

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

MEETING DATE: February 2, 2021

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

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'

APPLICANT: City of Miami Beach

**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 City Resolution No. 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.

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- b. The final equipment style, design and location for the children's 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 all proposed lighting fixtures and styles within the Park, along the pathways and dunes, including materials and finishes, shall be provided and shall comply with applicable 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 between the Park and the northern 87<sup>th</sup> Street 'easement', and 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 children's playground area of the park shall provide 100% shade coverage for the footprint of the playground.
- 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. The incorporation of an elevated viewing area which allows views to the ocean, akin to the commonly referred area within the existing park as "the hill", shall be explored and incorporated into the design if feasible, in a manner to be reviewed and approved by staff.
- p. 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.

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- q. 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.
  - r. 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.
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, by 8 feet above 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

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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.

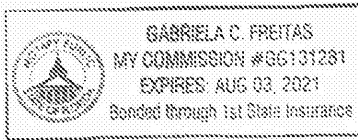
Dated 3/10/2021 | 10:20 AM EST

DESIGN REVIEW BOARD  
THE CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush  
Michael Belush, AICP  
Chief of Planning and Zoning  
For Chairman

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

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of April 2021 by Michael Belush, 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.



[Signature]  
Notary:  
Print Name  
Notary Public, State of Florida  
My Commission Expires: Aug. 3, 2021  
Commission Number: 99131281

(NOTARIAL SEAL)

Approved As To Form:  
City Attorney's Office: [Signature] (3/5/2021)

Filed with the Clerk of the Design Review Board on Jan. Feb ( 4/1/21 )

[Handwritten mark]

'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.

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