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VIA ELECTRONIC SUBMISSION

April 5, 2026

Debbie Tackett

Historic Preservation & Architecture Officer
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: **PB26-0821** – Modification of Conditional
Use Permit for 235-251 Washington Avenue

Dear Ms. Tackett:

This firm represents 251 Washington LLC and 235 Washington LLC (collectively, the "Applicant"), the owners of the properties located at 235-251 Washington Avenue (the "Property") in the City of Miami Beach (the "City"). Please consider this letter the Applicant's Letter of Intent supporting the request for a modification to the previously approved Conditional Use Permit to allow the proposed recreational open space area forming part of the BaseCamp305 campus.

Property Description. The Miami-Dade County Property Appraiser identifies the Property with Folio Nos. 02-4203-003-1090 ("North Parcel") and 02-4203-003-1070 ("South Parcel"). The Property is located on Washington Avenue, between 3rd Street and 2nd Street. See Figure 1 below, Aerial. The total lot area is approximately 19,500 square feet (0.448 acres) in size. The Applicant has a pending application before the Historic Preservation Board (File No. HPB25-0645) seeking demolition of the existing contributing structure on the South Parcel. The BaseCamp305 school (the "School") is under construction on the North Parcel.

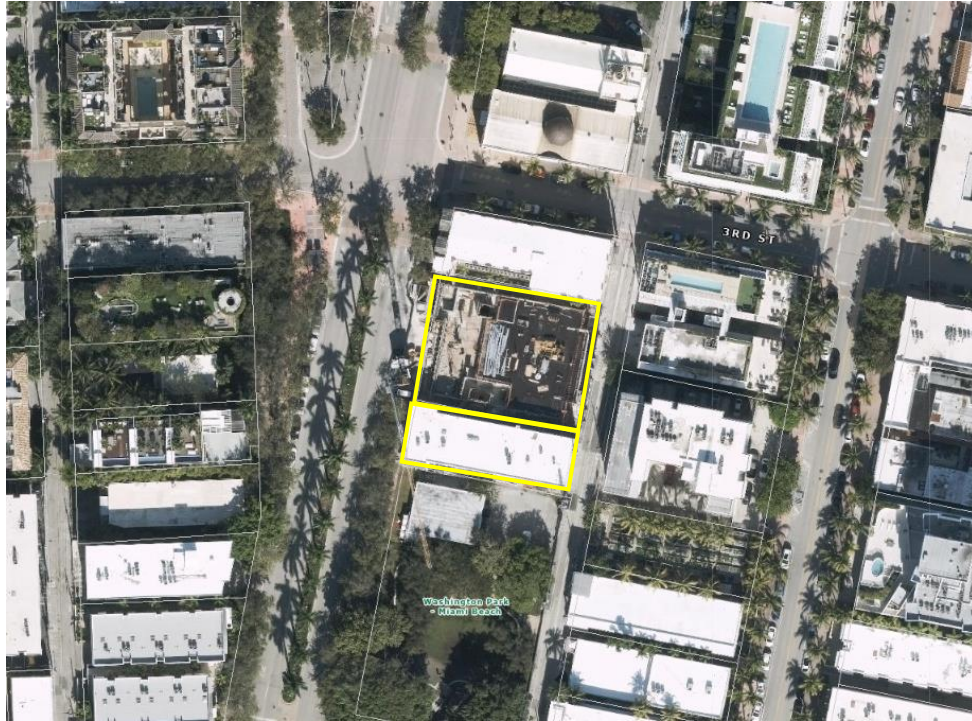


Figure 1, Aerial

The Property is zoned "Medium-High Density Residential Performance Standard" District ("RPS-3") and is also located within the Ocean Beach Local Historic District. The structures previously located on the North Parcel were demolished in 1989 and 2003. Through File No. HPB22-0513, the Applicant obtained Certificate of Appropriateness approval for design of a permanent new structure for the educational facility to be located on the North Parcel. See Exhibit A, Final Order File No. HPB22-0513.

Prior Approvals. On September 24, 2019, the Planning Board approved an application for conditional use approval for the School as a new educational institution in the RPS-3 District. See Exhibit B, Final Order File No. PB19-0304. The approval included a maximum of forty (40) students, operation from 7:00 AM to 3:00 PM, and various operational standards to ensure no negative impact on the abutting residential and commercial uses. In 2023, the Planning Board approved a modification to the Conditional Use Permit to provide for a four-story permanent school structure and extend the hours of operations until 5:00 PM. See Exhibit C, Final Order File No. PB22-0497.

Applicant Proposal. As noted, the Applicant previously obtained Conditional Use Permit approval from the Planning Board to operate a private educational institution within the RPS-3 District on the North Parcel. See Exhibit C. As part of the ongoing development of the School, the Applicant has now acquired the adjacent South Parcel located to the south at 235 Washington Avenue. The Applicant, therefore, requests a modification to the previously approved Conditional Use Permit (File No. PB22-0497) in order to incorporate the South Parcel into the overall school campus and allow the parcel to function as recreational open space for the students of the School (the "Project").

Pursuant to Section 2.5.2.6 of the Resiliency Code, when an applicant requests an amendment to an approved conditional use, the Planning Director must determine whether the amendment constitutes a minor or substantial amendment. The Code specifically provides that any increase in lot area shall be considered a substantial amendment, requiring review by the Planning Board under the same procedures as a new application. Because the proposal seeks to add the South Parcel to the previously approved school site (thereby increasing the total lot area associated with the conditional use) the Applicant is returning to the Planning Board for approval of this Conditional Use Permit modification.

The proposed amendment does not increase the student enrollment, intensity of use, or operational characteristics of the previously approved school. Instead, the amendment will allow the adjacent parcel to be used as a landscaped recreational open space area that will serve the students attending the School is currently under construction on the North Parcel. The proposed recreational area will function as an outdoor assembly, exercise, and play area, providing an important amenity for students while improving the overall site design and enhancing open space within the neighborhood.

As described in the application materials submitted to the Historic Preservation Board, the improvements to the South Parcel will include landscaped open space, seating areas, perimeter fencing, and a synthetic turf recreation area designed to accommodate student play and physical education activities. The open space will be securely enclosed and accessed in coordination with the School operations. Landscaping and fencing improvements along Washington Avenue and the rear alley will enhance the pedestrian environment and ensure compatibility with the surrounding civic and residential uses.

Accordingly, the proposed amendment represents a logical expansion of the previously approved school campus, allowing the Applicant to utilize the adjacent parcel to provide much-needed outdoor space for students of the School while maintaining the same scale, enrollment, and operational characteristics previously approved by the Planning Board.

Satisfaction of Review Criteria. The Applicant's request satisfies the review criteria and guidelines enumerated in Section 2.5.2.2 of the City of Miami Beach Resiliency Code as follows:

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

The proposed amendment remains consistent with the Comprehensive Plan, which permits the conditional uses specifically authorized in the land use category R-PS3, such as private schools. The Planning Board has already determined that a private educational institution at this location is consistent with the Comprehensive Plan through the previously approved Conditional Use Permit. The current application does not introduce a new use; rather, it modifies the existing approval to allow the adjacent parcel to function as recreational open space associated with the school campus.

(2) 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.

The proposed amendment will not result in impacts that exceed the thresholds for the levels of service set forth in the Comprehensive Plan. The school's maximum enrollment of forty (40) students and operational characteristics remain unchanged from the previously approved Conditional Use Permit. The addition of recreational open space on the South Parcel will not increase student enrollment, traffic generation, or intensity of use. To the contrary, the proposed use will result in fewer vehicular trips than the prior lodging and commercial use on the South Parcel.

(3) Structures and uses associated with the request are consistent with these land development regulations.

The structures and uses associated with the request remain consistent with the City's Land Development Regulations. The previously approved school building on the North Parcel complies with the applicable development standards. The proposed improvements to the South Parcel consist primarily of open space, landscaping, fencing, and recreational turf areas, which are compatible with the surrounding neighborhood and consistent with the intent of the RPS-3 District. Additionally, the design of the recreational open space is subject to separate review by the Historic Preservation Board.

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

The proposed amendment will not adversely affect the public health, safety, morals, or general welfare. Instead, the addition of dedicated outdoor space will enhance the educational environment for students and improve the overall site design by replacing an underutilized parcel with landscaped open space designed specifically for student recreation and supervision. The recreational area will be securely enclosed, properly landscaped, and integrated into the school's operational plan to ensure safe and controlled use by students and staff.

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

Adequate off-street parking facilities will continue to be provided in accordance with the previously approved Conditional Use Permit. The school building on the North Parcel provides the required off-street parking spaces under the structure, with access from Collins Court. The proposed recreational open space on the South Parcel does not introduce new parking demand, as it serves the previously approved school use.

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

Necessary safeguards will continue to be provided to protect surrounding properties and neighborhood values. The recreational open space will be enclosed with secure fencing and landscaping to ensure safe and controlled use by students. The addition of landscaping, open space, and active daytime use will

enhance the appearance of the property and contribute positively to the surrounding neighborhood.

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

The proposed amendment will not result in a concentration of similar conditional uses that would create a negative impact on the surrounding neighborhood. The Planning Board previously approved the school as an appropriate educational use within the RPS-3 District. The addition of recreational open space on the adjacent parcel supports the functioning of the already approved school and does not introduce a new use within the area.

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

The proposed recreational open space advances the City's resiliency objectives through the introduction of additional landscaped and permeable areas on the site. The improvements include resilient landscaping, pervious surfaces where feasible, and site grading that accommodates future changes in surrounding street elevations.

(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.

The proposed amendment promotes pedestrian-friendly design and minimizes vehicular conflicts. The recreational open space does not introduce additional driveways or vehicular circulation. Instead, the improvements enhance the pedestrian environment along Washington Avenue through the addition of landscaping, fencing, and open space.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 7.21.2.4 as follows:

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

A recycling or salvage plan for demolition, if any, will be provided at permit.

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

No windows proposed for the proposed recreational area.

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

Where feasible, passive cooling systems will be provided, although no such improvements are contemplated for the proposed recreational area.

(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

Resilient, Florida-friendly landscaping will be provided.

(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.

The Applicant has considered the adopted sea level rise projections and the land elevations of the subject property and surrounding properties.

(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.

The proposed design will be adaptable to the raising of public rights-of-ways and adjacent land.

(7) Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.

Critical mechanical and electrical systems are located well-above base flood elevation.

(8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

No existing buildings will remain on the Property.

(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.

No habitable space is proposed below base flood elevation.

(11) Cool pavement material or porous pavement materials shall be utilized.

Cool pavement material and porous pavement materials will be utilized.

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

The Project design will minimize the potential for heat island effects on site with ample and lush greenspace and landscaping.

Conclusion. Granting the requested modification to Conditional Use Permit File No. PB22-0497 aligns with the intent and purpose of the City's Comprehensive Plan and Land Development Regulations and will not harm the surrounding area or the public welfare. Approval of this modification will allow the Applicant to incorporate the South Parcel as recreational open space supporting the previously approved School without increasing the intensity of the use, while furthering the City's interest in promoting safe and healthy educational environments.

Based on these reasons, the Applicant respectfully requests your review and favorable recommendation of this application. If you have any questions or comments with regard to the application, please contact me at (305) 377-6231.

Sincerely,



Michael W. Larkin

Enclosures

cc: John Marshall
Paul C. Savage, Esq.
Roberto A. Alvarez, Esq.

Exhibit A

HISTORIC PRESERVATION BOARD City of Miami Beach, Florida

MEETING DATE: July 12, 2022

PROPERTY/FOLIO: 245 Washington Avenue / 02-4203-003-1080
251 Washington Avenue / 02-4203-003-1090

FILE NO: HPB22-0513

APPLICANT: 251 Washington LLC

IN RE: An application has been filed requesting a Certificate of Appropriateness for the construction of new educational facility on a vacant site and variances from the minimum required interior side yard setbacks for a school.

LEGAL: Parcel 1 (245 Washington Avenue)
Lot 14, Block 8, of the Ocean Beach Fla Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 38 of the public records of Miami Dade County, Florida.

Parcel 2 (251 Washington Avenue)
Lot 15, Block 8, of the Ocean Beach Fla Subdivision, according to the plat thereof, recorded in Plat Book 2, Page 38 of the public records of Miami Dade County, Florida.

ORDER

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:

I. Certificate of Appropriateness

- A. The subject site is located within the Ocean Beach Local Historic 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:
 - 1. Is consistent with Sea Level Rise and Resiliency Review Criteria in Section 133-50(a) of the Miami Beach Code.
 - 2. Is consistent with the Certificate of Appropriateness Criteria in Section 118-564(a)(1) of the Miami Beach Code.
 - 3. Is not consistent with Certificate of Appropriateness Criteria 'a', 'b', 'd', 'e' & 'f' in Section 118-564(a)(2) of the Miami Beach Code.

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4. Is consistent with Certificate of Appropriateness Criteria 'b' , 'c' & 'd' in Section 118-564(a)(3) of the Miami Beach Code.
- C. The project would be consistent with the criteria and requirements of section 118-564 and 133-50(a) if the following conditions are met:
1. Revised elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The design of the front portion of the building shall be mirrored so that the western stair is located within the northwest portion of the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - b. The height of western stair shall not exceed 10'-0" in height above the maximum permitted height of 50'-0", in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - c. The rooftop trellis structure shall be setback from the west, at a minimum to be in line with the equipment room located at the northwest corner of the roof, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - d. Retractable or removable open mesh netting shall be introduced along the perimeter of the recreation court located along the alley, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - e. The extent of the fencing along Washington Avenue shall be reduced to the greatest extent possible and landscape shall be introduced within the front yard, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - f. Two off-street loading spaces shall be provided within the lower parking level, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - g. A plaque or historic display describing the history and evolution of the site shall be placed on the site and shall be located in a manner visible from the right of way, prior to the issuance of a Certificate of Occupancy for the building, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
 - h. Final details of all exterior surface finishes and materials, including samples, shall be submitted, in a manner to be reviewed and approved by staff consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.

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- i. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, in a manner to be reviewed and approved by staff, consistent with the Certificate of Appropriateness Criteria and/or the directions from the Board.
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. 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.
 - b. The project design shall minimize the potential for a project causing a heat island effect on site.
 - c. Cool pavement materials or porous pavement materials shall be utilized.

In accordance with Section 118-537, the applicant, the owner(s) of the subject property, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal the Board's decision on a Certificate of Appropriateness to a special master appointed by the City Commission.

II. Variance(s)

- A. The applicant filed an application with the Planning Department for the following variance(s) which were either approved by the Board with modifications, or denied:

The following variances were **approved** by the Board:

1. A variance to exceed by 46'-2" the minimum required side interior setback for a school of 50'-0" in order construct the school building at a setback of 7'-6" from interior side property line and stairs at the ground level at a setback of 3'-10" from property line.
 2. A variance to exceed by 42'-6" the minimum required side interior setback for a school of 50'-0" in order construct the school building at a setback of 7'-6" from the interior side property line.
- B. The applicant has submitted plans and documents with the application that satisfy Article 1, Section 2 of the Related Special Acts allowing the granting of a variance if the Board finds that practical difficulties exist with respect to implementing the proposed project at the subject property.

The applicant has submitted plans and documents with the application that indicate the following, as they relate to the requirements of Section 118-353(d), Miami Beach City Code:

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That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

That the special conditions and circumstances do not result from the action of the applicant;

That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district;

That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinance and would work unnecessary and undue hardship on the applicant;

That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

That the granting of the variance will be in harmony with the general intent and purpose of this Ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and

That the granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

- C. The Board hereby **approves** the variances and imposes the following conditions based on its authority in Section 118-354 of the Miami Beach City Code:
1. 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 of the modified plans, even if the modifications do not affect variances approved by the Board.

The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.

III. General Terms and Conditions applying to both 'I. Certificate of Appropriateness' and 'II. Variances' noted above.

- A. The applicant agrees and shall be required to provide access to areas subject to this approval (not including private residences or hotel rooms) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the plans approved by the Board and conditions of this order.

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- B. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements, if applicable. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- C. The relocation of any tree shall be subject to the approval of the Environment & Sustainability Director and/or Urban Forester, as applicable.
- D. Where one or more parcels are unified for a single development, the property owner shall execute and record a unity of title or a covenant in lieu of unity of title, as may be applicable, in a form acceptable to the City Attorney.
- E. All applicable FPL transformers or vault rooms and backflow prevention devices shall be located within the building envelope with the exception of the valve (PIV) which may be visible and accessible from the street.
- F. A copy of all pages of the recorded Final Order shall be scanned into the plans submitted for building permit and shall be located immediately after the front cover page of the permit plans.
- G. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- H. Satisfaction of all conditions is required for the Planning Department to give its approval on a Certificate of Occupancy; a Temporary Certificate of Occupancy or Partial Certificate of Occupancy may also be conditionally granted Planning Departmental approval.
- I. 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.
- J. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- K. 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.
- L. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code

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Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.

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 and adopted by the Board, that the application is GRANTED for the above-referenced project subject to those certain conditions specified in Paragraph I, II,III of the Findings of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans **entitled "Base Camp 305", as prepared by Arquitectonica, dated June 21, 2022**, as approved by the Historic Preservation Board, as determined by staff.

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 the approval 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 approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with the requirements and procedures of Chapter 118 of the City Code; the granting of any such extension of time shall be at the discretion of the Board. 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 application will expire and become null and void.

In accordance with Chapter 118 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 application to Chapter 118 of the City Code, for revocation or modification of the application.

8/3/2022 | 7:34 AM EDT

Dated this _____ day of _____, 20__.

HISTORIC PRESERVATION BOARD
THE CITY OF MIAMI BEACH, FLORIDA

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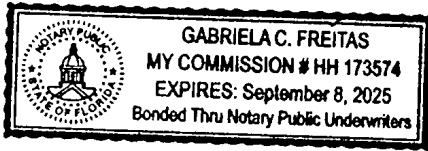
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DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 3rd day of AUGUST 2022 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.



[Handwritten Signature]

NOTARY PUBLIC
Miami-Dade County, Florida
My commission expires: Sept. 8, 2025

Approved As To Form: _____
City Attorney's Office: _____
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(8/2/2022 | 3:58 PM EDT
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Filed with the Clerk of the Historic Preservation Board on _____

Jessica Gonzalez (8/3/2022 | 8:57 AM EDT
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Exhibit B

PLANNING BOARD CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 251 Washington Avenue

FILE NO: PB 19-0304

IN RE: An application for conditional use approval for an educational institution in an RPS-3 zoning district, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code.

LEGAL DESCRIPTION: Lot 14 and 15, Block 8, of the Ocean Beach Fla., according to the plat thereof, recorded in Plat Book 2, Page 38 of the public records of Miami Dade County, Florida.

MEETING DATE: September 24, 2019

CONDITIONAL USE PERMIT

The applicant, BaseCamp305, Inc., filed an application with the Planning Director for a Conditional Use Permit to operate an educational institution. Notice of the request for Conditional Use 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 record for this matter:

That the property in question is located in the RPS-3, Residential performance standard, medium-high density Zoning District;

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 Ordinance;

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 if the following conditions are met.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendation, that the Conditional Use Permit as requested and set forth above be **GRANTED**, subject to the conditions listed below:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall give a written Progress Report to the Board six (6) months from the date

- of the issuance of a Certificate of Use for the school and at that time, the Board shall determine if further Progress Reports are necessary.
2. At the request of the Planning Director, if deemed necessary, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
 3. This Conditional Use Permit is issued to BaseCamp305, Inc. Any change of management or ownership shall require review by the Planning Board as a modification to this Conditional Use Permit.
 4. The maximum number of children in the facility shall be limited to the lesser of the number of students authorized by this CUP (40 students), or the number of students approved by the Department of Children and Families in accordance with applicable licensing requirements. Any increase of this number shall require a modification of this Conditional Use Permit.
 5. The hours of operation shall be as proposed by the applicant, school days from 7:00 AM to 3:00 PM.
 6. The applicant shall be responsible to instruct the staff and the parents to not double-park or block the street, sidewalks and the driveways.
 7. School staff personnel shall ensure that student or parent behavior (noise or loitering) does not become a nuisance to residents in the area.
 8. Any business identification signs shall be submitted to staff for review and approval before installation.
 9. Any failure by the applicant 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.
 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 a business tax receipt.
 11. 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.
 12. This Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a modified certificate of use.
 13. 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

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procedures set forth in Section 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.

- 14. 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.

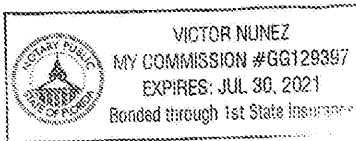
Dated this 25th day of OCTOBER, 2019.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush, AICP,
Chief of Planning and Zoning
FOR THE CHAIRMAN

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 25th day of OCTOBER, 2019, by Michael Belush, AICP, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



{NOTARIAL SEAL}

Victor Nunez

Notary:
Print Name Victor Nunez
Notary Public, State of Florida
My Commission Expires: JULY 30, 2021
Commission Number: 66224397

Approved As To Form:
Legal Department Nick Allegas 10/24/19

Filed with the Clerk of the Planning Board on Jessie Gray (10/25/19)

MBS

Exhibit C

PLANNING BOARD CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 251 Washington Avenue

FILE NO: PB22-0497, a.k.a. PB 19-0304

IN RE: An application has been filed requesting modifications to a previously issued conditional use permit for an educational institution in an RPS-3 zoning district, specifically, the applicant is requesting modifications to the previously approved temporary structure to provide a new four-story permanent structure, pursuant to Chapter 118, Article IV and Chapter 142, Article II of the City Code.

LEGAL

DESCRIPTION: Lot 14 and 15, Block 8, of the Ocean Beach Fla., according to the plat thereof, recorded in Plat Book 2, Page 38 of the public records of Miami Dade County, Florida.

MEETING DATE: June 21, 2022 ~~September 24, 2019~~

MODIFIED CONDITIONAL USE PERMIT

The applicant, BaseCamp305, Inc., filed an application with the Planning Director for a Conditional Use Permit to operate an educational institution. Notice of the request for Conditional Use 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 record for this matter:

That the property in question is located in the RPS-3, Residential performance standard, medium-high density Zoning District;

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 Ordinance;

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 if the following conditions are met.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendation, that the Conditional Use Permit as requested and set forth above be GRANTED, subject to the conditions listed below:

DS
RM

PB22-0497, a.k.a.PB19-0304, 251 Washington Avenue

June 21, 2022

Page 2 of 4

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall give a written Progress Report to the Board six (6) months from the date of the issuance of a Certificate of Use for the school and at that time, the Board shall determine if further Progress Reports are necessary.
2. At the request of the Planning Director, if deemed necessary, the applicant shall provide a progress report to the Board. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).
3. This Conditional Use Permit is issued to BaseCamp305, Inc. Any change of management or ownership shall require review by the Planning Board as a modification to this Conditional Use Permit.
4. The maximum number of children in the facility shall be limited to the lesser of the number of students authorized by this CUP (40 students), or the number of students approved by the Department of Children and Families in accordance with applicable licensing requirements. Any increase of this number shall require a modification of this Conditional Use Permit.
5. The regular hours of operation shall be as proposed by the applicant, school days from 7:00 AM to ~~3:00~~ 5:00 PM, except for school related functions and activities such as, but not limited to, teacher meetings, student orientations, art or science fairs, plays, awards ceremonies, or holiday events, which may occur outside of the regular hours of operation.
6. The rear courtyard use shall be limited to school days from 8:30 am to 5:00 pm.
7. The applicant shall be responsible to instruct the staff and the parents to not double-park or block the street, sidewalks and the driveways.
8. School staff personnel shall ensure that student or parent behavior (noise or loitering) does not become a nuisance to residents in the area.
9. The rear courtyard shall incorporate noise absorption barriers on the north, south and west sides, subject to the review and approval of staff. The ceiling and walls shall include sound attenuating materials to minimize the impact of noise on the residential buildings, subject to the review and approval of staff.
10. Any business identification signs shall be submitted to staff for review and approval before installation.
11. The applicant shall address the following Transportation and Mobility requirements:
 - A. The applicant is required to submit a signed and sealed pavement, marking and signage plans signed and sealed by a registered professional engineer in the State of Florida prior to Building Permit approval. This should include the design of the egress driveway connection to the alley which should provide for sufficient sight distance and required visibility at the stop-controlled.

PB22-0497, a.k.a.PB19-0304, 251 Washington Avenue

June 21, 2022

Page 3 of 4

intersection.

- B. The applicant is required to provide a typical section of the Collins Court alley between 2nd Street and 3rd Street. The design typical section should meet the City of Miami Beach's minimum design standards for a primary driveway connection.
- C. The applicant is required to submit and maintain a detailed school arrival and drop off traffic operational plan. This should include exhibit that depicts the location of the planned on-site staff that will be positioned at the parking lot and drop off loop to ensure adequate internal traffic circulation. The traffic operational plan should note whether bus service will be provided for students.
12. The applicant shall provide an updated Operations Plan that is consistent with the revised conditions of this Conditional Use Permit, subject to the review and approval of staff.
13. Any failure by the applicant 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.
14. 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.
15. 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.
16. This Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a modified certificate of use.
17. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.
18. 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.

7/28/2022 | 4:15 PM EDT

Dated _____



PB22-0497, a.k.a.PB19-0304, 251 Washington Avenue

June 21, 2022

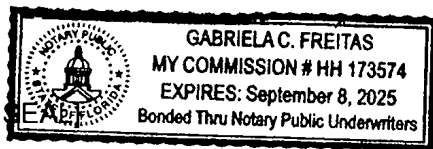
Page 4 of 4

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:
Rogelio Madan
BY: _____
Rogelio A. Madan, AICP
Chief of Community Planning and Sustainability
for Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 20th day of July, 2022, by Rogelio A. Madan, Chief of Community Planning and Sustainability for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.



[NOTARIAL

Gabriela C. Freitas
Notary:
Print Name: Gabriela C. Freitas
Notary Public, State of Florida
My Commission Expires: Sept. 8, 2025
Commission Number: HH173574

Approved As To Form: _____
Legal Department _____ (7/28/2022 | 3:19) PM EDT
DocuSigned by:
[Signature]
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Filed with the Clerk of the Planning Board on _____ (7/29/2022 | 9:14) AM EDT
DocuSigned by:
Jessica Gonzalez
10FC3F3E9D654A5