

# MIAMI BEACH

PLANNING DEPARTMENT  
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: November 03, 2020

FROM: Thomas R. Mooney, AICP  
Planning Director

SUBJECT: DRB20-0579 (fka DRB16-0092)  
**Between 79<sup>th</sup> and 87<sup>th</sup> Collins Ave— North Beach Oceanside Park**

An application has been filed requesting Design Review Approval for the substantial improvements of North Beach Oceanside Park.

**Recommendation:**  
Approval with conditions

**LEGAL DESCRIPTION:**  
See attached 'Exhibit A'

**BACKGROUND:**

In November 2014 the City passed a resolution and executed a development agreement vacating the 87<sup>th</sup> Terrace easement. On March 3, 2015, the Design Review Board passed a resolution encouraging the City to hire a landscape architect to proceed with a Park master plan for what was formerly North Shore Open Space Park, now North Beach Oceanside Park, and to proceed with the implementation of that plan as soon as possible.

On March 07, 2017, the Design Review Board reviewed and approved the design for the new community Park, pursuant DRB16-0092. The applicant did not obtain the necessary permits within the allotted 18-month timeframe and the DRB order expired.

**HISTORY:**

The North Beach Oceanside Park, which is City owned, was originally platted as part of the Altos del Mar subdivisions, developed by the Tatum Ocean Park Company of the prominent early Miami Beach developers, brothers Smiley, Bethel, and Johnson Tatum. As part of a State and City sponsored environmentally endangered land acquisition program in the 1970s, the homes developed by the Tatum Brothers were bought and demolished in order to make way for the natural Park in its current iteration.

The Altos del Mar Historic District which lies directly to south of the Park is the only remaining portion of the subdivision and constitutes the only oceanfront single-family homes in Miami Beach. The Miami Beach City Commission unanimously agreed to re-name North Shore Open Space Park to North Beach Oceanside Park to maintain consistency in the creative branding of the vibrant community.

**SITE DATA:**

Zoning:

GU

Future Land Use: ROS, Recreation Open Space  
North Shore Open Space Park  
Lot Size: ±1,214,801.39 SF (±28 acres)  
Grade: ±5.00' NGVD  
Flood: +8.0' NGVD  
Difference: +3.00' NGVD  
Adjusted Grade: +6.5' NGVD

**OPEN SPACE:**

Existing Pervious Area: 1,083,144 SF | 24.87 acres | 84.62%  
Existing Impervious Area: 196,859.00 SF | 4.52 acres | 15.38%

Proposed Pervious Area: 1,061,044.28 SF | 24.36 acres | 82.894%  
Proposed Impervious Area: 218,958.72 SF | 5.03 acres | **17.106%**  
**Total increase of 22,099.72 SF | 1.726% increase in impervious coverage**

Existing Conservation Area: SF 245,260.02 | 5.63 acres | 20.189% coverage  
Proposed Conservation Area: SF 245,260.02 | 5.63 acres | 20.189% coverage  
**No Increase or Decrease in the areas labelled as 'conservation areas'**

**LAND USES:**

East: Beach and Atlantic Ocean  
North: Under construction | DRB File No. 23129 – New twenty-story residential building  
South: Two single family homes – Altos del Mar Local Historic District  
West: GU lots, Parking, civic services, and vacant lots

**THE PROJECT:**

The applicant has submitted plans and renderings entitled "North Beach Oceanside Park – Proposed Improvements - Illustrative / Technical Package" by **Calvin, Giordano & Associates, Inc.** dated 11/03/2020.

The applicant is proposing to demolish the existing paving and remove portions of the park's vegetation in order to provide more comprehensive walkway and recreation area improvements that will establish a cohesive park identity. The applicant is also proposing new fencing, lighting, and landscaping improvements that will provide for an overall safer environment, and which is more compliant with the principles and standards of CPTED (Crime Prevention Through Environmental Design).

**ACCESSIBILITY COMPLIANCE**

Additional information will be required for a complete review for compliance with the Florida Building Code 2001 Edition, Section 11 (Florida Accessibility Code for Building Construction). These and all accessibility matters shall require final review and verification by the Building Department prior to the issuance of a Building Permit.

**CONCURRENCY DETERMINATION:**

A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs, if required, shall be paid prior to

the project receiving any Building Permit.

**CONSISTENCY WITH COMPREHENSIVE PLAN:**

A preliminary review of the project indicates that the proposed **recreational use** appears to be **consistent** with the ROS designation of the Future Land Use Map of the 2025 Comprehensive Plan. The main permitted uses in the ROS, Recreation Open Space Element are recreation and open space facilities.

**COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code. The above noted comments shall not be considered final zoning review or approval.

- The proposed N B O P sign along 79th Street plaza and the wall sign along 87th will require a GU waiver for the size and # of signs by the City Commission.
- Waiver #1 to exceed the number of signs in the RM1 zoning district per frontage. Permitted 1 | Proposed 2
- Waiver #2 to exceed the size of a monument signs (N B O P page SD-421) in the RM1 zoning district. Permitted 0 SF | Proposed 60.75SF.
- The proposed major gateway element at 81st Street shall be setback a minimum of 20'-0" from the front property line along Collins Avenue.

These and all zoning matters shall require final review and verification by the Zoning Administrator prior to the issuance of a Building Permit.

**COMPLIANCE WITH DESIGN REVIEW CRITERIA:**

Design Review encompasses the examination of architectural drawings for consistency with the criteria stated below with regard to the aesthetics, appearances, safety, and function of the structure or proposed structures in relation to the site, adjacent structures and surrounding community. Staff recommends that the following criteria is found to be satisfied, not satisfied or not applicable, as hereto indicated:

1. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.  
**Satisfied**
2. The location of all existing and proposed buildings, drives, Parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.  
**Satisfied**
3. The dimensions of all buildings, structures, setbacks, Parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to

determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.

**Satisfied**

4. The color, design, selection of landscape materials and architectural elements of Exterior Building surfaces and primary public interior areas for Developments requiring a Building Permit in areas of the City identified in section 118-252.

**Satisfied**

5. The proposed site plan, and the location, appearance and design of new and existing Buildings and Structures are in conformity with the standards of this Ordinance and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the Design Review Board and Historic Preservation Boards, and all pertinent master plans.

**Satisfied**

6. The proposed Structure, and/or additions or modifications to an existing structure, indicates a sensitivity to and is compatible with the environment and adjacent Structures, and enhances the appearance of the surrounding properties.

**Satisfied**

7. The design and layout of the proposed site plan, as well as all new and existing buildings shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on contiguous and adjacent Buildings and lands, pedestrian sight lines and view corridors.

**Satisfied**

8. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that all Parking spaces are usable and are safely and conveniently arranged; pedestrian furniture and bike racks shall be considered. Access to the Site from adjacent roads shall be designed so as to interfere as little as possible with traffic flow on these roads and to permit vehicles a rapid and safe ingress and egress to the Site.

**Satisfied**

9. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and reflection on adjacent properties. Lighting shall be reviewed to assure that it enhances the appearance of structures at night.

**Satisfied**

10. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall Site Plan design.

**Satisfied**

11. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.  
**Not Applicable**
12. The proposed structure has an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).  
**Not Applicable**
13. The building has, where feasible, space in that part of the ground floor fronting a street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a street, or streets shall have residential or commercial spaces, shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of the Parking structure from the surrounding area and is integrated with the overall appearance of the project.  
**Not Applicable**
14. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Not Applicable**
15. An addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).  
**Not Applicable**
16. All portions of a project fronting a street or sidewalk shall incorporate an architecturally appropriate amount of transparency at the first level in order to achieve pedestrian compatibility and adequate visual interest.  
**Satisfied**
17. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.  
**Not Applicable**
18. In addition to the foregoing criteria, subsection [118-]104(6)(t) of the City Code shall apply to the design review board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.  
**Not Applicable**
19. The structure and site complies with the sea level rise and resiliency review criteria in Chapter 133, Article II, as applicable.  
**Not Satisfied; see below**

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

Section 133-50(a) 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.
4. **Not Applicable**
5. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.  
**Satisfied**
6. 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.  
**Satisfied**
7. 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**
8. Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.  
**Not Applicable**
9. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.  
**Not Applicable**
10. 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.  
**Satisfied**
11. Where feasible and appropriate, water retention systems shall be provided.  
**Satisfied**

**ANALYSIS:**  
**DESIGN REVIEW**

The approximately 28-acre North Beach Oceanside Park (NBOP) is bordered by 79<sup>th</sup> Street to the south, 87<sup>th</sup> Street to the north, the Atlantic Ocean to the east and Collins Avenue to the west. The park offers a natural buffer to the beach and whose rich vegetation offer a distinct getaway from the urban cityscape. It's dense hammocks, clustered palms, sand dunes, and beach access provide a native landscape that is unique within the City.

A nearly identical application for design improvements to the park was reviewed and approved by the Design Review Board on March 07, 2017, pursuant to DRB16-0092. However, the applicant did not obtain necessary permits within the allotted 18-month timeframe, and the DRB order expired. Most of the project is consistent with the prior 2017 approval with the exception of some of the proposed pathways being altered and reduced in scope.

The current project scope includes the following components:

- Entrance gateway features;
- Revitalized green lawn area, and overall tree pruning and maintenance;
- Removal of invasive species;
- Pedestrian lighting (safety lighting the Park while observing turtle friendly lighting regularity agencies);
- Expanded pathways;
- Connection to the proposed Beachwalk extensions to the north and south;
- New NBOP identify signage
- Vita course and other Park site furniture;
- Shower facilities;
- Renovation of existing restroom and shade pavilions; and
- Refurbishment of existing fencing along Collins Avenue

Staff is highly supportive of the improvements proposed herein for the North Beach Oceanside Park (NBOP) as they will greatly improve pedestrian access to the park, significantly upgrade the design, further expand amenities, and enhance the overall experience and usability of the park. Staff has worked very closely with the design team for the park and commends their efforts in the development of a successful design scheme.

**GATEWAY ELEMENTS:**

The proposed design schmem establishes a natural oasis by maintaining the conservation areas noted in the plans. The design development for this project from the onset has been a deliberate collaborative process. The CIP team, along with the design consultants, led multiple public outreach meetings, hearing directly from neighbors and stakeholders as to what their aspirations were for the park.

The park contains approximately 2,800 linear feet of frontage along Collins Avenue, and is currently defined from the outside by an existing vertical picket aluminum style fence dispensed between concrete columns. The proposed design scheme for the park opens up the Collins Avenue access in a more welcoming manner that also promotes safety and identity.

In this regard, design element hierarchies are proposed throughout the 28-acre site in order to categorize the expanse and distinguish the numerous elements. The new gateway entrance elements are proposed along Collins Avenue in three categories: plaza, minor entrance and major gateway. Formal 'minor' gateway entrances to the Park are proposed along Collins Avenue that coordinate with 82<sup>nd</sup> Street, 84<sup>th</sup> Street, and 86<sup>th</sup> Streets. These entrances are marked with a series of new aluminum laser cut gates within the 32" high oolitic limestone walls and signify the entryways to the Park. These entrances lead to the major north-south pathway.



There are two proposed formal entrance plazas from Collins Avenue, one at 79<sup>th</sup> Street and the other at 87<sup>th</sup> Street. At the 79<sup>th</sup> Street entrance, a 10'-0" wide concrete pathway meanders approximately 60'-0" eastward to a 11'-6" by 24'-0" wide plaza where seating and other site furniture can be found. Another pathway leads to the experiential plaza gateway structure, which connects to the park's pathway system.

Street and 85<sup>th</sup> Street. These three distinct major gateway entrances feature the park's signature architectural element and are designed to create a highly visible, iconic experience along Collins Avenue.

The major gateway entrances are proposed along Collins Avenue and coordinate at 81<sup>st</sup> Street, 83<sup>rd</sup>



Major Gateway entrance—Collins Avenue elevation

All the elements cohesively demarcate the park from the sidewalk and express the local ethos and naturalized character of the space. The sculptural forms are derived from the silhouettes



of existing seagrape trees and the walls and elements are expressive of the natural oolite materials that define the local character of the larger North Beach area. Additionally, the proposed oolite walls pay homage to the iconic, indigenous stone walls present in almost all other beachfront Parks to extend a Miami Beach 'brand' to the North Beach Oceanside Park. Together, all elements are tailored to be expressive of a scale and character that is 'humanized'.

**SIGNAGE:**

The subject property is zoned as Government Use (GU), and is surrounded by single-family (RS) and multifamily residential (RM) zoning. Under section 142-425 of the Land Development Regulations (LDR's), GU zoned properties utilize the average of the surrounding zoning districts for purposes of determining development regulations, including allowable signage.

The City's RM and RS zoning districts are limited in terms of allowable signage or other identifying markers. The proposal features two signs along the Collins Avenue rights-of-way. The first sign is a freestanding sign composed of individual 5'-0" high letters 'N B O P' and is located at the southwest entry plaza of the Park near 19<sup>th</sup> Street. The design of this sign evokes the pop art sculptural image by American artist Robert Indiana (LOVE sculpture). The second sign is a more traditional wall sign located at 87<sup>th</sup> Street, on the north end of the park, and contains the following text: 'North Beach Oceanside Park'.

In order to accommodate two signs along Collins Avenue the proposed design and location would require a waiver from chapter 138 of the Land Development Regulation's. This waiver will be considered separately by the City Commission.

**CONSERVATION AREAS:**

The design of the walkways along the Park have been developed to accent the conservation areas. Natural materials and finishes are proposed throughout the Park, including the use of exposed aggregate shell concrete, crushed coquina, key stone, and concrete pavers in various earth tones. The lighting plan has also been fully developed, complete with fixture specifications and finishes, and a complete planting plan has been provided, including site furnishings.

**SAFETY:**

The review process for the Park has been an interdisciplinary effort, with vital input from different City Departments who have participated in the public outreach, become familiar with the project and provided valuable feedback that will be addressed throughout varying stages of project development. One key focus consistent throughout the process has been that the park be designed as a safer public amenity that is not conducive to crime.

The current conditions of the park, including the heavily vegetated landscape, paired with blind corners and insufficient lighting, is not conducive to a safe environment. By adopting tried and proven CPTED principles, clearing the undergrowth, creating wide circular sightlines around the pathways, and providing lighting, the Park's new look will provide an overall safer recreational center for North Shore.

The comments and concerns pending are by and large able to be resolved at permit review. The most driving factor in the overall improvements to NBOP is compliance with the basic

principles of CPTED—natural surveillance, natural access control, territorial reinforcement, and maintenance and management.

### **PATHWAYS:**

The proposed redesign of the project promotes a more inviting and refined vision of the Park, while keeping intact the existing natural beachfront habitat as conservation areas. The proposed Park walkways create meandering paths that loop in and around the conservation areas as well as recreation areas and facilitate leisurely or active use of the Park. The overall concept is to surround clusters of the nature preserves with varying low wall typologies. The design has maintained the primary pathways of the existing park and has greatly simplified its intersection, with the primary loop as the extension of the beach walk on the oceanfront side, and the primary north-south path on the west side. A series of secondary loops explore the entire scope of the park, circling around the conservation areas. The path intersections have been designed in a playful manner, sometimes merging, crossing, or being completely tangential to one another, barely touching. The design team has afforded park visitors with ample opportunities to sit and relax on the low keystone clad knee walls.



The design element hierarchies as they pertain to the pathways is evident. The primary path element is the “Atlantic Way” pathway. This pathway is configured in a general north-south axis, with a more articulated design pattern featuring seagrass leaf design inlays, and measures 15’-0” in width. This path will lead from the 79<sup>th</sup> Street plaza to the 87<sup>th</sup> Street plaza if taken directly. Outdoor exercise equipment will be stationed along this major pathway. Numerous secondary pathways traverse the park in the east-west axis and lead the parkgoers to the Beach or the Collins Avenue sidewalk edge. These pathways are simple concrete absent of patterning, and measure 10’-0” in width

and serve as the arterial connection and provide circulation to and within the park.

### **CITY BEACHWALK:**

The proposal includes the final expansive connection to the City’s Beachwalk Master plan that when completed will allow pedestrians and bicyclists to travel from the northernmost limits of the City southbound all of the way to South Pointe Park and Government Cut alongside the ocean without ever traveling on a vehicular roadway. The plan includes the recurring wave patterning seen elsewhere along the Beachwalk. The concrete unit pavers alternate from the undulating pattern to the more regulated herringbone design. This recalls the beachwalk design precedent of the Mid- Beach Recreational Corridor Phase II, the construction of which is currently completed and to which it shall connect at 79<sup>th</sup> Street. There is also an additional geometric circular paver design inlaid at the beachwalk along the southernmost portion of the park site that identifies “79” (which coordinates with 79<sup>th</sup> Street end) and continues the city’s brand and identity of its beachwalk corridor.

**OTHER IMPROVEMENTS:**

Among the less prominent but equally important modifications to the park include substantial renovations to the existing restrooms and pavilion structures. The park contains three restroom and pavilion facilities areas, each nestled between the Atlantic Way pathway and the Beachwalk pathway and are easily and readily accessed from the connected pathway network. These concrete structures currently provide bathroom facilities, shade, and covered picnicking areas. All structures will be updated in the interior, as well as undergo exterior improvements. There are also existing wood pavilions located further eastward towards the dune. These too are proposed to be renovated and will continue to provide immediate shade relief directly from the proposed beachwalk.

A covered children's playground is proposed from the Atlantic Way pathway towards the northern portion the site. The new playground will be installed westward of the existing location, away from the adjacent landscape cluster and restroom building

**LOG CABIN RESTORATION**

An area has been proposed as the potential future location of the restored/reassembled 'Log Cabin', pursuant to Resolution 2018-30356, which recommends that the recovered Log Cabin structure be located within North Beach Oceanside Park. The proposed location is in direct easterly alignment with the 81<sup>st</sup> Street entrance, alongside the Atlantic Way pathway approximately 125'-0" from the front property line, sidewalk along Collins Avenue.

**SUMMARY**

The project has been reviewed and vetted by both the City's CIP and Parks Departments, as well as the Planning Department, to include the essential components that can be accommodated within the allocated budget. The proposal is consistent with the original approval in 2017, and with slight adjustments with the configurations of walkways, all of the key elements of the original design and vision are retained. In summary, staff is supportive of the improvements to the park areas and recommend approvals of the redesign of North Beach Oceanside Park.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends the application be **approved**, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria and Sea Level Rise criteria, where applicable.

‘Exhibit A’

All of Blocks 1, 2, 3 and 4 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 13, 14, 15 and 16, Together With all the rights-of-way lying North of the North right-of-way line of 79th Street, lying South of the North right-of-way line of 83rd Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of the CORRECTED PLAT OF ALTOS DEL MAR NO. 1, according to the plat thereof as recorded in Plat Book 31, Page 40, of the Public Records of Miami-Dade County Florida.

TOGETHER WITH:

All of Blocks 2, 3, 4 and 5 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 6, 7, 8 and 9, Together With all the rights-of-way lying North of the North right-of-way line of 83rd Street, lying South of the South right-of-way line of 87th Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of ALTOS DEL MAR SUBDIVISION NO. 2, according to the plat thereof as recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County Florida.

Said lands situate within the City of Miami Beach, Miami-Dade County, Florida.

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

MEETING DATE: November 03, 2020

PROPERTY/FOLIO: **North Beach Oceanside Park**  
8051 Collins Avenue 02-3202-004-0640

APPLICANT: City of Miami Beach

FILE NO: DRB20-0579

IN RE: An application has been filed requesting Design Review Approval for the substantial improvements of North Beach Oceanside Park.

LEGAL: See attached 'Exhibit A'

**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 consistent with Sea Level Rise Criteria in Section 133-50(a) of the Miami Beach Code
- D. The project would remain consistent with the criteria and requirements of Section 118-251 and/or Section 133-50(a) if the following conditions are met:
  1. Revised site plan drawings shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
    - a. The final location for the potentially relocated Log Cabin structure, shall be consistent with Resolution 2018-30356, submitted in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

- b. The final equipment style, design and location for the childrens' playground area of the Park 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.
- c. The design, location and type of fencing proposed along the western edge of the Park, including any landscaping and height of any fencing/edge condition 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 design, location and type of fencing proposed along the northern edge of the Park, along Collins Avenue, including any gateway entrance designs, landscaping and height of any fencing/edge condition 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.
- e. The ornamental/picket fencing proposed at the dog park must have a "puppy guard" or additional pickets along bottom portion of the fencing and proposed design 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.
- f. The proposed park benches shall incorporate center armrests/dividers and proposed design 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.
- g. A comprehensive lighting plan for the entirety of the Park, including the final design details of the all proposed lighting fixtures and styles within the Park, along the pathways and dunes, including materials and finishes, shall be provided and comply with Florida Department of Environmental Protection regulations. The final location and type of all lighting design requested herein 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.
- a. The final design details and pattern of the hardscape and exterior walkways 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.
- b. Any exterior ground floor 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.

- h. The final design details of the proposed fences and gates, interior to the Park, including style, 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.
- i. The final design and placement and model/type of all park furniture and fixtures, shall be reviewed and approved by the Planning Department and the Police Department.
- j. Additional design details shall be submitted showing siteplan details of separation from NBOP to the northern 87<sup>th</sup> Street 'easement', connection to northern esplanade, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
- k. The final color selection and exterior material choice for the renovation of the existing restroom, pavilion and BBQ picnic areas, 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.
- l. The final exterior material and color selection for the sail covering and rubberized surface ground covering for the proposed children's playground, shall be subject to the review and approval of staff and shall require a separate permit.
- m. The proposed sail covering for the childrens' playground area of the park shall provide 100% shade coverage for playground footprint.
- n. The final design and materials of the "sea grape" paving designs 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.
- o. 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.
- p. 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.

- q. 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
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. Parking areas shall be substantially screened from view from within the park, in a manner to be reviewed and approved by staff.
    - b. All landscape areas abutting driveways and parking areas shall be defined by decorative bollards.
    - c. Landscape/trees shall be crown lifted, for CPTED, 8 feet for walkways.
    - d. Proposed coconut palms shall have an appropriate safety buffer from walkways.
    - e. All pathway pavers and concrete banding shall be utilized for the entire impervious area, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.
    - f. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.
    - g. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.
    - h. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventors and all other related devices and fixtures; such fixtures and devices shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of backflow preventors, siamese pipes or other related devices and fixtures, if any, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.
    - i. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms; such



transformers and vault rooms, and all other related devices and fixtures, shall not be permitted within any required yard or any area fronting a street or sidewalk. The location of any exterior transformers, and how they are screened with landscape material from the right-of-way, shall be clearly indicated on the site and landscape plans and shall be subject to the review and approval of staff.

- j. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect for the project architect shall verify, in writing, that the project is consistent with the site and landscape 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. A Construction Parking and Traffic Management Plan (CPTMP) shall be approved by the Parking Director pursuant to Chapter 106, Article II, Division 3 of the City Code, prior to the issuance of a Building Permit.
- B. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.
- E. 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.
- F. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.

- G. 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 Finding of Fact, to which the applicant has agreed.

PROVIDED, the applicant shall build substantially in accordance with the plans, entitled "North Beach Oceanside Park – Proposed Improvements - Illustrative / Technical Package" by **Calvin, Giordano & Associates, Inc.** dated 11/03/2020, and 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 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 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 shall 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

DESIGN REVIEW BOARD

THE CITY OF MIAMI BEACH, FLORIDA

BY: \_\_\_\_\_  
JAMES G. MURPHY  
CHIEF OF URBAN DESIGN  
FOR THE CHAIR

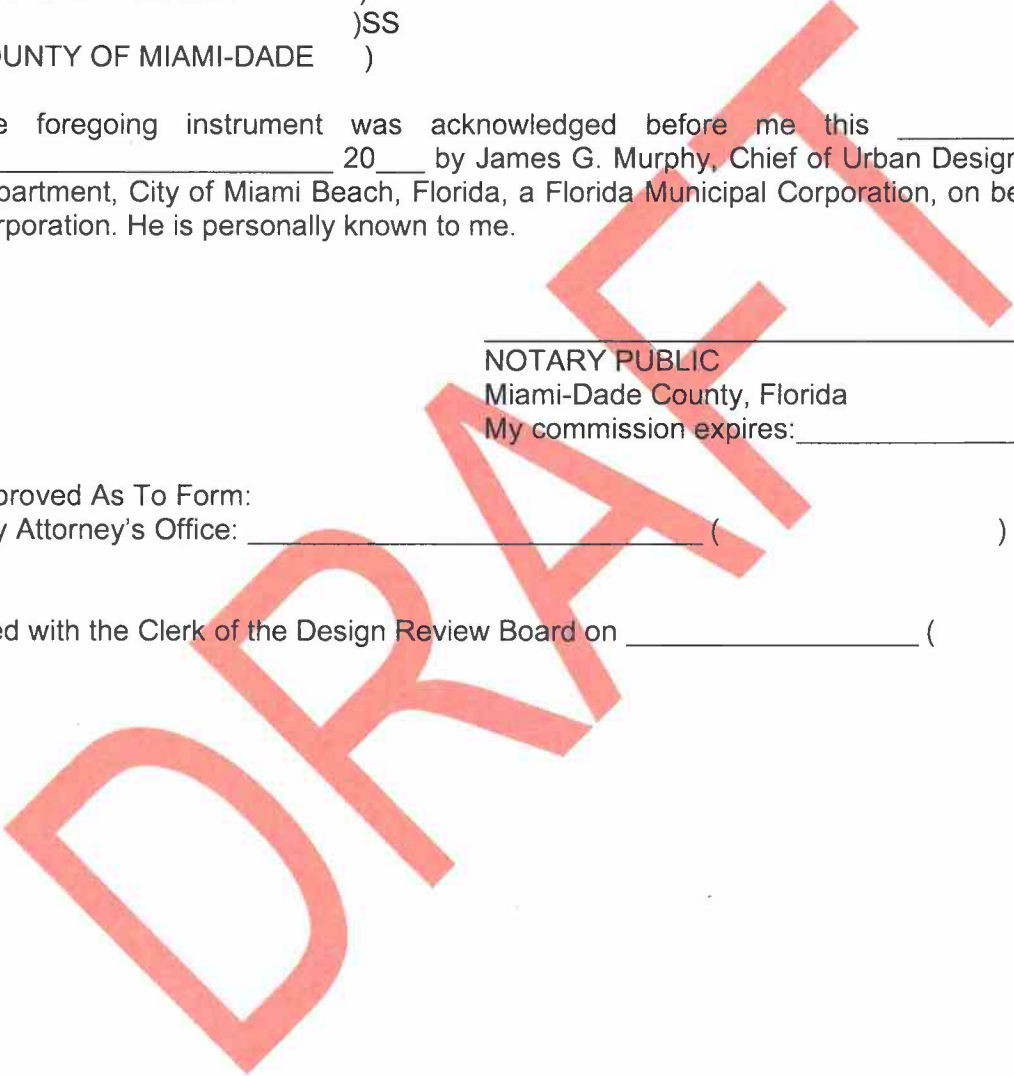
STATE OF FLORIDA          )  
                                    )SS  
COUNTY OF MIAMI-DADE    )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ 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: \_\_\_\_\_

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

Filed with the Clerk of the Design Review Board on \_\_\_\_\_ (                 ) )



**'Exhibit A'**

**LEGAL DESCRIPTION:**

All of Blocks 1, 2, 3 and 4 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 13, 14, 15 and 16, Together With all the rights-of-way lying North of the North right-of-way line of 79th Street, lying South of the North right-of-way line of 83rd Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of the CORRECTED PLAT OF ALTOS DEL MAR NO. 1, according to the plat thereof as recorded in Plat Book 31, Page 40, of the Public Records of Miami-Dade County Florida.

**TOGETHER WITH:**

All of Blocks 2, 3, 4 and 5 lying West of the Miami-Dade County Erosion Control Line (ECL) as established within this area, Together With all of Blocks 6, 7, 8 and 9, Together With all the rights-of-way lying North of the North right-of-way line of 83rd Street, lying South of the South right-of-way line of 87th Street and lying East of the East right-of-way line of Collins Avenue (S.R. A-1-A), all of ALTOS DEL MAR SUBDIVISION NO. 2, according to the plat thereof as recorded in Plat Book 4, Page 162, of the Public Records of Miami-Dade County Florida.

Said lands situate within the City of Miami Beach, Miami-Dade County, Florida.

DRAFT