

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: June 7, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **DRB22-0823 (aka DRB20-0563), 2300 Pine Tree Drive / 2795 Prairie Avenue**

An application has been filed requesting a One (1) Year Extension of Time for a previously issued Design Review Approval for the substantial improvements of a former golf course into a community park including the excavation of a lake, dog park areas, tennis courts, a restroom and storage facility, and parking area, in addition to other features including new signage. This project was last approved by the Board on 9/1/2020.

RECOMMENDATION:

Approval of the Extension of Time (1 year).

LEGAL DESCRIPTION:

See EXHIBIT 'A'.

HISTORY/REQUEST:

The subject Community Park is proposed on the site of the former 9-hole Bayshore Municipal Par 3 Golf Course. The subject site has been slated for renovation by the City of Miami Beach since 2009.

The City's Planning Department was tasked with developing a conceptual design for the newly designated park project. Representatives from the Planning Department presented their conceptual design to the Parks and Recreation Facilities Advisory Board, Neighborhoods and Community Affairs Committee (NCAC), and City Commission. Additionally, a community meeting was held to gain additional public input. The City Commission approved the concept and the issuance of a Request for Qualifications (RFQ) on Sept 2, 2015.

As part of the project due diligence, the design team had a Phase II Environmental Site Assessment conducted to assess the potential presence of arsenic and other related chemicals of concern in the soil and groundwater on the site, which may have resulted from the historic use of the property as a golf course. The results of the assessment concluded the presence of contaminants at the site. Miami-Dade County responded with a letter to the City recommending that a temporary engineering control be installed around two areas where the soil sample results indicated elevated levels of contaminants. As such, temporary fencing has been installed to prevent access to these areas by the public and reduce potential exposure. These areas will be remediated during the construction of Community Park.

On September 05, 2017, the Design Review Board reviewed and approved the design for the new community park, pursuant DRB17-0125. The applicant was not able to obtain the necessary permits within the allotted 18-month timeframe.

On June 24, 2020, the Mayor and City Commission approved additional services for Bayshore Park, which included the design of the park identification signage. On September 1, 2020, the Design Review Board reviewed and approved the modified design with additional scope for the new community park, pursuant to DRB20-0563. The applicant was not able to obtain the necessary permits within the allotted 18-month timeframe.

The Park Project has gone through extensive reviews with DERM due to the pre-existing on-site and ground water contamination and received approval in January 2022. Comments from the City of Miami Beach Building Department remain and the applicant is requesting an extension of time to address these comments.

The following is a summary of the DRB application:

- DRB original approval: September 1, 2020
- Order Expiration: March 1, 2022
- Proposed 1 year Extension: March 1, 2023

Since the prior approvals, the applicant has not yet obtained the required permits for the reasons set forth in this report and in the submitted letter of intent. In light of the delays encountered in permitting the project, staff is supportive of the request for an extension of time and recommends approval to ensure that the permitting process concludes.

RECOMMENDATION:

In view of the foregoing analysis, staff recommends the request for an extension of time be granted.

EXHIBIT 'A'

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 27, TOWNSHIP 53 SOUTH, RANGE 42 EAST IN THE CITY OF MIAMI BEACH, DADE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGIN AT THE NORTHWEST CORNER OF TRACT A-B-C-D-E-F-G-H-I-J-A AS SHOWN AND DESCRIBED AS "RESERVED PROPERTY" IN THE DEED FROM THE CITY OF MIAMI BEACH, FLORIDA TO THE BOARD OF PUBLIC INSTRUCTION OF DADE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 976 AT PAGE 566 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE $N06^{\circ}13'57''E$ ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 298.87 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 300.00 FEET AND A CENTRAL ANGLE OF $32^{\circ}20'25''$ FOR 169.33 FEET TO THE POINT OF TANGENCY; THENCE $N38^{\circ}34'22''E$ ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE FOR 149.01 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF PRAIRIE AVENUE AND THE ARC OF SAID CURVE HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF $35^{\circ}39'00''$ FOR 124.44 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE POINT OF TANGENCY; THENCE $N74^{\circ}13'22''E$ ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET FOR 986.95 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF WEST 28TH STREET AND THE ARC OF SAID CURVE HAVING A RADIUS OF 48.50 FEET AND A CENTRAL ANGLE OF $90^{\circ}46'31''$ FOR 76.84 FEET TO A POINT OF NON-TANGENTIAL INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, WITH SAID POINT OF NON-TANGENTIAL INTERSECTION BEARING $N74^{\circ}59'35''E$ FROM THE CENTER OF SAID CURVE; THENCE $S8^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE FOR 616.81 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF PINE TREE DRIVE, $N81^{\circ}34'26''W$ FOR 168.00 FEET; THENCE $S08^{\circ}25'34''W$ FOR 80.00 FEET; THENCE $S81^{\circ}34'26''E$ FOR 168.00 FEET TO A POINT OF INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY OF PINE TREE DRIVE; THENCE $S08^{\circ}25'34''W$ ALONG SAID WESTERLY RIGHT-OF-WAY DRIVE OF PINE TREE DRIVE FOR 527.00 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTHERLY LINE OF THE GREATER MIAMI HEBREW ACADEMY PROPERTY AS DESCRIBED IN THE DEED FROM THE CITY OF MIAMI BEACH, FLORIDA TO SAID GREATER MIAMI HEBREW ACADEMY AS RECORDED IN OFFICIAL RECORDS BOOK 2241 AT PAGE 185 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE $N81^{\circ}34'26''W$ ALONG SAID EASTERLY PROJECTION OF THE NORTHERLY LINE AND THE NORTHERLY LINE OF SAID GREATER MIAMI HEBREW ACADEMY FOR 349.03 FEET TO THE MOST NORTHERLY CORNER OF SAID GREATER MIAMI HEBREW ACADEMY PROPERTY; THENCE $S34^{\circ}36'34''W$ ALONG THE WESTERLY LINE OF SAID GREATER MIAMI HEBREW ACADEMY PROPERTY AND ITS SOUTHWESTERLY PROJECTION THEREOF, FOR 84.95 FEET; THENCE $N14^{\circ}17'58''W$ FOR 173.21 FEET; THENCE $N64^{\circ}26'06''W$ FOR 139.79 FEET; THENCE $N38^{\circ}50'06''W$ FOR 98.61 FEET TO A POINT OF INTERSECTIONS WITH THE NORTHERLY LINE OF SAID TRACT A-B-C-D-E-F-G-H-I-J-A; THENCE $N83^{\circ}46'03''W$ ALONG SAID NORTHERLY LINE OF TRACT A-B-C-D-E-F-G-H-I-J-A FOR 500.21 FEET TO THE POINT OF BEGIN