

DESIGN REVIEW BOARD
City of Miami Beach, Florida

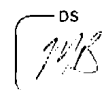
MEETING DATE: October 4, 2022
FILE NO: DRB22-0845
PROPERTY: **4300 Alton Road | Mount Sinai Medical Center – Cancer Center**
02-3222-011-0360
APPLICANT: Mount Sinai Medical Center of Florida, Inc.
LEGAL: See Exhibit 'A'
IN RE: An application for Design Review Approval for the construction of a new five story cancer center on the westernmost portion of the Mount Sinai hospital campus.

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 inconsistent with Design Review Criteria 9 and 19 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 elevation, site plan and floor plan drawings shall be submitted and, at a minimum, such drawings shall incorporate the following:
 - a. The final design, color and details of the precast panels shall be submitted, including material samples, 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. The generator and screening shall be relocated to comply with the setback requirements of the City code, in a manner to be reviewed and approved by staff.
- c. The 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 Design Review Criteria and/or the directions from the Board.
- d. Post Indicator Valves (PIV) and Fire Department Connections (FDC) shall be finished in chrome.
- e. The final paver design and details of the lower roofs shall be provided, and may include a variety of colors and/or contrasting materials, subject to the review and approval of staff.
- f. The incorporation of green roofs/solar panels may be incorporated into the roof levels, in a manner to be reviewed and approved by staff.
- g. 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. All roof top lighting fixtures shall not exceed the height of the parapet subject to the review and approval of staff.

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 plans 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 plans shall comply with Chapter 26-Landscape Requirements of the Miami Beach Code and shall incorporate the following:
 - a. The landscape plan shall be modified to take into consideration the minimum required 15' easement for the construction of a baywalk, in a manner to be reviewed and approved by staff.
 - b. Prior to the issuance of a building permit, the applicant shall submit a tree protection plan for all trees to be retained on site. Such plan shall be subject to the review and approval of staff, and shall include, but not be limited to a sturdy tree protection fence installed at the dripline of the trees prior to any construction.

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- c. In order to identify, protect and preserve mature trees on site, which are suitable for retention and relocation, a Tree Report prepared by a Certified Tree Arborist shall be submitted for the mature trees on site.
- d. Existing trees to be retained on site shall be protected from all types of construction disturbance. Root cutting, storage of soil or construction materials, movement of heavy vehicles, change in drainage patterns, and wash of concrete or other materials shall be prohibited.
- e. 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.
- f. The utilization of root barriers and/or Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- g. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all backflow preventers and all other related devices and fixtures. The location of backflow preventers, 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.
- h. The applicant shall verify, prior to the issuance of a Building Permit, the exact location of all applicable FPL transformers or vault rooms. 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.
- i. Prior to the issuance of a Certificate of Occupancy, the Landscape Architect or 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. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC. In lieu of achieving LEED Gold certification, properties can elect to pay a sustainability fee, pursuant to Chapter 133 of the City

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
Code. This fee is set as a percentage of the cost of construction.

- B. The applicant shall comply with the electric vehicle parking requirements, pursuant to Sec. 130-39 of the City Code.
- C. 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.
- D. The final building plans shall meet all other requirements of the Land Development Regulations of the City Code.
- E. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- F. 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.
- G. 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.
- H. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- I. 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.

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 "Mount Sinai Medical Center— Braman Cancer Center" as prepared by **CANNONDESIGN**, signed, sealed and dated July 11, 2022, and including the "Supplemental Submission", dated September 12, 2022, 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 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.

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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.

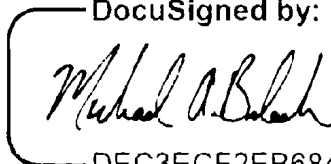
If the Full Building Permit for the project is not issued within eighteen (18) months of the meeting date at which the original approval was granted, the application will expire and become null and void, unless the applicant makes an application to the Board for an extension of time, in accordance with 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 5/2/2023 | 12:16 PM EDT

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

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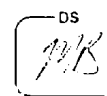


BY: DEC3ECF2EB68404

Michael Belush, AICP
Planning & Design Officer
For Chairman

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

The foregoing instrument was acknowledged before me this 10 day of May 2023 by Michael Belush, Planning & Design Officer of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the Corporation. He is personally known to me.





Notary *Miriam Herrera*
Print Name *Miriam Herrera*
Notary Public, State of Florida
My Commission Expires: *12-16-23*
Commission Number: *66940469*

{NOTARIAL SEAL}

Approved As To Form: DocuSigned by:
Steven Rotlstein
E2654D66607D469 (5/2/2023 | 12:14 PM EDT)
City Attorney's Office: _____)

Filed with the Clerk of the Design Review Board on DocuSigned by:
Jessica Gonzalez
10F03F390D653A5 (5/8/2023 | 6:02 PM EDT)

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EXHIBIT A

LEGAL DESCRIPTION:

Commencing at a concrete monument at Southeast corner of the Southwest One Quarter (SW ¼) of Section 22, Township 53 South, Range 42 East, which is the Southeast corner of Government Lot 4, Township 53 South, Range 42 East, Miami-Dade County, Florida, run Westerly along the South line of said Section 22, the bearing of said South line being South 88 degrees 18 minutes West as shown on a plat entitled "MAP OF THAT PORTION OF TOWNSHIP 53 SOUTH, RANGE 42 EAST, lying between Biscayne Bay and the Atlantic Ocean in Miami-Dade County, Florida, Bliss and Watson, Engineers, dated February 1918", as recorded in Plat Book 5 at Page 40 of the Public Records of Miami-Dade County, Florida, a distance of 356.19 feet to a point;

Thence run North 09 degrees 37 minutes East, a distance of 268.77 feet; Thence run North 24 degrees 22 minutes 43 seconds West, a distance of 15.0 feet to Station 194+94.0426 (back) of the Construction centerline of State Road 25, as shown on a Florida State Road Right of way Map entitled "RIGHT-OF-WAY MAP SEC. 8709-402, SR 25 MIAMI-DADE COUNTY, FLORIDA", revised as of August 7, 1958, Sheets 1 and 2;

Thence run South 65 degrees 37 minutes 17 seconds West, a distance of 1456.7770 feet to the Point of Curvature (P.C.) of a circular curve (Centerline of Construction equals 180+37.2656);

Thence run Southwesterly along the centerline of construction of State Road 25, along the arc of a circular curve deflecting to the right, having for its elements a central angle of 25 degrees 25 minutes 34 seconds, a radius of 3819.72 feet, a distance of 1695.0747 feet to the Point of Tangency (PT) of said curve;

Thence run North 88 degrees 57 minutes 09 seconds West, tangent to the last mentioned circular curve, along the centerline of construction of State Road 25, a distance of 573.19 feet to a point, said point being Station 157+69 on the centerline of Construction of State Road 25;

Thence run along a line deflecting 90 degrees to the right, North 01 degrees 02 minutes 51 seconds East, a distance of 116.0 feet to the Point of Beginning of the tract of land herein described, said Point of Beginning also being the Point of Curvature (PC) of a circular curve;


Thence run Northeasterly along the Easterly shore of Biscayne Bay, along the arc of a circular curve deflecting to the left, having for its elements a central angle of 48 degrees 24 minutes 18 seconds, a radius of 556.210 feet, a distance of 469.90 feet to the Point of Tangency (PT) of said circular curve, the Southerly tangent of said circular curve having a bearing of South 88 degrees 57 minutes 09 seconds East; (bearing of Chord being North 66 degrees 50 minutes 42 seconds East, Chord distance being 456.05 feet);

Thence run Northeasterly, North 42 degrees 38 minutes 30 seconds East, tangent to said circular curve, a distance of 1146.608 feet to a point, said point being the Northwestern corner of a parcel of submerged land (now filled) deeded by the Trustees of the Internal Improvement Fund of the State of Florida to the Alton Beach Realty Company; Deed No. 16801, dated September 9, 1919 – comprising 21.5 Acres, more or less; also described in Deed Book 2277, Page 133, Public Records of Miami-Dade County, Florida, from Miami Beach Bay Shore Company to the United State of America, recorded March 23, 1943;

Thence run North 48 degrees 51 minutes 00.3 seconds East, a distance of 1006.079 feet to a point;

Thence run North 52 degrees 47 minutes 05.56 seconds East, a distance of 302.87 feet to a point on the Northerly line of Lot 41, Block 1, NAUTILUS SUBDIVISION as recorded in Plat Book 8, Page 95 of the Public Records of Miami-Dade County, Florida.

Thence run in a Northeasterly direction, meandering the Northwestern line of Lot 41, a distance

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of 93 feet, plus or minus. The Chord of the aforementioned meander line, concave to the Southeast, having a bearing of North 51 degrees, 41 minutes 56 seconds East and a distance of 92.03 feet;

Thence run North 77 degrees 57 minutes 59 seconds East, along the Northerly line of said Lot 41, a distance of 144.75 feet to a point, said point being the Southwesterly corner of Lot 40, Block 1 of the aforementioned NAUTILUS SUBDIVISION;

Thence run South 86 degrees 11 minutes 38 seconds East, along the South line of said Lot 40, a distance of 229.31 feet to the Southeasterly corner of said Lot 40, said point being on the Westerly line of North Bay Road as shown on aforementioned plat of NAUTILUS SUBDIVISION; Thence run North 73 degrees 19 minutes 02 seconds East, along the Southerly line of said North Bay Road, a distance of 43.64 feet to a point on a circular curve;

Thence deflecting to the right run along the arc of the last mentioned circular curve, having for its elements a central angle of 71 degrees 05 minutes 35 seconds, a radius of 10.0 feet (bearing of Chord being South 57 degrees 43 minutes 43.5 seconds East, Chord distance being 11.63 feet), a distance of 12.41 feet to the Point of Reverse Curvature (PRC) of a circular curve;

Thence deflecting to the left, run along the arc of a circular curve, having for its elements a central angle of 7 degrees 02 minutes 04 seconds, a radius of 343.23 feet, (bearing of Chord being South 25 degrees 41 minutes 58 seconds East, Chord distance being 42.12 feet), a distance of 42.14 feet to the Point of Compound Curvature (PCC) of a circular curve;

Thence deflecting to the left run along the arc of the last mentioned curve, having for its elements a central angle of 19 degrees 43 minutes 00 seconds, a radius of 660.00 feet, (bearing of Chord being South 39 degrees 04 minutes 30 seconds East, Chord distance being 226.0 feet), a distance of 227.11 feet to a point, said point being at the intersection of a circular curve, said point also being at the intersection of the Southwesterly line of aforementioned North Bay Road with the Westerly Right-of-Way line of Ramp "D" – State Road 25;

Thence deflecting to the right run along the said Westerly Right-of-Way line of Ramp "D" of State Road 25, along the arc of a circular curve concave to the West, having for its elements, a central angle of 02 degrees 15 minutes 58 seconds, a radius of 671.56 feet, (bearing of Chord being South 28 degrees 20 minutes 58 seconds West, Chord distance being 26.56 feet), a distance of 26.56 feet to the Point of Tangency (PT) of said curve;

Thence continue along the Westerly Right-of-Way line of Ramp "D" of State Road 25, run South 29 degrees 28 minutes 45 seconds West, tangent to the last mentioned circular curve, a distance of 350.864 feet to the Point of Tangency (PT) of a circular curve concave to the Southeast;

Thence continue along the aforementioned Right-of-Way line, run along the arc of the last mentioned circular curve, having for its elements a central angle of 01 degrees 26 minutes 42 seconds, a radius of 914.51 feet, a distance of 23.07 feet to a point; (bearing of Chord being South 28 degrees 45 minutes 23.5 seconds West, Chord distance being 23.07 feet);

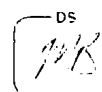
Thence continue along the aforementioned Right-of-Way, along a line radial to the last mentioned circular curve, run North 61 degrees, 57 minutes 58 seconds West, a distance of 20.0 feet to a point, said point being on the arc of a circular curve concave to the Southeast;

Thence run along the arc of the last mentioned curve concave to the Southeast, having for its elements a central angle of 17 degrees 21 minutes 16 seconds, a radius of 934.51 feet (bearing of Chord being South 19 degrees 21 minutes 24 seconds West. Chord distance being 281.98 feet), a distance of 283.06 feet to a point;

Thence deflecting to the right run North 60 degrees 04 minutes 14 seconds West, along the aforementioned Right-of-Way line, a distance of 21.12 feet to a point;

Thence run North 56 degrees 37 minutes 29 seconds West, a distance of 2.20 feet to a point on the arc of a circular curve concave to the Southeast;

Thence continue along aforementioned Right-of-Way line, run along the arc of the last mentioned circular curve, having for its elements a central angle of 08 degrees 40 minutes 07 seconds, a



radius of 956.51 feet (bearing of Chord being South 06 degrees 48 minutes 47 seconds West, Chord distance being 144.57 feet), a distance of 144.72 feet to the Point of Tangency (PT) of the last mentioned circular curve;

Thence run South 02 degrees 28 minutes 43 seconds West, along the Northwesterly Right-of-Way line of Ramp "D" of State Road 25, along a line tangent to the last mentioned circular curve, a distance of 136.207 feet to a point on a circular curve concave to the Northwest;

Thence continue along the above mentioned Right-of-Way line; along the arc of the last mentioned circular curve, having for its elements a central angle of 49 degrees 39 minutes 02 seconds, a radius of 687.34 feet (bearing of Chord being South 27 degrees 42 minutes 01 seconds West, Chord distance being 577.16 feet), a distance of 595.624 feet to a point;

Thence run South 66 degrees 27 minutes 37 seconds West along the said Northwesterly Right-of-Way line of Ramp "D" of State Road 25 and thence along the Northerly Limited Access Line of State Road 25 (Julia Tuttle Causeway), a distance of 259.38 feet to a point on the arc of a circular curve concave to the Northwest;

Thence run along the said Northerly Limited Access Line of State Road 25, along the arc of the last mentioned circular curve, having for its elements a central angle of 22 degrees 28 minutes 01.51 seconds, a radius of 3703.72 feet (bearing of Chord being South 79 degrees 48 minutes 50.24 seconds West, Chord distance being 1443.03 feet), a distance of 1452.32 feet to a point, said point being the Point of Tangency (PT) of a circular curve concave to the Northwest;

Thence run North 88 degrees 57 minutes 09 seconds West, along the said Northerly Limited Access Line of State Road 25, a tangent to the last mentioned circular curve, a distance of 573.19 feet to the Point of Beginning of the tract of land herein described.

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