

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: April 7, 2026

TO: Chairperson and Members
Planning Board

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: PB25-0811, **1685 Collins Avenue – Delano Hotel**.

An application has been filed requesting a Conditional Use Permit for a Neighborhood Impact Establishment with an occupant content exceeding 299 persons, including indoor and outdoor/open-air entertainment, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

RECOMMENDATION

Approval of the Conditional Use Permit with conditions.

BACKGROUND

July 12, 2022

The Historic Preservation Board approved a Certificate of Appropriateness for the design of a new rear yard site plan including landscape and hardscape modifications (HPB22-0519).

February 8, 2022

The Historic Preservation Board approved a Certificate of Appropriateness for the partial demolition, renovation and restoration of the existing building, including the reconstruction of original interior floor plates, modifications to the rear cabana building and site improvements (HPB17-0176).

ZONING / SITE DATA

Folio:

02-3234-019-0550

Legal Description:

Lots 9 to 12 inclusive & tract of land as described in DB 2746-335, Block 29, of the Alton Beach 1st Subdivision, According to the Plat Thereof & portion lying east and adjacent west of the erosion control line, as Recorded in Plat Book 105, Page 81, of the Public Records of Miami-Dade County, Florida.

Zoning:

RM-3, Residential multifamily, high intensity

Future Land Use Designation:

RM-3, High intensity multifamily residential

Existing Use/Condition:

Hotel w/accessory uses

Proposed Use:

No change

services. The City's Transportation & Mobility Department has reviewed the project and has included several recommended conditions as outlined in the attached draft CUP.

6. Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.
Consistent
Staff has included recommended conditions in the draft CUP to mitigate any adverse impacts on the surrounding neighbors.

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.
Consistent
Hotels are a main permitted use in the RM-3 zoning district; NIEs are permitted as a conditional use. Adverse impacts from a concentration of this type of use may be expected. Staff has included recommended conditions in the draft CUP to mitigate any adverse impacts on the surrounding neighbors.

8. The structure and site comply with the sea level rise and resiliency review criteria in Chapter 7, Article I, as applicable.
Consistent
See Compliance with the Sea Level Rise and Resiliency Review Criteria section.

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.
Consistent
The driveway and pedestrian walkways were reviewed by the Historic Preservation Board as part of a Certificate of Appropriateness (COA) approval. Particular attention was paid to the safety of and friendliness to pedestrian traffic.

NEIGHBORHOOD IMPACT ESTABLISHMENT REVIEW GUIDELINES

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

1. An operational/business plan which addresses hours of operation, number of employees, menu items, goals of business, and other operational characteristics pertinent to the application.
Consistent
The operational plan provided includes all necessary information of hours of operation, number of employees, menu items, and goals of business.

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

The applicant submitted a traffic study which outlines the valet and delivery operations. The City's Transportation & Mobility Department has reviewed the study and has recommended several conditions which have been incorporated in the draft CUP.

3. An indoor/outdoor crowd control plan which addresses how large groups of people waiting to gain entry into the establishment, or already on the premises would be controlled.

Consistent

The venues at the property are primarily located on the ground floor and it is not anticipated that there will be large groups of people waiting to gain entry into the restaurants or lobby bar.

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

Consistent

The applicant has submitted an access and security plan as part of the operational plan.

5. A traffic circulation analysis and plan which details the impact of projected traffic on the immediate neighborhood and how this impact is to be mitigated.

Consistent

The applicant has submitted a Traffic Impact Statement that has been reviewed by the Transportation and Mobility Department.

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

Consistent

The operational plan provided includes information regarding sanitation operations.

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

Partially Consistent

Additional acoustic testing is required to determine the maximum volume and proper noise attenuation plan for the outdoor portions of the property.

8. Proximity of proposed establishment to residential uses.

Consistent

The subject property is surrounded by hotel uses to the north, south and west. There are no immediately adjacent residential uses; however, staff has included recommended conditions in the draft CUP to mitigate any adverse impacts on the surrounding properties.

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

Consistent

There are several oceanfront hotels in the immediate area which have Conditional Use Permits for Neighborhood Impact Establishments. Staff has included recommended conditions in the draft CUP to mitigate any adverse impacts on the surrounding properties.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the Land Development 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:

1. A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable
4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Not Applicable
5. Whether 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, including a study of land elevation and elevation of surrounding properties were considered.
Not Applicable
6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.
Not Applicable
7. Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Not Applicable
8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
Not Applicable
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 of 54 of the City Code.
Not Applicable
10. Where feasible and appropriate, water retention systems shall be provided.
Not Applicable
11. Cool pavement materials or porous pavement materials shall be utilized.
Not Applicable
12. The design of each project shall minimize the potential for heat island effects on-site.
Not Applicable

STAFF ANALYSIS

The Delano Hotel, constructed in 1947 and designed by architect B. Robert Swartburg, is an outstanding example of Post War Modern architecture with Art Deco influences. As noted in the Background Section of this report, in 2022, the property received Historic Preservation Board approval for the renovation and restoration of the hotel. The renovation project is nearing completion, and the applicant is currently requesting Planning Board approval for a Conditional Use Permit (CUP) to operate an aggregate of uses within the hotel as a Neighborhood Impact Establishment (NIE). It is important to note that prior to the current renovations, the site contained existing non-conforming uses, which were licensed prior the implementation of the current NIE regulations.

The request encompasses three venues, as more specifically described hereto:

Rose Bar and Lounge

The Rose Bar and Lounge is located at the ground level of the hotel, to the east of the lobby. This indoor venue will include 32 seats, an occupancy of 93 persons, as well as ambient level background music and entertainment in the form of curated DJ programming.

Proposed hours of operation:
5:00 p.m. to 2:00 a.m.

Gigi Rigolatto Restaurant

This venue is located at the ground level of the hotel and encompasses four distinct components: signature restaurant (indoor and outdoor), outdoor dining terrace, pool service and an outdoor bar.

Signature restaurant

The signature restaurant includes indoor and outdoor dining as well as a private dining room at the mezzanine level. The signature restaurant consists of 125 seats, an occupancy of 273 persons, as well entertainment including live acoustic performances and curated DJ programming.

Proposed hours of operation:
Sunday – Thursday: 7:00 a.m. to 11:00 p.m.
Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight)

Outdoor dining terrace

The outdoor dining terrace is adjacent to the east of the signature restaurant and consists of 126 seats, an occupancy of 134 persons, as well entertainment including live acoustic performances and curated DJ programming.

Proposed hours of operation:
Sunday – Thursday: 7:00 a.m. to 11:00 p.m.
Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight)

Pool service

The pool and pool deck is located to the east of the outdoor dining terrace and consists of 187 seats (daybeds and cabanas), an occupancy of 258 persons, as well as ambient level background music and live or recorded entertainment and curated DJ programming.

Proposed hours of operation:

Daily: 10:00 a.m. to sunset

Outdoor bar (Gigi Bellini)

The outdoor bar is located to the east of the pool deck and west of the Beachwalk, and consists of 55 seats, an occupancy of 108 persons, as well as ambient level background music and live or recorded entertainment and curated DJ programming.

Proposed hours of operation:

Daily: 7:00 a.m. to 12:00 a.m. (midnight)

Mimi Kakushi Restaurant

This restaurant venue is located at the 4th level of the hotel and includes indoor and outdoor dining, as well as pool service. The venue consists of 162 seats (100 indoor and 62 outdoor) an occupancy of 187 persons (106 indoors and 81 outdoors), and entertainment including live jazz ensembles and curated DJ programming.

Proposed hours of operation:

Sunday – Thursday: 7:00 a.m. to 11:00 p.m.

Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight)

Pool service

The 4th level pool and pool deck is located to the east of the restaurant and consists of 42 seats (daybeds and cabanas), an occupancy of 71 persons, The entertainment proposed is consistent with the restaurant as outlined above.

Proposed hours of operation:

Daily: 10:00 a.m. to sunset

Extended hours of operation

The applicant is requesting extended hours of operation for holidays, high impact events and private hotel functions. During these instances, the applicant wishes to operate several of the venues past 12:00 a.m. (midnight) until 2:00 a.m. It is important to note that after 12:00 a.m. (midnight) only ambient level outdoor entertainment (including live performances at an ambient background level) is proposed and will cease at 2:00 a.m.

Sound/Entertainment

As noted above, various forms of entertainment are proposed throughout the three venues on the site. The applicant has submitted a sound study prepared by Direct Sound, LLC, which outlines the sound testing process and provides several recommendations for the design of the sound system. While the study outlines the scope of the project and the methodology of testing the sound levels, it does not analyze potential impacts of sound from the proposed venues on adjacent properties. The City's Peer Reviewer, Arpeggio, reviewed the provided sound study (See attached Peer Review) and concluded the following:

"...while the DS report summarizes the results of a series of site noise measurements and also includes general and qualitative recommendations concerning sound system design for the three venues, it lacks any quantitative prediction or assessment of potential noise impacts upon either the National Hotel

to the south or the SLS South Beach Hotel to the north. In particular, we are concerned about potential impacts on guestrooms along the north façade of the National Hotel due to their proximity to the Mimi Kakushi venue. Note that we do not anticipate issues with respect to The Rose Bar and Lounge due to its entirely interior location within the Delano. However, the lack of data that would be produced by numerical sound propagation predictions via modeling or other means renders us unable to assess any claims related to such noise impacts of the other two venues.

The applicant submitted a letter in response to the peer reviewer's comments regarding the outdoor areas. The applicant and the City's peer reviewer met to discuss options and the following condition was agreed upon to ensure that the outdoor entertainment component will not have any adverse impact on surrounding properties:

Post-installation acoustic testing of the exterior sound systems shall be performed onsite and within the guestrooms at the National Hotel's cabana building, and 100' north of the north property line of the Delano Hotel. At each location, the system's volume shall be adjusted to ensure that the sound is not plainly audible. The sound system's upper sound level limits shall then be identified in both A-weighted and C-weighted decibels and shall be limited from exceeding these limits.

Deliveries, Loading and Sanitation

There are no loading spaces on-site and all loading and sanitation collection activities will take place from a designated area along 17th Street to a service entrance along the north side of the building fronting 17th Street. Staff has included recommended conditions within the draft CUP to address any potential impacts from these operations to the surrounding properties.

Parking & Transportation

The existing building does not have a parking requirement, and no parking is provided on-site. The applicant is proposing to provide valet service from two ramp locations: along Collins Avenue at the front of the hotel and along 18th Street. It is anticipated that there will be significant patron arrival by walking and ride share services. The City's Transportation & Mobility Department has reviewed the project and has included several recommended conditions as outlined in the attached draft CUP.

Security and Crowd Control

The applicant's proposed operational plan addresses crowd control and security. The plan indicates that the property will have 24 hour security personnel monitoring the site. Additionally, the hotel will have security located at all access points to ensure groups of patrons gain entry to the venues in an orderly fashion and monitor the circulation of patrons and occupancy levels in the queuing areas. Further, the property has a dedicated security control room where security staff will monitor closed circuit cameras. Finally, all hotel staff serving alcohol will be trained to verify government issued photo identification to ensure patrons are of drinking age.

Summary

The project includes an overall occupancy of 1124 persons and 729 seats (inclusive of both pool decks) which is fairly consistent with oceanfront hotels of this size. Additionally, staff believes the standard hours of operation, until midnight (except the lobby bar until 2:00 a.m.), are not

excessive, especially when considering there are no immediately adjacent residences. Further, the proposed extended hours of operation until 2:00 a.m. for holidays, high impact events and private hotel functions. Finally, staff would note that the previous nightclub at the basement level has been replaced with a wellness spa and additional back-of-house area. In summary, staff is supportive of the applicant's request and looks forward to the reopening of this historic hotel.

STAFF RECOMMENDATION

In view of the foregoing, staff recommends the application be approved, subject to the conditions in the attached draft order.

MIAMI BEACH

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

TRANSPORTATION & MOBILITY DEPARTMENT
Tel: 305.673.7514

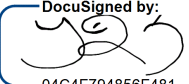
MEMORANDUM

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

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

DATE: March 25, 2026

SUBJECT: Delano Hotel Redevelopment (1685 Collins Avenue) – Traffic Impact Analysis
TRN25-0053/PB25-0811

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The City of Miami Beach Transportation & Mobility Department has reviewed the subject Traffic Impact Analysis, submitted by the applicant as part of the Planning Board application, for a proposed hotel redevelopment located at 1685 Collins Avenue in the City of Miami Beach, Florida. The existing development currently consists of 208 hotel rooms. The proposal consists of 171 hotel rooms and a fine dining restaurant space with a total of 383 seats.

The project build-out year is anticipated by 2027. The Traffic Impact Analysis associated with this project was performed in accordance with the requirements of the City of Miami Beach and the approved methodology.

Trip Generation Analysis

The results of the Trip Generation Analysis indicate that the proposed redevelopment is expected to generate a reduction of four (4) net new weekday A.M. peak hour trips and an increase of up to 82 net new weekday P.M. peak hour vehicle trips.

The Trip Generation Analysis calculations indicate that the proposed redevelopment is expected to generate the highest number of trips during the weekday P.M. peak hour.

Operational and Intersection Capacity Analysis

The results of the Intersection Capacity Analysis indicate that, upon project buildout, the study intersection (Collins Avenue and 17 Street) is projected to operate at Level of Service (LOS) D or better during the A.M. and P.M. peak hours.

Parking Inventory

No on-site parking is proposed and is not required. All non-rideshare vehicles will be required to valet. Valet vehicles will be parked at a nearby parking garage located at the intersection of 16 Street and Washington Avenue.

Valet Queuing Analysis

The development will provide two (2) valet drop-off/pick-up areas. Hotel valet will be provided within the on-site porte-cochere which has storage for approximately two (2) vehicles. Restaurant valet will be provided along 17 Street east of Collins Avenue and will have storage for approximately four (4) vehicles. All vehicles will be parked at a nearby parking garage located at the intersection of 16 Street and Washington Avenue. The analysis was prepared for the weekday P.M. peak hour as this is the highest-demand period. It is expected that 111 vehicles will utilize the valet services during this hour.

The results of the Valet Queuing Analysis indicate that a minimum of 24 valet attendants (8 hotel attendants/16 restaurant attendants) are required to ensure valet queues do not exceed the storage provided at either valet drop-off/pick-up area. Therefore, queues are expected to be accommodated within the proposed storage areas and not extend into travel lanes along Collins Avenue or 17 Street.

Loading and Refuse Operations Documentation

The project's loading and refuse operations will occur within the existing freight loading zone along 17 Street adjacent to the site.

Maneuverability Analysis

A Maneuverability Analysis was performed for the project's proposed porte-cochere using a passenger (P) design vehicle and a "Ford Explorer 2019" design vehicle. The results of the analysis indicate that these vehicles will be able to successfully maneuver into and out of the porte-cochere without conflict.

Multimodal Trips

Sidewalks are provided along 17 Street and Collins Avenue adjacent to the project site. A shared use path is also provided along the east side of the site adjacent to the beach.

The nearest Citi Bike station is located on the north side of 17 Street, east of Collins Avenue, adjacent to the project site.

Miami-Dade County Metrobus Routes #14, # 15, #20, #36, #79, #100, and #150, and the free City of Miami Beach Trolley South Beach Loop, Middle Beach Loop, and Collins Express routes operate in close proximity to the project site. The nearest transit stop is located on the east side of Collins Avenue, south of 17 Street, immediately adjacent to the project site.

Transportation Demand Management (TDM) Strategies

Patrons of the proposed project are expected to travel to and from the project site by private vehicle, by taxi/rideshare, by public transit, by bike, and by walking. To encourage additional multimodal trips to and from the project site, the applicant will commit to the following:

- Provide transit information within the site including route schedules and maps.
- Provide one (1) transit/rideshare pass for every ten (10) hotel employees.
- Conducting regular employee outreach to provide multiple commute options and establish preferences to target TDM efforts.

Conditions of Approval

1. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan, per the TDM strategies outlined in the most recent Traffic Impact Analysis dated February 25, 2026, prior to the issuance of a building permit.
2. The applicant shall coordinate with the City of Miami Beach Parking Department to utilize the existing on-street parking spaces along 17 Street adjacent to the site for the proposed on-street restaurant valet service.

Conclusion

The City of Miami Beach Transportation & Mobility Department, including the Peer Review Consultant, has no further comments on the Traffic Impact Analysis dated February 25, 2026 for the Delano Hotel Redevelopment (1685 Collins Avenue) at this time.

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

CC: Ghassan Choueiry, P.E., T.E., Senior Transportation Engineer, City of Miami Beach Transportation & Mobility Department
Katherine Teipel, PE, Traffic Engineer, City of Miami Beach Transportation & Mobility Department

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

MEETING DATE: April 7, 2026

PROPERTY/FOLIO: 1685 Collins Avenue / 02-3234-019-0550

FILE NO: PB25-0811

APPLICANT: Beach Hotel Associates LLC

IN RE: An application has been filed requesting a Conditional Use Permit for a Neighborhood Impact Establishment with an occupant content exceeding 299 persons, including indoor and outdoor/open-air entertainment, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

LEGAL: Lots 9 to 12 inclusive & tract of land as described in DB 2746-335, Block 29, of the Alton Beach 1st Subdivision, According to the Plat Thereof & portion lying east and adjacent west of the erosion control line, as Recorded in Plat Book 105, Page 81, of the Public Records of Miami-Dade County, Florida.

CONDITIONAL USE PERMIT

The applicant is requesting a Conditional Use Permit for the operation of a Neighborhood Impact Establishment, including indoor and outdoor entertainment. 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 RM-3, Residential multifamily, high intensity 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;

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 staff recommendations, as may have been modified by the Planning Board, that a Conditional Use Permit as requested and set forth above, be GRANTED subject to the following conditions to which the applicant has agreed.

1. This Conditional Use Permit is issued to Beach Hotel Associates LLC, as the owner and operator of the hotel. 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.
2. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 90 days from the issuance of the BTR. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under Section 2.5.2.5 of the Resiliency Code.
3. 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 CUP 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.
4. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced, and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
 - A. The project authorized by this Conditional Use Permit includes the creation and operation of an Neighborhood Impact Establishment with indoor and outdoor entertainment.
 - B. The Neighborhood Impact Establishment subject to this CUP shall have a maximum occupant content of **1124 persons** for both the indoor and outdoor portions of the site, or any lesser such occupant content as determined by the Fire Marshal, and a maximum of **729 seats**.
 - C. Rose Bar and Lounge:
 - i. Total occupancy: approximately 93 persons
 - ii. Total seats: 32
 - iii. Hours of operation: 5:00 p.m. to 2:00 a.m.
 - iv. Indoor entertainment: permitted until 2:00 a.m.

- D. Gigi Rigolatto (signature restaurant):
 - i. Total occupancy: approximately 273 persons
 - ii. Total seats: 125
 - iii. Hours of operation: Sunday – Thursday: 7:00 a.m. to 11:00 p.m.; Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight); extended hours until 2:00 a.m. per condition 4.J
 - iv. Indoor and outdoor entertainment: permitted until 12:00 a.m. (midnight)

- E. Gigi Rigolatto (outdoor dining terrace):
 - i. Total occupancy: approximately 134 persons
 - ii. Total seats: 126
 - iii. Hours of operation: Sunday – Thursday: 7:00 a.m. to 11:00 p.m.; Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight); extended hours until 2:00 a.m. per condition 4.J
 - iv. Outdoor entertainment: permitted until 12:00 a.m. (midnight)

- F. Gigi Rigolatto (pool deck):
 - i. Total occupancy: approximately 258 persons
 - ii. Total seats: 187
 - iii. Hours of operation: 10:00 a.m. to sunset
 - iv. Outdoor entertainment: permitted until 12:00 a.m. (midnight)

- G. Gigi Rigolatto (outdoor bar – Gigi Bellini):
 - i. Total occupancy: approximately 108 persons
 - ii. Total seats: 55
 - iii. Hours of operation: 7:00 a.m. to 12:00 a.m. (midnight); extended hours until 2:00 a.m. per condition 4.J
 - iv. Outdoor entertainment: permitted until 12:00 a.m. (midnight)

- H. Mimi Kakushi (indoor and outdoor):
 - i. Total occupancy: approximately 187 persons
 - ii. Total seats: 162
 - iii. Hours of operation: Sunday – Thursday: 7:00 a.m. to 11:00 p.m.; Friday & Saturday: 7:00 a.m. to 12:00 a.m. (midnight); extended hours until 2:00 a.m. – per condition 4.J
 - iv. Indoor and outdoor entertainment: permitted until 12:00 a.m. (midnight)

- I. Mimi Kakushi (pool deck):
 - i. Total occupancy: approximately 71 persons
 - ii. Total seats: 42
 - iii. Hours of operation: 10:00 a.m. to sunset
 - iv. Outdoor entertainment: permitted until 12:00 a.m. (midnight)

Notwithstanding the foregoing, hours for the sale or on-premises consumption of alcoholic beverages shall be subject to change by Ordinance of the Mayor and City Commission pursuant to Section 562.14, Florida Statutes

- J. Extended hours of operation from 12:00 a.m. (midnight) until 2:00 a.m.: during holidays, high impact city events and private hotel functions (events associated with customary accessory hotel uses, such as weddings, birthdays, corporate functions, etc., that are invitation only functions limited to registered guests and their invitees) may be permitted for Gigi Rigolatto signature restaurant, Gigi Rigolatto dining terrace, Gigi Bellini and Mimi Kakushi Restaurant (indoor and

outdoor). Any outdoor entertainment shall be limited to an ambient background level and shall cease no later than 2:00 a.m.

- K. A house sound system for both the interior and exterior shall be installed and set in such a manner as to limit the acoustical output of the system and have password protected security on all controls at all times. Only the house sound system approved under this CUP shall be used. All performers, including but not limited to DJs, shall be required to connect to the house sound system. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls shall be submitted for the review and approval of the Planning Department.
 - L. Prior to the issuance of a Certificate of Use (CU) and the 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 equipment and installation plan for the sound system. This shall include the requirement that sound from the interior sound system shall not be plainly audible on the exterior of the property boundaries, and the sound system maximum levels shall be set during testing to comply with this requirement. The applicant shall use best efforts to coordinate the participation of the National Hotel and SLS Hotel during the testing. Post-installation acoustic testing of the exterior sound systems shall be performed onsite and if possible, within the guestrooms at the National Hotel's cabana building, and 100' north of the north property line of the Delano Hotel. At each location, the system's volume shall be adjusted to ensure that the sound is not plainly audible. The sound system's upper sound level limits shall then be identified in both A-weighted and C-weighted decibels and shall be limited from exceeding these limits.
 - M. A final report issued by the applicant's acoustical consultant shall be submitted to the City's sound study peer reviewer and Planning Department staff prior to the issuance of a BTR.
 - N. Restaurant and bar personnel shall take measures to enforce the Patron Age Restriction of the City Code during the hours of operation of all alcoholic beverage establishments.
 - O. Security staff and restaurant staff shall monitor patron circulation and occupancy levels.
5. The following shall apply to the operation of the entire project:
- A. The operator shall designate a contact person to be available by telephone on a 24-hour basis. The telephone number of the contact shall be provided to neighboring residents and businesses.
 - B. No patrons shall be allowed to queue on public rights-of-way, or anywhere on the exterior premises of the subject property. Security staff shall monitor the crowds to ensure that they do not obstruct the sidewalk.
 - C. Deliveries and waste collection may only occur between 8:00 a.m. and 5:00 p.m. each day, or as specified by the City in approved loading zones in the vicinity.
 - D. Equipment and supplies shall not be stored in areas visible from streets, or nearby buildings.
 - E. 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.

- F. 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. Sufficient interior space must be provided so that doors can remain closed while trash and trash bags are being deposited in dumpsters. Doors shall remain closed and secured when not in active use.
 - G. The owner/operator shall be responsible for maintaining the areas adjacent to the facility, including the sidewalk, and all areas around the perimeter of the property. These areas shall be kept free of trash, debris and odor, and shall be swept and hosed down at the end of each business day.
 - H. Street flyers and handouts shall not be permitted, including handbills from third-party promotions.
 - I. Special Events may occur on the premises, subject to City ordinances, rules or regulations existing at the time.
- 6. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
 - 7. 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.
 - 8. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
 - 9. The applicant shall comply with the following conditions as outlined in the Transportation & Mobility Department memorandum:
 - 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 Analysis dated February 25, 2026, prior to the issuance of a building permit.
 - B. The applicant shall coordinate with the City of Miami Beach Parking Department to utilize the existing on-street parking spaces along 17 Street adjacent to the site for the proposed on-street restaurant valet service.
 - 10. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of an occupational license to operate this entertainment establishment.
 - 11. 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 noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
 - 12. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in Section 2.5.2.5 of the Land

Development Regulations (LDRs) of the City of Miami Beach, Florida, entitled "Compliance with conditions; revocation or modification".

- 13. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.
- 14. 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.
- 15. The executed Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.
- 16. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 1.3.7 of the Land Development Regulations (LDRs), entitled "Enforcement", and such enforcement procedures as are otherwise available. Any failure by the owner, applicant or operators to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.
- 17. 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.

Dated this _____ day of _____, 20____.

PLANNING BOARD
THE CITY OF MIAMI BEACH, FLORIDA

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 _____ day of _____, 20____ 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.

NOTARY PUBLIC
Miami-Dade County, Florida
Print Name: _____
My commission expires: _____

Approved As To Form:
City Attorney's Office: _____ (_____)

Filed with the Clerk of the Planning Board on _____ (_____)

