

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

MEETING DATE: October 16, 2025

PROPERTY/FOLIO: 1600 Washington Avenue / 02-3234-006-0010
1601 Drexel Avenue / 02-3234-006-0040

FILE NO: PB25-0763

APPLICANT: 420 Lincoln Road Development LLC

IN RE: An application has been filed requesting Conditional Use approval for a Neighborhood Impact Structure, for the construction of a new 15-story mixed-use building exceeding 50,000 square feet, pursuant to Sections 2.5.2, and 7.2.12 of the Miami Beach Resiliency Code.

LEGAL: Parcel 1 (1600 Washington Avenue):
Lot 1, Block 53, of the Pine Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 34, of the Public Records of Miami-Dade County, Florida.

Parcel 2 (1601 Drexel Avenue):
Lots 5 thru 10 and the north 20 feet of the west 60 feet of Lot 3 and the west 5 feet of Lots 2 & 3, Block 53, of the Pine Ridge Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 34, 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 entertainment, with an occupational content exceeding 199 persons. 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 CD-3, Commercial, 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;

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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 subject to the adoption, by the City Commission, at its sole discretion, of separate amendments to the Land Development Regulations increasing the maximum FAR for the subject property to 3.25. Should the maximum FAR for the property not be increased, any revisions to the plans to account for a lower FAR shall be subject the review and approval of the Planning Board, as an application to modify this Conditional Use Permit.
2. This Conditional Use Permit is issued to 420 Lincoln Road Development LLC, as the owner of the property. Any change of owner or operator or 50% (fifty percent) or more stock ownership shall require the new owner or operator 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 Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, lessees, permittees, concessionaires, renters, guests, users, 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. As proffered by the applicant, the rental of any residential unit on the property for a term of less than six (6) months and one (1) day (each, a short-term rental) shall be prohibited.
 - B. Waste collection shall only occur on-site and only between 10:00 a.m. and 4:00 p.m. daily.
 - C. Residential move-ins/outs shall only occur 10:00 a.m. and 4:00 p.m. Monday through Friday.
 - D. All loading operations shall take place within the on-site loading spaces. Utilization of on-street loading shall not be permitted.
 - E. No vehicle shall be utilized to service the building that exceeds the maximum size of the loading spaces provided.
 - F. Delivery trucks shall not be allowed to idle in the loading zone area.
 - G. 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 September 2025, prior to the issuance of a building permit.

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- H. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to develop appropriate signal timing improvements to mitigate the failing conditions present at the intersection of Washington Avenue and 16 Street. The applicant shall design and propose a signed and sealed signal timing modification plan for the intersection at Washington Avenue and 16 Street, outlined in the most recent Traffic Impact Analysis, dated September 2025. The signalization plans must be reviewed and approved by the Transportation & Mobility Department, and submitted to Miami-Dade County for review, before the Building Permit can be approved. These signalization plans should demonstrate that the proposed optimization mitigates impacts of the project on the level of service. Depending on the extent of the changes, plans for adjacent intersections may also be necessary to ensure coordination and consistency.
- I. As agreed by the applicant at the October 16, 2025 public hearing, residential tenants of the subject property shall not be eligible to apply for residential permit parking permits. In the event the City expands the Flamingo Park Residential Parking District No. 2, or any successor residential permit parking district, to include the subject property, the review and approval of the Planning Board shall be required before any residential tenant of the subject property may apply for or obtain a residential parking permit.
- J. 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. The trash room shall be sufficiently sized to accommodate enough dumpsters so that more than one pick up of garbage per day will not be necessary.
- K. Except as may be required for Fire, Building, or Life Safety Code purposes, no speakers or televisions of any kind shall be affixed to, installed, or otherwise located on the exterior of the premises within the boundaries of the project.
- L. No exterior bars or accessory outdoor bar counters shall be permitted anywhere on the premises.
- M. Use of the rooftop shall be limited to residential tenants and their invited guests only. Commercial uses on the rooftop shall be prohibited.
4. 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 Permit is also subject to modification or revocation under Section 2.5.2.5 of the Resiliency Code.
5. 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.
6. 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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7. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
8. The applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as determined by the Transportation/Concurrency Management Division, prior to obtaining a Certificate of Occupancy or Business Tax Receipt, whichever may occur first, and any other fair share cost that may be due and owing. Without exception, all concurrency fees, mitigation fees and concurrency administrative costs shall be paid prior to the issuance of a Certificate of Occupancy or Business Tax Receipt.
9. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of a business tax receipt (BTR) to operate this entertainment establishment.
10. 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."
11. 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.
12. 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.
13. 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.
14. 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.
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.

11/4/2025 | 11:48 AM EST

Dated this _____ day of _____, 20____.

