

# MIAMI BEACH

PLANNING DEPARTMENT  
Staff Report & Recommendation

Design Review Board

TO: DRB Chairperson and Members

DATE: April 16, 2026

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: DRB26-1161, FKA DRB24-1072  
**299 72<sup>nd</sup> Street**

An application has been filed requesting modifications to a previously approved Design Review Approval for the construction of a new five-story community complex, with a parking garage, library, community center, aquatics center, fitness center, retail, multi-purpose fields, and jogging track. Specifically, the applicant is proposing changes to the materials, design elements, landscaping, and other architectural features.

## **RECOMMENDATION**

Approval.

## **LEGAL DESCRIPTION:**

See Exhibit A

## **HISTORY:**

On November 6, 2018, Miami Beach Residents approved a General Obligation (G.O.) Bond Program that included funds to improve the City's parks, recreational facilities, and cultural facilities. The 72<sup>nd</sup> Street Community Complex was included in the proposed bond.

## **BACKGROUND:**

On May 15, 2025, an application for the construction of a new five-story community complex was approved by the Design Review Board, pursuant to DRB24-1072.

## **SITE DATA:**

Zoning:	GU, Government Use District
Future Land Use:	High Intensity Commercial (CD-3)
Lot Size:	167,045 SF/3.83 AC
Proposed FAR:	<del>187,802 SF / 1.1 F.A.R.</del> 194,085 SF / 1.2 F.A.R.
Maximum FAR:	417,613 SF / 2.5 F.A.R.

Height:	
Proposed:	<del>68'-6"</del> 66'4" / 5-Story
Maximum:	137'-6"

Existing Use:	Public Parking
Proposed Use:	Community Complex
Garage:	172,525 SF
Library:	7,589 SF

Community Center: 5,050 SF  
Aquatics: 7,940 SF  
Terrace/Pool Deck: 52,840 SF  
Fitness Center: 7,940 SF  
Racquet Sport Courts: 20,875 SF

Required Parking: 174 Spaces  
Vehicle Parking Provided: 590 Spaces  
Long-Term Bike Parking: 16 spaces  
Short-Term Bike Parking: 13 spaces

Average Grade: +6.00' NGVD  
Base Flood Elevation: +8.00' NGVD  
Freeboard: +5.00'  
Finished Floor Elevation: +9.00' NGVD

**Surrounding Properties:**

East: Miami Beach Band Shell  
North: 1-story commercial building and 2-story apartment building  
South: 1-story commercial Building and vacant land  
West: North Shore Park and Youth Center

**THE PROJECT:**

The applicant has submitted plans entitled "72<sup>nd</sup> Street Community Complex," as designed by **WJ Architects**, signed, sealed, and dated February 5, 2026.

The applicant is proposing design modifications to a previously approved project for the construction of a new five-story community center at the site of Parking Lot P92 in North Beach. The site is located on the block bounded by Collins Avenue on the east, 73<sup>rd</sup> Street on the north, Harding Avenue on the west, and 72<sup>nd</sup> Street on the south

The site is located in the GU District, where the development regulations are determined by the average of the surrounding land development regulations. In this case, the site is surrounded by the Town Center - Central Core (TC-C) District to the south and the CD-2 Commercial, Medium Intensity District to the north.

The following variances were granted at the May 15, 2025, Design Review Board Meeting:

1. ***TC-C Clear Pedestrian Path:*** A variance from section 7.2.14.6(c)(1)(III) for the removal of the clear pedestrian path requirements.
2. ***TC-C Habitable Floors:*** A variance from section 7.2.14.6(c)(5)(B) for the removal of the habitable floor requirements on Collins Avenue and Harding Avenue.

3. ***TC-C Ground Habitable Floor Depth:*** A variance from sections 7.2.14.6(c)(5)(B)(II) and 7.2.14.6(c)(6)(A) for the removal of the ground-floor habitable depth requirements on 72<sup>nd</sup> Street, Harding Avenue, and Collins Avenue.
4. ***TC-C Minimum Second and Third Floor Habitable Depth:*** A variance from section 7.2.14.6(c)(5)(B)(IV) for the removal of the second and third-floor habitable depth requirements on 72<sup>nd</sup> Street and Collins Avenue.
5. ***TC-C Driveways / Vehicle Access to Off-Street Parking and Loading:*** A variance from section 7.2.14.6(c)(5)(C) for the removal of driveway and vehicle access prohibitions from 72<sup>nd</sup> Street, which is a Class A frontage.
6. ***TC-C Off-Street Parking Facilities Design:*** A variance from section 7.2.14.6(c)(5)(B)(V) to allow parking setback less than 50 feet from the building façade and visible from the clear pedestrian path.
7. ***CD-2 Parking Garages:*** A variance from section 7.2.11.3(b)(1) to provide garage areas that are not screened by habitable space.

#### **CONSISTENCY WITH COMPREHENSIVE PLAN**

A preliminary review of the project indicates that the proposed **community complex** use appears to be **consistent** with the Future Land Use Map of the 2025 Comprehensive Plan.

#### **COMPLIANCE WITH ZONING CODE:**

A preliminary review of the project indicates that the application, as proposed, appears to be consistent with the City Code, with the exception of the requested variances and landscape waivers noted above.

The above noted comments shall not be considered final zoning review or approval. 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, SECTION 2.5.3.1:**

Design review encompasses the examination of architectural / landscape drawings for consistency with the criteria stated below, with regard to the aesthetics, appearance, safety, and function of any new or existing structure and physical attributes of the project in relation to the site, adjacent structures and surrounding community. The design review board and the planning department shall review plans based upon the below stated criteria, criteria listed in neighborhood plans, if applicable, and applicable design guidelines. Recommendations of the planning department may include, but not be limited to, comments from the building department and the public works department.

- a. The existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, trees, drainage, and waterways.  
**Satisfied.**
- b. 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.**

- c. 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.**
- d. 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 2.5.3.2.  
**Satisfied.**
- e. 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 article and other applicable ordinances, architectural and design guidelines as adopted and amended periodically by the design review board and historic preservation board and all pertinent master plans.  
**Satisfied.**
- f. The proposed structure, 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.**
- g. 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.**
- h. 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 safety 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.**
- i. 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.**
- j. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.  
**Satisfied.**

- k. 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.  
**Satisfied.**
- l. 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).  
**Satisfied.**
- m. 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.  
**Satisfied.**
- n. The building shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.  
**Satisfied.**
- o. 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).  
**Satisfied.**
- p. 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.**
- q. 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.  
**Satisfied.**
- r. In addition to the foregoing criteria, subsection 118-104-6(t) of the General Ordinances 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.**
- s. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.  
**See Below.**

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

Section 7.1.2.4(a)(i) of the Land Development Regulations 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 Satisfied; A recycling plan shall be provided as part of the submittal for a demolition/building permit to the building department.**
- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.  
**Satisfied.**
- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.  
**Satisfied.**
- (4) Resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) shall be provided, in accordance with Chapter 4 of the Land Development Regulations.  
**Satisfied**
- (5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of surrounding properties.  
**Satisfied**
- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three (3) additional feet in height.  
**Satisfied.**
- (7) In all new projects, all critical mechanical and electrical systems shall be located above base flood elevation. Due to flooding concerns, all redevelopment projects shall, whenever practicable, and economically reasonable, move all critical mechanical and electrical systems to a location above base flood elevation.  
**Satisfied.**
- (8) Existing buildings shall be, where reasonably feasible and economically appropriate, elevated up to base flood elevation, plus City of Miami Beach Freeboard.  
**Not Applicable**
- (9) 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.  
**Not Applicable**
- (10) In all new projects, water retention systems shall be provided.  
**Not Satisfied. Additional information needed.**

(11) Cool pavement materials or porous pavement materials shall be utilized.

**Satisfied.**

(12) The project design shall minimize the potential for a project causing a heat island effect on site.

**Satisfied.**

**STAFF ANALYSIS:**

**DESIGN REVIEW**

On May 15, 2025, the design for the 72nd Street Community Complex was reviewed and approved by the Design Review Board pursuant to DRB24-1072. The Board approved the overall project design, including all requested variances, and deferred to a future meeting the final design of the proposed architectural screen on the west elevation fronting Harding Avenue and the revised landscape plan. The applicant is returning to the Board with modifications to the originally approved design, as well as to address those open items.

The 72nd Street Community Complex is a five-story contemporary civic building designed to serve as a landmark public facility in the North Beach neighborhood. The building combines an aquatic center with a 50-meter competition pool and a 25-meter multi-purpose pool, a 590-space parking garage with pickleball courts on the rooftop level, a Miami-Dade County Library branch, retail and commercial space, a fitness center, a community center, and approximately 60,000 square feet of active green space with a jogging path and fitness loop.

The building is designed in a contemporary architectural style, with painted stucco, expansive glazing, distinctive projecting eyebrow canopies painted green along their underside, anodized aluminum vertical fin guardrails, and an Art in Public Places screen on the west elevation. The design integrates civic, recreational, and cultural uses in a cohesive architectural expression compatible with the character of the North Beach Town Center area. Multiple public plazas, landscaped areas, and a perimeter jogging path activate the ground level and promote pedestrian activity along all four frontages. The pool deck and rooftop areas are designed to provide visual interest from the upper floors of surrounding buildings, with the rooftop garage level featuring colored court surfaces and the aquatic center roof accommodating solar panels.

The applicant is proposing a number of architectural and site modifications to the approved design. The rooftop eyebrow parapet has been increased in thickness to meet wind resistance requirements. The exterior concrete columns supporting the cantilevered walkways have been redesigned to a more robust V-shape with a beam connection at the top. The guardrails throughout the building have been redesigned as anodized aluminum with continuous vertical fin pickets.

The parking garage signage has been relocated from its original position above the garage opening to the top of the columns, where it reads as a more deliberate architectural element integrated with the rhythm of the colonnade and the building's civic presence along 72nd Street. Additional architectural elements have been introduced, including painted beams and metal fins above the mechanical roof enclosure, as well as a new enclosure composed of metal fin pickets at the north and north-west monumental stair landing. The garage openings on the north wall have been changed from glass to perforated metal screen, and a similar perforated metal screen has been added at the top of the south-west corner at the main entrance.

To provide relief to the broad stucco expanse of the facade facing 72nd Street near the corner of Harding Avenue, the architect has incorporated reveals within the stucco. New windows have been introduced on the north walls of the retail spaces toward the edge of the stepped wall planes, providing glimpses into the retail. Staff recommends enlarging these glazed openings to further interrupt the broad expanse of stucco at the ground level and better integrate the retail with the 73rd Street pedestrian experience.

The site layout has been revised to reflect updated grading, elevation changes, and the redesigned column locations. The main entry plaza on 72nd Street, the south-west plaza at the corner of 72nd Street and Harding Avenue, and the north and north-east plazas on 73rd Street have all been adjusted accordingly. Along Harding Avenue, the jogging path has been realigned to work with existing grades and new building elevations, and new retaining walls have been introduced to help preserve the existing trees on the west side. Fitness equipment has been incorporated at the north end of the jogging path along Harding Avenue and at the southwest portion of the site, providing ground-level activation along the Harding Avenue frontage previously requested by the Board. Additional planting featuring a predominantly native palette of canopy trees, palms, and shrubs has been incorporated along the perimeter of the site and the jogging path. Most existing trees are being removed due to the scale of construction, though select specimens along Collins Avenue are being preserved or relocated where possible.

The applicant is also returning to the Board for review and approval of the final design of the Art in Public Places (AIPP) screen on the west elevation fronting Harding Avenue. The screen was commissioned through an open "Call-to-Artists" process conducted in collaboration with the Capital Improvement Projects (CIP) and Tourism & Cultural Departments, through which Atelier Manferdini was selected and commissioned to develop the artwork.

The artwork concept, titled "Rising," is inspired by the dynamic movement of ocean waves, reflecting the energy and fluidity of the aquatics program and the surrounding coastal neighborhood. The design provides visual interest at both pedestrian and vehicular scales, offering layered views and shifting impressions as one moves along the Harding Avenue frontage. The screen composition transitions from a more expressive, dynamic focal zone near the northwest stairwell to a more rhythmic, patterned treatment toward the south, giving the overall facade a sense of movement consistent with the wave-form concept.

The screen system utilizes FlexFacades by Structurflex. The assembly consists of a galvanized steel structure with aluminum framing and a custom-printed polyvinyl-coated polyester (PES) ventilated mesh with 28–30% openness, providing ventilation while screening parked vehicles from the right-of-way. The color palette incorporates a range of blues, black, off-white, and chartreuse green, developed in collaboration with the artist. Aluminum fins are integrated into the composition as an additional architectural element, and lighting by ARUP is proposed through pole-mounted fixtures along the sidewalk, illuminating the installation as a dynamic feature of the streetscape at night.

Overall, staff is supportive of the proposed design modifications and the Art in Public Places screen presented in this submission and recommends approval of the modifications with any conditions noted herein.

Staff would also like to note that the City of Miami Beach is currently considering the incorporation of the historic mosaic tile murals known as "The Glory of Old Glory" into this project. The murals were created in 1971 by Italian-born sculptor and artist Enzo Gallo, who emigrated from Italy to Havana and later established himself in South Florida following the Cuban Revolution. The series of 15-foot-high mosaic murals, originally installed at the former Wells Fargo Bank building located at 1634 Alton Road, Miami Beach, depict iconic scenes from American history, including the American flag, President Abraham Lincoln, and the moon landing. The murals have been preserved and are currently owned by the City of Miami Beach.

Should the City Commission grant authorization, the murals would be located on the ground floor facing the soccer fields. In the event the City Commission elects to pursue a different course of action, the project shall proceed as currently proposed and recommended for approval.

**RECOMMENDATION:**

In view of the foregoing analysis, staff recommends **approval** of the design, subject to the conditions enumerated in the attached Draft Order, which address the inconsistencies with the aforementioned Design Review criteria, Sea Level Rise criteria and Practical Difficulty and Hardship criteria.

## EXHIBIT A

### LEGAL DESCRIPTION:

A PORTION OF GOVERNMENT LOT 6, SECTION 2, TOWNSHIP 53 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF HARDING AVENUE (STATE ROAD A1A) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF 72nd STREET, SAID NORTHERLY RIGHT OF WAY LINE BEING PARALLEL TO AND 70.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLE TO, THE SOUTH LINE OF AFORESAID GOVERNMENT LOT 6, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87060, PROJECT NUMBER 2507471, SAID POINT BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY TO WHICH A RADIAL LINE BEARS NORTH 85°59'42" WEST; THENCE NORTHERLY ON SAID EASTERLY RIGHT-OF-WAY LINE AND ON THE ARC SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 623.36 FEET, A CENTRAL ANGLE 15°46'00", FOR AN ARC DISTANCE OF 171.54 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY, CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 687.50 FEET, A CENTRAL ANGLE 19°48'05", FOR AN ARC DISTANCE OF 237.60 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 73rd STREET; THENCE NORTH 87°05'45" EAST ON SAID SOUTHERLY RIGHT-OF-WAY LINE 319.61 FEET TO THE BEGINNING OF A TANGENT CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET, A CENTRAL ANGLE 86°44'49", FOR AN ARC DISTANCE OF 18.17 FEET TO A POINT OF REVERSE CURVATURE OF CIRCULAR CURVE CONCAVE NORTHEASTERLY ON THE WESTERLY RIGHT-OF-WAY LINE OF COLLINS AVENUE (STATE ROAD A1A) AS SHOWN ON SAID RIGHT OF WAY MAP; THENCE SOUTHEASTERLY ON SAID RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 644.49 FEET, A CENTRAL ANGLE 20°24'23", FOR AN ARC DISTANCE OF 229.54 FEET TO A POINT OF REVERSE CURVATURE OF CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHERLY CONTINUING ON SAID RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE 14°28'04", FOR AN ARC DISTANCE OF 151.51 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 19.06 FEET, A CENTRAL ANGLE 99°02'20", FOR AN ARC DISTANCE OF 33.27 FEET TO A POINT OF TANGENCY ON THE OF AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF 72nd STREET; THENCE SOUTH 87°35'16" WEST ON SAID NORTHERLY RIGHT-OF-WAY LINE 504.35 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. AND CONTAINING 167,045 SQUARE FEET (3.8348 ACRES) MORE OR LESS.

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

MEETING DATE: April 16, 2026

PROPERTY / FOLIO: **299 72<sup>nd</sup> Street** 02-3202-000-0020

FILE NO: DRB26-1161, FKA DRB24-1072

IN RE: An application has been filed requesting modifications to a previously approved Design Review Approval for the construction of a new five-story community complex, with a parking garage, library, community center, aquatics center, fitness center, retail, multi-purpose fields, and jogging track. Specifically, the applicant is proposing changes to the materials, design elements, landscaping, and other architectural features.

LEGAL: See Exhibit A

APPLICANT: City of Miami Beach

**SUPPLEMENTAL 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 inconsistent with Design Review Criteria s 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 inconsistent with Sea Level Rise Criteria 1 in Section 7.1.2.4(a)(i) of the Land Development Regulations
- D. The project would be consistent with the criteria and requirements 2.5.3.1 and/ or Section 7.1.2.4(a)(i) if the following conditions are met:

1. The property shall comply with all of the conditions of the previous approvals enumerated in the Final Order for DRB24-1072, dated May 15, 2025, for the proposed development, except where inconsistent with this Order.
2. Revised elevation, site plan and floor plan drawings for the proposed community center complex shall be submitted to and approved by staff; at a minimum, such drawings shall incorporate the following:
  - a. The proposed AIPP parking garage screen design for the west elevation is approved.
  - b. The final design, details and materials of the proposed FlexFacades by Structurflex architectural screen system proposed along the Harding Avenue façade 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 and color selection of the AIPP ventilated mesh screen 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 proposed single-bay windows on the north wall, on 72<sup>nd</sup> Street, shall be enlarged. The final design and details 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 proposed stair enclosure of metal fins on the north and west elevations shall be approved as proposed. The final design, details and materials 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 final design, details and color of the painted concrete beams and fins above the mechanical roof enclosure 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. The final design and details, including samples and color selection, of the proposed V-shaped columns 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.
  - h. The fitness equipment proposed at the north end of the jogging path shall be approved as proposed.
  - i. The final design, color and details of the perforated metal screen proposed for the garage openings on the north façade, the west façade and at the top of the southeast elevation, above the main entrance, 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.
- j. The final design and details, including samples and color selection, of the proposed anodized aluminum railings with fin pickets, 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.
  - k. In the event that the City Commission authorizes the incorporation of the historic mosaic tile murals known as "The Glory of Old Glory" into this project, said murals shall be located on the ground floor of the building, facing the soccer fields, subject to the review and approval of staff.
  - l. 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.
  - m. 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.
3. 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 4-Landscape Requirements of the Miami Beach Code and shall incorporate the following:
- a. 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.
  - b. The applicant shall work with staff to explore the planting of street trees in areas underneath the high-tension power lines that are consistent with Florida Power & Light (FPL) Right Tree, Right Place program in order to maximize the number of street trees to the extent possible, prior to obtaining a building permit.
  - c. Any tree identified to be in good overall condition shall be retained and protected in their current location if they are not in conflict with the proposed structure, or they shall be relocated on site, if determined feasible, subject to the review and approval of staff. A tree care and watering plan also prepared by a Certified Arborist shall be submitted prior to the issuance of a Building Permit or Tree Removal/Relocation Permit. Subsequent to any approved relocation, a monthly report prepared by a Certified Arborist shall be provided

to staff describing the overall tree performance and adjustments to the maintenance plan in order to ensure survivability, such report shall continue for a period of 18 months unless determined otherwise by staff.

- d. Suspended paver systems such as Silva Cells or equal shall be installed where street trees are planted in right of way sidewalk and other hardscape areas in a manner to be reviewed and approved by staff. Suspended paver systems shall be clearly delineated in the landscape plans. Structural soils may be considered where proposed trees are located immediately adjacent to large open space areas.
- e. 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.
- f. Any necessary root and tree branch pruning with a diameter at breast height (DBH) of 2" or greater shall be approved by the City Urban Forester prior to any tree work.
- g. Street trees shall be required within the swale at the front of the property if not in conflict with existing utilities, in a manner to be reviewed and approved by the Public Works Department.
- h. The proposed and existing trees located within the swale shall be subject to the review and approval of Green Space and CIP.
- i. Any proposed new street trees shall be of a planting species consistent or similar with existing street trees in the immediate area or consistent with any master street tree plan for the area, subject to the review and approval of the City Urban Forester.
- j. Any existing plant material within the public right-of-way may be required to be removed, as the discretion of the Public Works Department.
- k. 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.
- l. The utilization of root barriers and Silva Cells, as applicable, shall be clearly delineated on the revised landscape plan.
- m. 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.

- n. 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 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.**

## **II. Variance(s)**

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

**The decision of the Board regarding variances shall be final and there shall be no further review thereof except by resort to a court of competent jurisdiction by petition for writ of certiorari.**

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

- A. The applicant shall coordinate with the City of Miami Beach Transportation & Mobility Department to implement an acceptable Transportation Demand Management (TDM) Implementation Plan, prior to the issuance of a building permit. Namely, to increase bicycle parking at the site.
- B. All new construction over 7,000 square feet shall be required to be, at a minimum, certified as LEED Gold by USGBC or as otherwise provided for in section 7.1.3.2 of Land Development Regulations. In lieu of achieving LEED Gold certification, properties can comply with other options provided for in Section 7.1.3.2 of the Land Development Regulations, including the payment of a sustainability fee or posting a sustainability fee bond, unless waived by the City Commission.
- C. 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.
- D. During construction work, the applicant shall maintain gravel at the front of the construction site within the first 15'-0" of the required front yard and including the swale (subject to the review and approval of Public Works), to mitigate disturbance of soil and mud by related personal vehicles exiting and entering the site. All construction materials, including dumpsters and portable toilets, shall be located behind the construction fence and not visible from the right-of-way.

- E. During the course of construction, all vehicles, including, but not limited to all personal vehicles, shall park within the confines of the private property, the swale directly abutting the construction site, or at alternate overflow parking sites that are not on-street metered spaces and not zoned RS. Additionally, parking of any vehicles shall be prohibited in the travel lanes of all streets.
- F. All allowable construction signage shall be attached to or situated behind the construction fence, in accordance with Section 6.3.2 of the Land Development Regulations.
- G. The applicant shall coordinate with the City's Parking Department for any modifications or elimination of existing on-street parking spaces, prior to the issuance of a building permit.
- H. The building and parking departments shall approve a construction parking plan prior to the issuance of any building permit, including applicable demolition permits for the project.
- I. The applicant shall ensure that the contractor(s) observe good construction practices and prevent construction materials and debris from impacting the right-of-way.
- J. The contractor(s) shall ensure that the street and the swale directly abutting the construction site remains free of debris and refuse at all times; at a minimum, the contractor(s) shall inspect and clear the street and swale areas before leaving at the end of each day.
- K. This order shall be enforced by the Building, Planning, Parking and Code Compliance Departments.
- L. A recycling/salvage plan shall be provided as part of the submittal for a demolition/building permit, in a manner to be reviewed and approved by staff.
- M. 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.
- N. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.
- O. 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.
- P. 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.

- Q. The conditions of approval herein are binding on the applicant, the property's owners, operators, and all successors in interest and assigns.
- R. 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 for Design Review approval 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 "72<sup>nd</sup> Street Community Complex," as designed by **WJ Architects**, signed, sealed, and dated February 5, 2026, 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 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.

Dated \_\_\_\_\_.



## EXHIBIT A

### LEGAL DESCRIPTION:

A PORTION OF GOVERNMENT LOT 6, SECTION 2, TOWNSHIP 53 SOUTH, RANGE 42 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF HARDING AVENUE (STATE ROAD A1A) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF 72<sup>nd</sup> STREET, SAID NORTHERLY RIGHT OF WAY LINE BEING PARALLEL TO AND 70.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLE TO, THE SOUTH LINE OF AFORESAID GOVERNMENT LOT 6, AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 87060, PROJECT NUMBER 2507471, SAID POINT BEING A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY TO WHICH A RADIAL LINE BEARS NORTH 85°59'42" WEST; THENCE NORTHERLY ON SAID EASTERLY RIGHT-OF-WAY LINE AND ON THE ARC SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 623.36 FEET, A CENTRAL ANGLE 15°46'00", FOR AN ARC DISTANCE OF 171.54 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY, CONTINUING ON SAID EASTERLY RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 687.50 FEET, A CENTRAL ANGLE 19°48'05", FOR AN ARC DISTANCE OF 237.60 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF 73<sup>rd</sup> STREET; THENCE NORTH 87°05'45" EAST ON SAID SOUTHERLY RIGHT-OF-WAY LINE 319.61 FEET TO THE BEGINNING OF A TANGENT CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET, A CENTRAL ANGLE 86°44'49", FOR AN ARC DISTANCE OF 18.17 FEET TO A POINT OF REVERSE CURVATURE OF CIRCULAR CURVE CONCAVE NORTHEASTERLY ON THE WESTERLY RIGHT-OF-WAY LINE OF COLLINS AVENUE (STATE ROAD A1A) AS SHOWN ON SAID RIGHT OF WAY MAP; THENCE SOUTHEASTERLY ON SAID RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 644.49 FEET, A CENTRAL ANGLE 20°24'23", FOR AN ARC DISTANCE OF 229.54 FEET TO A POINT OF REVERSE CURVATURE OF CIRCULAR CURVE CONCAVE SOUTHWESTERLY; THENCE SOUTHERLY CONTINUING ON SAID RIGHT-OF-WAY LINE AND ON THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET, A CENTRAL ANGLE 14°28'04", FOR AN ARC DISTANCE OF 151.51 FEET TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ON THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 19.06 FEET, A CENTRAL ANGLE 99°02'20", FOR AN ARC DISTANCE OF 33.27 FEET TO A POINT OF TANGENCY ON THE OF AFOREMENTIONED NORTHERLY RIGHT-OF-WAY LINE OF 72<sup>nd</sup> STREET; THENCE SOUTH 87°35'16" WEST ON SAID NORTHERLY RIGHT-OF-WAY LINE 504.35 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF MIAMI BEACH, MIAMI-DADE COUNTY, FLORIDA. AND CONTAINING 167,045 SQUARE FEET (3.8348 ACRES) MORE OR LESS.