

DESIGN REVIEW BOARD
City of Miami Beach, Florida

MEETING DATE: June 12, 2025

FILE NO: DRB24-1040

PROPERTY: **1420-1428 Bay Road**

APPLICANT: MCZ/CENTRUM FLAMINGO III, L.L.C.

LEGAL: See Exhibit 'A'

IN RE: An application has been filed requesting Design Review Board approval for design modifications to the roof deck and indoor amenities of an existing building located at the northwest side of the property. Specifically, the applicant is proposing the removal of the existing basketball court on the roof of the parking garage to be replaced by a wading pool, seating, and landscape with a water feature; The interior work includes an addition and renovation to the existing fitness center located on levels 8 and 9 to create 3 new residential units.

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 2.1.3.1 of the Land Development Regulations. 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 the Design Review in Section 2.5.3.1 of the Land Development Regulations.
- 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 in Section 7.1.2.4(a)(i) of the Land Development Regulations.
- D. The project will remain consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(i) with the following conditions:
 - a. A lighting plan for the pool deck area shall be provided, with light fixtures details to ensure that light is adequately shielded to minimize glare and reflection on adjacent properties and to assure that it enhances the

appearance of the structure at night. 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 design details of the new curtain wall and windows 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 final design details of the glass railing located at the pool deck 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. 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.
- e. Prior to the issuance of a Certificate of Occupancy, the project Architect shall verify, in writing, that the subject project has been constructed in accordance with the plans approved by the Planning Department for Building Permit.

In accordance with section 2.2.4.8 of the Land Development Regulations, the applicant, the City Manager, Miami Design Preservation League, Dade Heritage Trust, or an affected person may appeal a decision of the design review board for design review approval only to the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission.

I. Variance(s)

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

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

- A. Upon the issuance of a final Certificate of Occupancy or Certificate of Completion, as applicable, the project approved herein shall be maintained in accordance with the plans approved by the board and shall be subject to all conditions of approval herein, unless otherwise modified by the Board. Failure to maintain shall result in the issuance of a Code Compliance citation, and continued failure to comply may result in revocation of the Certificate of Occupancy, Completion and Business Tax Receipt.
- B. 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.
- C. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- D. 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.

- E. The issuance of a building permit is contingent upon meeting Public School Concurrency requirements. Applicant shall obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. The Certificate shall state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed. No building permit may be issued unless and until the applicant obtains a written finding from Miami-Dade County Public Schools that the applicant has satisfied school concurrency.
- 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 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 "Flamingo Bay Villas", as prepared by **Triba Architects** signed, sealed and dated August 04th, 2024, 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.

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 Section 2.2.4.6 of the Land Development Regulations; 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 2 of the Land Development Regulations, 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 2 of the Land Development Regulations, for revocation or modification of the application.

7/2/2025 | 1:16 PM EDT

Dated _____.

DESIGN REVIEW BOARD
THE CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:
Rogelio Madan
BY: _____
Rogelio Madan, AICP
Development and Resiliency Officer
For Chairman

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

The foregoing instrument was acknowledged before me this 3 day of July 2025 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.



{NOTARIAL SEAL}

Notary: *Miriam Herrera*
Print Name *Miriam Herrera*
Notary Public, State of Florida
My Commission Expires: *12-16-27*
Commission Number: *HH470768*

Approved As To Form:
City Attorney's Office: _____
DocuSigned by:
Farooq Andashewa
A843D7D7D15F455

7/2/2025 | 12:08 PM EDT

Filed with the Clerk of the
Design Review Board on _____
DocuSigned by:
Jessica Freking
10FC3F3E9D654A5

7/2/2025 | 1:18 PM EDT

DS
FM

Exhibit A**LEGAL DESCRIPTION:****PARCEL A:**

A PORTION OF LOT 7 BLOCK 43 OF ALTON BEACH BAYFRONT. ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOCK 4 AT PACE 125. OF THE PUBUC RECORDS OF MIAM-DADE COUNTY, FLORIDA, AND BENG MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTERLINE INTERSECTION OF BAY ROAD AND 15TH STREET AS SHOWN ON THE AFOREMENTIONED PLAT OF ALTON BEACH BAYFRONT, THENCE RUN NORTH ALONG OF THE CENTERLINE OF BAY ROAD A DISTANCE OF 25.82 FEET TO A POINT; THENCE RUN WEST A DISTANCE OF 205.40 FEET TO THE MOST SOUTHEASTERLY CORNER OF THE 15 STORY NORTH TOWER BUILDING NO. 15 BAY ROAD. THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE RUN NORTH 09°29'16" WEST ALONG THE EAST FACE OF THE SAID NORTH TOWER BUILDING AND ALONG THE EXPANSION JOINT BETWEEN THE SAID NORTH TOWER BUILDING AND THE EXISTING 32 STORY CENTER TOWER BUILDING NO. 1504 BAY ROAD. FOR A DISTANCE OF 66.80 FEET TO A POINT; THENCE RUN SOUTH 80°45'24" WEST ALONG THE NORTH FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 146.16 FEET TO A POINT; THENCE RUN NORTH 09°14'36" WEST ALONG THE EAST SIDE OF THE CONCRETE DECK FOR A DISTANCE OF 28.21 FEET TO A POINT; THENCE RUN SOUTH 80°53'57" WEST ALONG THE NORTH SIDE OF THE CONCRETE CECK FOR A DISTANCE OF 78.71 FEET TO A POINT OF THE INTERSECTION WITH THE COVERED WALKWAY; THENCE RUN NORTH 30°12'05" WEST ALONG THE EAST FACE OF THE COVERED WALKWAY FOR A DISTANCE OF 180.54 FEET TO A POINT OF INTERSECTION WITH NORTHEASTERLY PROLONGATION OF THE NORTHWESTERLY FACE OF THE SAID NORTH TOWER BUILDING; THENCE RUN SOUTH 59°50'43" WEST ALONG THE PROLONGATION OF AND THE NORTHWESTERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 76.19 FEET TO A POINT; THENCE RUN SOUTH 30°02'59" EAST ALONG THE MOST SOUTHWESTERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 170.44 FEET TO A POINT, THENCE RUN NORTH 59°55'49" EAST ALONG THE FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 1.04 FEET TO A POINT OF INTERSECTION WITH THE GLASS FACADE AT THE WESTERLY ENTRANCE TO THE SAID NORTH TOWER BUILDING AND A CIRCULAR CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 55.43 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT WHOSE CHORD BEARS SOUTH 03°37'41" WEST, THROUGH A CENTRAL ANGLE OF 67°51'34" FOR AN ARC DISTANCE OF 66.65 FEET TO A POINT; THENCE RUN NORTH 52°56'12" WEST ALONG THE FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 1.19 FEET TO A POINT; THENCE RUN SOUTH 38°47'00" WEST ALONG THE WEST FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 187.13 FEET TO A POINT; THENCE RUN SOUTH 51°08'05" EAST ALONG THE SOUTHWESTERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 66.40 FEET TO A POINT; THENCE RUN NORTH 38°53'30" EAST ALONG THE SOUTHEASTERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 41.76 FEET TO A POINT; THENCE RUN SOUTH 51°07'16" EAST FOR A DISTANCE CF 10.10 FEET TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY FACE CF THE COVERED WALKWAY; THENCE RUN NORTH 38°47'05" EAST ALONG OF THE SAID COVERED WALKWAY FOR A DISTANCE CF 137.43 FEET TO A POINT; THENCE RUN NORTH 50°43'03" WEST ALONG THE NORTH FACE OF THE OVERHEAD WALKWAY FOR A DISTANCE OF 8.38 TO A POINT OF INTERSECTION WITH THE SOUTHEASTERLY FACE OF TIRE SAID NORTH TOWER BUILDING; THENCE RUN NORTH 39°16'57" EAST ALONG THE SOUTHEASTERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 12.92 FEET TO A POINT; THENCE RUN SOUTH 50°57'27" EAST ALONG THE FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE CF 17.13 FEET TO A POINT ON THE COVERED ENTRANCE TO THE SAID NORTH TOWER BUILDING AND A POINT OF THE INTERSECTION WITH A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 89.54 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 59°40'05" EAST THROUGH A CENTRAL ANGLE OF 42°46'20", FOR AN ARC DISTANCE OF 66.84 FEET TO A POINT; THENCE RUN NORTH 08°44'48" WEST ALONG OF THE FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 17.22 FEET TO A POINT WTH THE SOUTHERLY FACE OF THE NORTH TOWER BUILDING; THENCE RUN NORTH 81°24'37" EAST ALONG THE SOUTHERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 11.61 FEET TO A POINT; THENCE RUN SOUTH 09°06'51" EAST FOR A DISTANCE OF 8.61 FEET TO A POINT OF INTERSECTION WITH THE SOUTH FACE OF THE COVERED WALKWAY; THENCE RUN NORTH 89°49'11" EAST ALONG OF THE SOUTH FACE OF THE COVERED WALKWAY FOR A DISTANCE OF 166.52 FEET TO A POINT; THENCE RUN NORTH 21°36'04" EAST ALONG THE CONCRETE WALL FOR A DISTANCE OF 11.99 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY FACE OF THE SAID NORTH TOWER BUILDING; THENCE RUN NORTH 80°48'27" EAST ALONG THE SOUTHERLY FACE OF THE SAID NORTH TOWER BUILDING FOR A DISTANCE OF 7.91 FEET TO A POINT OF BEGINNING.

PARCEL B:

TOGETHER WITH EASEMENT(S) BENEFITING PARCEL A. CREATED BY THAT CERTAIN RECIPROCAL MAINTENANCE AND USE EASEMENT AGREEMENT BY AND BETWEEN MORTON TOWERS APARTMENTS, LP., A DELAWARE LIMITED PARTNERSHIP AND MCZ/CENTRUM FLAMINGO I, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY DATED FEBRUARY 17, 2006 AND RECORDED FEBRUARY 22, 2006 IN OFFICIAL RECORDS BOOK 24259, PAGE 455, AND THAT CERTAIN AGREEMENT REGARDING APPROVED FORMS OF COLLATERAL ASSIGNMENT PERTAINING TO THE RECIPROCAL MAINTENANCE, USE AND EASEMENT AGREEMENT DATED FEBRUARY 17, 2006 AND RECORDED FEBRUARY 22, 2006 IN OFFICIAL RECORDS BOCK 24259, PAGE 528, AS AFFECTED BY THE FIRST AMENDMENT TO RECIPROCAL MAINTENANCE, USE AND EASEMENT AGREEMENT RECORDED JUNE 6, 2008 IN OFFICIAL RECORDS BOOK 26417, PAGE 4557, ALL OF THE PUBLIC RECORDS OF MIAMI- DADE COUNTY, FLORIDA.

PARCEL C:

TOGETHER WITH EASEMENT(S) BENEFITING PARCEL A CREATED BY THAT CERTAIN HEALTH CLUB USE AGREEMENT BY AND BETWEEN AIMCO FLAMINGO HEALTH CLUB LLC, A DELAWARE LIMITED LIABILITY COMPANY, MCZ/CENTRUM FLAMINGO I, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND MORTON TOWERS APARTMENTS, LP., A DELAWARE LIMITED PARTNERSHIP DATED FEBRUARY 17, 2006 AND RECORDED FEBRUARY 22, 2006 IN OFFICIAL RECORDS BOOK 24259, PAGE 583, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.