that no live music or entertainment shall be permitted

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after 2:00 a.m. except for New Year's Eve and July 4th. Prior to the issuance of any Special Event Permit for the second level open-air roof terrace, the owner or operator shall obtain prior written consent from the 1500 Ocean Drive Condominium Association.

30. ~~24.~~ The installation plan for each proposed new sound system and for each proposed material modification of an existing sound system, including the location of all the speakers and sound system controls shall be submitted to staff for review and approval prior to obtaining a building permit. ~~Speakers shall not be installed above ground (walls, etc.)~~
31. ~~25.~~ Street flyers and handouts shall not be permitted, including handbills from third-party promotions
32. ~~26.~~ The following shall apply to all deliveries, loading, and garbage and trash pickups which shall be conducted:
- (A) from the private driveway which is located to the south of the property and to which applicant has access through agreements with the driveway's owners located to the south of the private driveway; and
 - (B) directly within the structures or private driveway and not on Collins Avenue; and
 - (C) between 9:00 AM and 5:30 PM only; and
 - (D) within the 15-foot-wide strip, running east-west approximately 179 feet, and located between, on the north, the hotel's southern wall, and on the south, a clear and brightly-painted continuous yellow stripe, running in an east-west direction, which shall be placed, maintained, and periodically repainted in a location approximately 15 feet south of the Shorecrest Hotel structure, or within the loading areas located south of the shared driveway, provided the loading docks of the buildings located on the south side of the shared driveway are not blocked; and
 - (E) not within the shared driveway, which is located in-between the loading area to the north and the loading area to the south, both of which are delineated by yellow striping running east-west along the shared driveway.
33. ~~27.~~ Deliveries, loading, garbage and trash pickups shall adhere to the following operational standards:
- (A) At the top of the ramp of the shared driveway, an arm gate, or two arm gates, one for each lane, but in either case, extending the entire width of the shared driveway, shall, within sixty days of the modification of the CUP, be installed in a sound and workmanlike manner, using materials and equipment which are generally recognized as appropriate for high-quality commercial or residential buildings. [Note: as of the date of this MCUP, this installation has been completed.] Thereafter, the arm gate(s) shall, promptly and in the same manner, be maintained, repaired, periodically serviced, and replaced (all or in part) as may reasonably be needed from time to time.
 - (B) Parking in the 15-foot-wide strip, described in Condition ~~26~~ 32 (D) above, shall be prohibited between 9:00 AM and 5:30 PM, 365 days a year, except for vehicles engaged in delivery and pickup operations and as provided in the following subsection (C). The applicant shall not block or obstruct in any manner any part of the 15-foot-

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wide strip, except for vehicles engaged in delivery and pickup operations. Between 9:00 AM and 5:30 PM, 365 days a year, applicant shall engage personnel to manage the shared driveway and promptly take action to remove any such vehicle and/or to remove any such blockage or obstruction

Notwithstanding the foregoing, the applicant shall be permitted to provide five (5) delineated parking spaces located on the western end of the shared driveway, and located north of the shared driveway (north of the northerly yellow strip).

- (C) Deliveries and pickups shall be handled and managed by a dock master supervisor who shall be on duty between 9:00 AM and 5:30 PM, 365 days a year, and who shall be stationed at a location where the entire shared driveway and the 15-foot-wide-strip can be observed and immediately accessed. The dock master supervisor shall be responsible for:
- i. controlling hotel related deliveries and refuse pick up traffic in order to minimize disruption of traffic on Collins Avenue and in order to minimize interference with the business and resident traffic of the shared driveway's respective owners, and
 - ii. enforcing the provisions of conditions No. 26 32 and 27 33 relating to Deliveries and Pick-Ups.
- (D) Trash/garbage containers shall have rubber wheels and be maintained in a clean and fully operable condition. Trash/garbage containers shall be kept in the trash room, with its door completely closed except during trash and garbage pickups, after which the containers shall be promptly returned to the trash room, its door completely closed, and all trash, debris, and garbage shall be removed from the area in front of the door.
- (E) A high-level trash/garbage compacting device shall be located in an air-conditioned trash/garbage holding room located on the south side of the south building; time of service for deliveries and best efforts used to have garbage and trash pickups shall be restricted to not before 9 A.M. and not after 5:30 P.M.
- (F) All garbage and trash from hotel rooms, restaurants, bars, meeting rooms, and any other facilities or activities on or attributable to the property will be disposed of on a daily basis and will be consolidated in an air-conditioned trash/garbage holding room located on the south side of the south building. Applicant will ~~enter into~~ maintain a contract with an appropriate waste removal operator, and ~~at that time a~~ continue to comply with the more detailed sanitation plan ~~shall be previously approved and provided to Planning Department staff for review and approval, such plan to include a copy of the fully-signed contract with the waste removal operator.~~
34. ~~28.~~ All variances, as may be necessary for the entire project shall be applied for and obtained prior to applying for a building permit.
35. ~~29.~~ The applicant shall submit an MOT (Method of Transportation) to Public Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.

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- ~~36. 30. In accordance with Chapter 122 of the Code 3 of the Land Development Regulations of the City of Miami Beach, the Transportation and Concurrency Management Division Planning Department shall conduct a final concurrency determination that will meet the City's concurrency requirements and level-of-service standards prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. The applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), by paying its fair share cost, as may be determined by the Concurrency Management Division. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.~~
- ~~37. 34. The applicant shall obtain a full building permit for the modifications approved herein within no later than 18 months from the date of the meeting, 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.~~
- ~~38. 32. The applicant shall resolve outstanding violations and fines, if any, prior to the issuance of a building permit for the structure.~~
- ~~39. 33. The Planning Board shall retain the right to call the owner or operator back before them and modify the hours of operation or the occupant load of the accessory uses proposed for the project should there be valid complaints about loud, excessive, unnecessary, or unusual late night noise, or amend other conditions or add new conditions. 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.~~
- ~~34. Applicant agrees to replace the garage exhaust fans and install new fans per building code requirements that are state of the art Quiet Technology within 60 days of the issuance of a Temporary Certificate of Occupancy for the new destination restaurant located in the Shorecrest hotel.~~
- ~~40. 35. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (the "Noise Ordinance"), as may be amended from time to time, shall be deemed a violation of this Modified Conditional Use Permit and subject to the remedies as described in section 118-194, Code of the City of Miami Beach, Florida.~~
- ~~41. 36. 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.~~
- ~~42. 37. This Modified Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County within a reasonable time after receipt at the expense of the applicant. No building permit, certificate of use, certificate of occupancy, certificate of completion or business tax receipt shall be issued until this requirement has been satisfied.~~
- ~~43. 38. The establishment and operation of this Modified 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 Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also~~

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PB25-0779 a.k.a. PB17-0108 a.k.a. PB 2032. 1545 Collins Avenue
Meeting Date: December 9, 2025

constitute a basis for consideration by the Planning Board for a revocation of this Modified Conditional Use.

44. ~~39.~~ Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

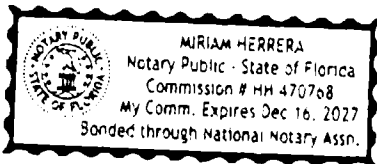
12/22/2025 | 11:10 AM EST
Dated this _____ day of _____, 20____.

PLANNING BOARD
THE CITY OF MIAMI BEACH, FLORIDA

DocuSigned by
Deborah Tackett
BY: _____
DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 24 day of December 2025 by Deborah Tackett, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.



Miriam Herrera
NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: 12-16-27

Approved As To Form: _____
City Attorney's Office: Nick Talley (12/22/2025 | 10:48 AM EST

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Filed with the Clerk of the Planning Board on Jessica Fraking (12/23/2025 | 10:34 AM EST