

# MIAMIBEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Historic Preservation Board

TO: Chairperson and Members  
Historic Preservation Board

DATE: December 16, 2025

FROM: Thomas R. Mooney, AICP  
Planning Director

 For TRM

SUBJECT: HPB25-0677 a.k.a. HPB 7245 **1545 Collins Avenue**

An application has been filed requesting modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing structures on the site, including a new landscape plan and pool deck, new roof-terraces, and new signage. Specifically, the applicant is requesting to delete certain conditions of approval regarding outdoor operations, noise conditions, and operational conditions.

#### **STAFF RECOMMENDATION**

Approval of the modifications to the previously approved Certificate of Appropriateness with conditions.

#### **BACKGROUND**

On May 10, 2011, Historic Preservation Board approved a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing structures on site, including a new landscape plan and pool deck, new roof-top terraces, and new signage. On September 20, 2011, the Planning Board granted conditional use approval to operate an aggregate of uses - a full-service restaurant, a specialty restaurant and lounge, and hotel bar - open to the general public, as a neighborhood impact establishment, located in the renovated Royal Palm/Shorecrest Hotel property. On April 30, 2019, the Planning Board modified the conditions of the original Planning Board order for the Conditional Use for RP Hotel Holding, LLC, to operate an aggregate of uses of a full service restaurant, a specialty restaurant and lounge, and hotel bar-open to the general public, as a Neighborhood Impact Establishment located in the renovated Royal Palm/Shorecrest Hotel property.

On October 8, 2024, the Historic Preservation Board approved a Certificate of Appropriateness for the partial demolition and renovation of the building located at 1545 Collins Avenue and site improvements (HPB24-0623). On December 9, 2025, the Planning Board approved modifications to the previously issued conditional use permit, to operate an aggregate of uses as a Neighborhood Impact Establishment (NIE), including 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.

#### **EXISTING BUILDING**

Local Historic District:  
Classification:

Ocean Drive/Collins Avenue  
Contributing

Original Architect: Albert Anis  
Original Construction Date: 1937

**ZONING / SITE DATA**

Folio: 02-3234-019-0960  
Legal Description: 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 1<sup>st</sup> 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.

Zoning: MXE, mixed-use entertainment  
Future Land Use Designation: MXE, mixed-use entertainment  
Existing Use: Hotel with accessory restaurants  
Proposed Use: No change

**THE PROJECT**

The applicant has submitted documents entitled “Royal Palm South Beach Miami”, dated August 17, 2025.

**COMPLIANCE WITH ZONING CODE**

A preliminary review of the project indicates that the application appears to be consistent with the applicable provisions of the Land Development Regulations of the City Code (LDRs).

This shall not be considered final zoning review or approval. These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

**CONSISTENCY WITH 2040 COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the existing hotel use is **consistent** with the Future Land Use Map of the Comprehensive Plan.

**COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 7.1.2.4(a)(i) of the Land Development Regulations 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.  
**Not Applicable**
- B. Windows that are proposed to be replaced shall be hurricane proof impact windows.  
**Not Applicable**
- C. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Not Applicable**

- D. Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.  
**Not Applicable**
- 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.  
**Not Applicable**
- 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 three (3) additional feet in height.  
**Not Applicable**
- G. In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.  
**Not Applicable**
- H. Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to 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 General Ordinances.  
**Not Applicable**
- J. In all new projects, water retention systems shall be provided.  
**Not Applicable**
- K. Cool pavement materials or porous pavement materials shall be utilized.  
**Not Applicable**
- L. The project design shall minimize the potential for a project causing a heat island effect on site.  
**Not Applicable**

**COMPLIANCE WITH CERTIFICATE OF APPROPRIATENESS CRITERIA**

A decision on an application for a certificate of appropriateness shall be based upon the following:

1. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable, compliance with the following criteria pursuant to section 2.13.7(d)(ii)(1) of the Land Development Regulations (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):

- a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings may be amended from time to time.  
**Not Applicable**
  - b. The Secretary of Interior's Standards for Reconstruction as may be amended from time to time.  
**Not Applicable**
  - c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.  
**Satisfied**
2. The examination of architectural drawings for consistency with the criteria pursuant to section 2.13.7(d)(ii)(2) of the Land Development Regulations and stated below, with regard to the aesthetics, appearances, compatibility, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The criteria referenced above are as follows (it is recommended that the listed criteria be found Satisfied, Not Satisfied or Not Applicable, as so noted):
- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Not Applicable**
  - b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.  
**Not Applicable**
  - c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit.  
**Not Applicable**
  - d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.  
**Not Applicable**
  - e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.

**Not Applicable**

- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.

**Not Applicable**

- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties and consistent with a city master plan, where applicable.

**Not Applicable**

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.

**Not Applicable**

- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.

**Not Applicable**

- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).

**Not Applicable**

- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.

**Not Applicable**

- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.

**Not Applicable**

- m. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.

**Not Applicable**

- n. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.

**Not Applicable**

### **STAFF ANALYSIS**

The development site includes two contributing structures: the Shorecrest Hotel located at 1535 Collins Avenue and the Royal Palm Hotel located at 1545 Collins Avenue. The property underwent a major redevelopment in the late 1990s, which included the construction of two new guest room towers and the reconstruction of the Royal Palm Hotel, following its demolition due to structural concerns. The current proposal is limited to certain conditions of approval regarding outdoor operations, noise conditions, and operational conditions, with the history of those conditions further described below.

On May 10, 2011, the Historic Preservation Board (HPB) issued an order that included various outdoor, noise, and operational conditions outlined in Paragraph 8. Subsequently, in September 2011, the Planning Board approved Conditional Use Permit PB17-0108 (formerly PB2032), authorizing the operation of a neighborhood impact establishment consisting of three distinct venues within the hotel. This approval specifically incorporated the HPB conditions of approval for File No. 7245.

In 2024, the HPB approved substantial renovations for the partial demolition and renovation of the building and site improvements under File No. HPB24-0623. Notably, the 2024 HPB Order did not include the previously established operational conditions. Following that approval, on August 17, 2025, the applicant submitted a Conditional Use Permit modification request (PB25-0779), which proposed to update the operational conditions.

To ensure consistency and eliminate conflicting directives within active board approvals applicable to the property, the 2011 HPB Order is proposed to be amended to remove the operational conditions, leaving those provisions exclusively under the jurisdiction of the Planning Board through the CUP moving forward. Specifically, the applicant is requesting to remove several conditions of paragraph 8 of the 2011 Order (HPB file no. 7245) related to the operations of the roof top, as noted hereto:

### **OUTDOOR CONDITIONS**

The applicant is requesting the deletion of the following outdoor conditions under C.2.8.a:

- i. 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.*
- ii. The applicant shall install a distributive sound system for providing ambient music in all open areas, as well as in facilities, such as the proposed restaurant on the first level, which are open to the outside. 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 ordinances. Other than the sound engineer professional, only the Hotel Manager may have access to the controls which shall be locked.*

- iii. All DJ or live music associated with “customary” accessory uses 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 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 distributed sound system*
- iv. Live music is prohibited on the second level pool deck, except in accordance with a valid Special Event Permit.*
- v. Should the applicant materially increase the outside pool deck areas greater than as proposed in the application, that change must be presented and approved by the HPB in a subsequent application, and not by staff review, unless such change is approved in writing by 1500 Ocean Drive.*
- vi. The applicant will establish rules that prohibit guests from bringing electronic amplification devices on the decks and balconies that may disturb the residents of 1500 Collins Avenue.*
- vii. The rooftops of the lanai building shall not be used as habitable areas.*
- viii. Owner agrees to install 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.*

Staff has no objection to the elimination of these conditions as they are associated with operations that are subject to the corresponding Conditional Use Permit.

#### NOISE CONDITIONS

The applicant is proposing to delete the following noise conditions:

- i. The Historic Preservation Board (HPB) or the Planning Director shall retain the right to call the owners and/or operators back before the HPB, at the expense of the owners and/ or operators, to impose and/or modify the hours of operation, and the placement or use on the property of exterior loudspeakers, fixed or portable, or amend or impose other conditions, should there be a valid violation (as determined by Code Compliance) about loud, excessive, unnecessary, or unusual noise or other conditions of this approval. An adverse adjudication of a violation against the owner or operator is not necessary for the board to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.*
- ii. A valid violation of Chapter 46, Article IV, “Noise,” of the Code of the City of Miami Beach, Florida (a/k/a “noise ordinance”), as amended, shall be deemed a violation of this approval and subject the approval to modification in accordance with the procedures for modification of prior approvals as provided for in the Code, and subject the applicant to the review provided for in the first sentence of this subparagraph.*
- iii. Notwithstanding the occupancy and seat counts shown on the plans submitted, calculations for required parking and concurrency for the project shall be determined by the Planning*

*Department prior to approval of a building permit. Such parking and traffic calculations shall be based upon both the number of hotel rooms, 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 as provided for in this subparagraph.*

Staff has no objection to the elimination of these conditions as they are associated with operations that are subject to the corresponding Conditional Use Permit or are requirements for permit review (parking and concurrency).

#### OPERATIONAL CONDITIONS

The applicant is proposing to delete the following operational conditions:

- i. All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.*
- ii. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Doors shall remain closed and secured when not in active use.*
- iii. All kitchens and other venting shall be chased to the nearest roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors.*
- iv. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.*

Staff has no objection to the elimination of these conditions as they are associated with operations that are subject to the corresponding Conditional Use Permit or are requirements for permit review (parking and concurrency).

In summary, staff has no objection to the proposed application for the elimination of the above noted conditions, and recommends approval as indicated below.

#### RECOMMENDATION

In view of the foregoing analysis, staff recommends that the request for modifications to a previously granted Certificate of Appropriateness be **approved**, subject to the conditions enumerated in the attached revised draft Order.

**HISTORIC PRESERVATION BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: December 16, 2025

FILE NO: HPB25-0677 a.k.a. HPB 7245

PROPERTY: 1545 Collins Avenue – **The James Royal Palm Hotel**

LEGAL: S12.65FT of Lots 7 & 14 & all of Lots 5, 6, 15, 16, & N ½ of Lots 4 & 17, Block 56 of Alton Beach 1<sup>st</sup> Subdivision, According to the Plat Thereof, as Recorded in Plat Book 2, Page 77, of the Public Records of Miami Dade County, Florida. 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 1<sup>st</sup> 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.

IN RE: The Application for a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing structures on site, including a new landscape plan and pool deck, new roof-top terraces, and new signage. An application for modifications to a previously issued Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing structures on the site, including a new landscape plan and pool deck, new roof-terraces, and new signage. Specifically, the applicant requested the deletion of certain conditions of approval regarding outdoor operations, noise conditions, and operational conditions.

**MODIFIED O R D E R**

The applicant, ~~Sunstone RP Collins, LLC~~ RP Hotel Holdings, LLC, filed an application with the City of Miami Beach Planning Department for modifications to a previously issued a Certificate of Appropriateness.

The City of Miami Beach Historic Preservation Board 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 record for this matter:

- A. The existing structures are classified as 'Contributing' in the Miami Beach Historic Properties Database and are located within the Ocean Drive/Collins Avenue Local Historic District and the National Register Architectural District.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with the Certificate of Appropriateness Criteria in Section ~~418-564(a)(1)~~ 2.13.7.d.1 of the Miami Beach Code, is consistent with the Certificate of Appropriateness Criteria in Section ~~418-564(a)(2)~~ 2.13.7.d.2 of the Miami Beach Code, is

consistent with Certificate of Appropriateness Criteria in Section ~~118-564(a)(3)~~ 2.13.7.d.2.b of the Miami Beach Code, and is not consistent with Certificate of Appropriateness for Demolition Criteria 'a-e' in Section 118-564(f)(4) of the Miami Beach Code.

C. The project would be consistent with the criteria and requirements of section ~~118-564~~ 2.13.7.d if the following conditions are met:

1. Revised elevation, site plan and floor plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
  - a. All proposed door or window replacements at the front (west) elevation of the Royal Palm Hotel shall be fully consistent with historic documentation, subject to the review and approval of staff.
  - b. The existing electrical boxes located below the original urns on the west elevation of the Royal Palm shall be removed or relocated so as to not be visible, and such urns shall be lowered accordingly, in a manner to be reviewed and approved by staff.
  - c. The design of the modified east elevation of the 3-story Shorecrest Hotel addition shall be consistent with the perspective renderings provided in the application, subject to the review and approval of staff.
  - d. The final design and details of the proposed new veneer on the east elevations shall be provided, including a material sample, subject to the review and approval of staff.
  - e. The design of the new fountain located the front of the Royal Palm Hotel shall not be permitted as proposed; any new fountain shall be designed in a manner more consistent with the collective architecture of the site, subject to the review and approval of staff.
  - f. The design of the new railings proposed between the Royal Palm Hotel and Shorecrest Hotel addition shall recall, not replicate, the design of the original Royal Palm railings, in a manner to be reviewed and approved by staff.
  - g. The existing three (3) panel historic display shall be retained and incorporated into an updated display, in a highly visible public location to be determined by staff and with an additional panel to reflect the changes proposed as part of this application. Such display shall be submitted to and approved by staff and installed, prior to the issuance of a Certificate of Occupancy (C.O.) or Temporary Certificate of Occupancy (T.C.O.).
  - h. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and shall be screened from view.
  - i. The historic lobby of the Shorecrest Hotel shall be restored to its original condition in accordance with available historical documentation and measured drawings, subject to the review and approval of staff.

- j. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
  - k. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.
2. A revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan, shall be submitted to and approved by staff. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff. At a minimum, such plan shall incorporate the following:
- a. Tall hedge type material such as that proposed in the application shall not be permitted at the rear of the property along the beachwalk, with the exception of the limited material required for the circular topiary structure at the access point from the beachwalk to the rear pool deck. The final selection of all landscape material within this area shall be subject to the review and approval of staff.
  - b. The final design and details of all paving located in the front and rear of the property shall be provided, in a manner to be reviewed and approved by staff.
  - c. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
  - d. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.
  - e. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventers, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
  - f. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.



~~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 distributed sound system.~~

- ~~iv. Live music is prohibited on the second level pool deck, except in accordance with a valid Special Event Permit.~~
- ~~v. Should the applicant materially increase the outside pool deck areas greater than as proposed in the application, that change must be presented and approved by the HPB in a subsequent application, and not by staff review, unless such change is approved in writing by 1500 Ocean Drive.~~
- ~~vi. The applicant will establish rules that prohibit guests from bringing electronic amplification devices on the decks and balconies that may disturb the residents of 1500 Collins Avenue.~~
- ~~vii. The rooftops of the lanai building shall not be used as habitable areas.~~
- ~~viii. Owner agrees to install 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.~~

~~b. NOISE CONDITIONS~~

- ~~i. The Historic Preservation Board (HPB) or the Planning Director shall retain the right to call the owners and/or operators back before the HPB, at the expense of the owners and/or operators, to impose and/or modify the hours of operation, and the placement or use on the property of exterior loudspeakers, fixed or portable, or amend or impose other conditions, should there be a valid violation (as determined by Code Compliance) about loud, excessive, unnecessary, or unusual noise or other conditions of this approval. An adverse adjudication of a violation against the owner or operator is not necessary for the board to have jurisdiction over the matter under this condition. This condition vests jurisdiction independent of any other condition hereof.~~
- ~~ii. A valid violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as amended, shall be deemed a violation of this approval and subject the approval to modification in accordance with the procedures for modification of prior approvals as provided for in the Code, and subject the applicant to the review provided for in the first sentence of this subparagraph.~~

- ~~iii. Notwithstanding the occupancy and seat counts shown on the plans submitted, calculations for required parking and concurrency for the project shall be determined by the Planning Department prior to approval of a building permit. Such parking and traffic calculations shall be based upon both the number of hotel rooms, 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 as provided for in this subparagraph.~~

~~c. OPERATIONAL CONDITIONS~~

- ~~i. All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.~~
- ~~ii. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Doors shall remain closed and secured when not in active use.~~
- ~~iii. All kitchens and other venting shall be chased to the nearest roof and venting systems shall be employed as necessary to minimize or dissipate smoke, fumes and odors.~~
- ~~iv. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.~~

8. The applicant may be required to submit a separate analysis for water and sewer requirements, at the discretion of the Public Works Director, or designee. Based on a preliminary review of the proposed project, the following may be required by the Public Works Department:

- a. A traffic and neighborhood impact study shall be conducted as a means to measure a proposed development's impact on transportation and neighborhoods. The study shall address all roadway Level of Service (LOS) deficiencies relative to the concurrency requirements of the City Code, and if required, shall be submitted prior to the issuance of a Building Permit. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code. The developer shall refer to the most recent City of Miami Beach's Traffic and Neighborhood Impact Methodology as issued by the Public Works Department.
- b. Remove/replace sidewalks, curbs and gutters on all street frontages, if applicable. Unless otherwise specified, the standard color for city sidewalks is red, and the standard curb and gutter color is gray.
- c. Mill/resurface asphalt in rear alley along property, if applicable.

- d. Provide underground utility service connections and on-site transformer location, if necessary.
  - e. Provide back-flow prevention devices on all water services.
  - f. Provide on-site, self-contained storm water drainage for the proposed development.
  - g. Meet water/sewer concurrency requirements including a hydraulic water model analysis and gravity sewer system capacity analysis as determined by the Department and the required upgrades to water and sewer mains servicing this project.
  - h. Payment of City utility impact fees for water meters/services.
  - i. Provide flood barrier ramps to underground parking or minimum slab elevation to be at highest adjacent crown road elevation plus 8”.
  - j. Right-of-way permit must be obtained from Public Works.
  - k. All right-of-way encroachments must be removed.
  - l. All planting/landscaping in the public right-of-way must be approved by the Public Works and Parks Departments.
9. A drawn plan and written procedure for the proposed demolition shall be prepared and submitted by a Professional Structural Engineer, registered in the State of Florida, which fully ensures the protection of the public safety, as well as the protection of all existing structures adjacent to the subject site during the course of demolition.
10. The Certificate of Appropriateness for Demolition shall only remain in effect for the period of time that there is an active Certificate of Appropriateness for the associated new construction on the subject property.
11. At the time of completion of the project, only a **Final** Certificate of Occupancy (CO) or **Final** Certificate of Completion (CC) may be applied for; the staging and scheduling of the construction on site shall take this into account. All work on site must be completed in accordance with the plans approved herein, as well as by the Building, Fire, Planning, CIP and Public Works Departments, inclusive of all conditions imposed herein, and by other Development Review Boards, and any modifications required pursuant to field inspections, prior to the issuance of a CO or CC. This shall not prohibit the issuance of a Partial or Temporary CO, or a Partial or Temporary CC.
12. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
13. The Final 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.

14. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

15. 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.

IT IS HEREBY 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 are adopted herein, including the staff recommendations, which were amended by the Board, that the Certificate of Appropriateness is GRANTED for the above-referenced project subject to those certain conditions specified in paragraph C of the Findings of Fact (Condition Nos. 1-~~46~~-15, inclusive) hereof, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans approved by the Historic Preservation Board, as determined by staff, entitled "The James Royal Palm additions and alterations", as prepared by Nichols, Brosch, Wurst, Wolf & Associates, dated February 18, 2011, and with the noted modified conditions, approved by the Board on December 16, 2025.

When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order. No building permit may be issued unless and until all conditions of approval that must be satisfied prior to permit issuance, as set forth in this Order, have been met.

The issuance of a Certificate of Appropriateness does not relieve the applicant from obtaining all other required Municipal, County and/or State reviews and permits, including final zoning approval. If adequate handicapped access is not provided on the Board-approved plans, this approval does not mean that such handicapped access is not required. When requesting a building permit, the plans submitted to the Building Department for permit shall be consistent with the plans approved by the Board, modified in accordance with the conditions set forth in this Order.

If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original Certificate of Appropriateness was granted, the Certificate of Appropriateness will expire and become null and void. If the Full Building Permit for the project should expire for any reason (including but not limited to construction not commencing and continuing, with required inspections, in accordance with the applicable Building Code), the Certificate of Appropriateness will expire and become null and void.

In accordance with Section 118-561 of the City Code, the violation of any conditions and safeguards that are a part of this Order shall be deemed a violation of the land development regulations of the City Code. Failure to comply with this **Order** shall subject the Certificate of Appropriateness to Section 118-564, City Code, for revocation or modification of the Certificate of Appropriateness.

Dated \_\_\_\_\_.

