

**DESIGN REVIEW BOARD**  
**City of Miami Beach, Florida**

MEETING DATE: September 16, 2019

FILE NO: DRB19-0385

PROPERTY: **5<sup>th</sup> Street Pedestrian Bridge**

APPLICANT: The City of Miami Beach

IN RE: The Application for Design Review Approval for the construction of a pedestrian overpass bridge over 5<sup>th</sup> Street, and ramps, stairs and an elevator in the right-of-way.

**ORDER**

The City of Miami Beach Design Review 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. Design Review**

- A. The Board has jurisdiction pursuant to Section 118-252(a) of the Miami Beach Code. The property is not located within a designated local historic district and is not an individually designated historic site.
- B. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is consistent with Design Review Criteria in Section 118-251 of the Miami Beach Code.
- C. Based on the plans and documents submitted with the application, testimony and information provided by the applicant, and the reasons set forth in the Planning Department Staff Report, the project as submitted is not applicable with Sea Level Rise Criteria in Section 133-50(a) of the Miami Beach Code.
- D. The project would be consistent with the criteria and requirements of Section 118-251 and/or Section 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. All of the original conditions of approval by this Board, as reflected in the Final Order dated June 03, 2019, shall remain in effect except as modified and approved herein.
    - b. The project modifications and conditions set forth in Amendment No. 1 to the Development Agreement, approved and executed pursuant to City Resolution, No. 2019-30893, as may be amended.



- c. The final design details of the proposed bridge and walkways, including materials, finishes, dimensions, and type, shall be submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- d. The proposed lettering shall not be approved as proposed. The final signage details for any text, including "Welcome to Miami Beach", or other text, shall consist of individual channel letters with intermittent LED lighting, in a font and installation technique, reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- e. The architect shall incorporate bicycle access ramps/gutters at the edge of both main stairs.
- f. The architect shall explore refining the grid geometry of the glass and framing elements of the bridge, to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- g. Any future signage, such as wayfinding, site identification and information panels, shall consist of high-quality design and finishes commensurate with the architecture.
- h. The final design and details of associated exterior lighting shall be provided, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- i. All exterior handrails along the walkways and ramps shall be a continuous railing design. All exterior handrails and support posts shall incorporate a flat profile. The final design details, dimensions material and color of all exterior handrails shall be made part of the building permit plans and shall be subject to the review and approval of staff consistent with the Design Review Criteria and/or the directions from the Board.
- j. The final exterior surface color scheme, including color samples, shall be subject to the review and approval of staff and shall require a separate permit.
- k. The final location and details of the access structure on the south side of the Bridge, including the potential conversion of an elevator/stair structure to a ramp structure, shall be subject to the review and approval of staff.
- l. 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.
- m. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

**In accordance with Section 118-262, the applicant, or the city manager on behalf of the City Administration, or an affected person, Miami Design Preservation League or Dade Heritage**



Trust may seek review of any order of the Design Review Board by the City Commission, except that orders granting or denying a request for rehearing shall not be reviewed by the Commission.

**II. Variance(s)**

- A. No variance(s) were filed as part of this application.

**III. General Terms and Conditions applying to both 'I. Design Review Approval and II. Variances' noted above.**

- A. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- B. 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.
- C. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- D. Nothing in this order authorizes a violation of City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

IT IS HEREBY ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which are adopted herein, including the staff recommendations, which were amended 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 "City of Miami Beach – 5<sup>th</sup> Street Baywalk Pedestrian Connector Bridge" by **Arquitectonica**, dated July 08, 2019, and supplemental lighting sheets submitted at the September 16, 2019 DRB meeting by **Arquitectonica**, as approved by the Design Review 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.

Dated this 24 day of September, 2019.

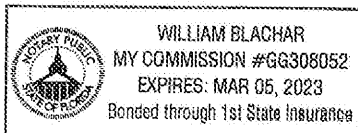
DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

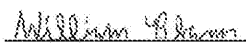
BY: 

JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

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

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of September, 2019, by James G. Murphy, Chief of Urban Design, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.



  
NOTARY PUBLIC  
Miami-Dade County, Florida  
My commission expires: March 5<sup>th</sup>, 2023

Approved As To Form: Nick Kallergis ( 9/24/2019 )  
City Attorney's Office:

Filed with the Clerk of the Design Review Board on Jessie Jenkins ( 9/24/19 ) 