



PLANNING BOARD After-Action Report

August 23, 2005

Discussion of Planning Issues

Workshop – Revisions to the Single-family development regulations.

After discussing the Planning Department's presentation, the Board requested that an ordinance be presented at a public hearing for comment. The Board discussed the following points:

- Lot coverage needs to be further broken down by category, such as. <10,000 sq. ft; 10,000 to 25,000 sq. ft.; > 25,000 sq. ft.
 - For lots larger than 25,000 sq. ft., 30% lot coverage is too permissive – look at 25% or less for a 2-story home.
 - Same differential should be made for side yard setbacks for larger lots; tiering and different regulations for big lots and larger side yard setbacks; side yard setbacks need more study.
 - Height for one-story homes either from flood or grade needs more study.
 - Height restrictions exceptions for elevator shafts and stair wells need to be addressed; further study of parapet wall heights is also necessary.
 - The requirement that garages be non-airconditioned to qualify for exemption of lot coverage should be re-studied; other measures may be implemented to ensure the 400 sq. ft. garage is not used as living area.
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II. Items for Continuance/Withdrawal

1. **File No. 1719 - 1633 N. View Drive - Lot Split.** The applicants, NVD LLC and 1633 North View Drive LLC, are requesting an after-the-fact approval for a division of land/lot split of the parcel located at 1633 N. View Drive, on Sunset Island No. 1 into two buildable lots.
(Defer at the request of the applicant)

Deferred at the request of the applicant. New notices to be mailed when the item comes back.

III. Public Hearings

A. **Progress Report / Revocation hearings**

1. **Revocation Hearing - File No. 1711 – 1155 Collins Avenue - Temporary Parking lot.** Consideration by the Planning Board to

revoke or modify the two year extension of time approved for this Temporary surface parking lot for non-compliance with the conditions of approval imposed by the Board.

Motion: Courtney/Sanchez – Close revocation. 6-0.

2. **Revocation Hearing - File No. 1712 – 1201 Collins Avenue - Temporary Parking lot.** Consideration by the Planning Board to revoke or modify the two year extension of time approved for this Temporary surface parking lot for non-compliance with the conditions of approval imposed by the Board.

Motion: Leff/Courtney - Continue revocation for 60 days.

3. **Revocation hearing - File No. 1676 – 14 Farrey Lane – Chabad Lubavitch of Venetian Causeway and Surrounding Islands, Inc.** Consideration by the Planning Board to revoke or modify the Conditional Use Permit approved for this institution on August 24, 2004 because of non-compliance with conditions of approval

Motion: Malakoff/Leff - 6-0 - Continue revocation for 90 days; complete the closure of the gap in the wall in 60 days.

4. **Progress Report - File No. 1495 – 133 and 141 Collins Avenue – Parking Lot.**

Motion: Malakoff/Berman - 6-0 – Progress report in 30 days (September).

B. Previously Continued Items

1. **File No. 1717 – Ordinance - Off-street parking requirements.** An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, Amending the Code of the City Of Miami Beach, by amending Chapter 118, Article VIII, “Procedure for Variances and Administrative Appeals,” by clarifying the language of Prohibited Variance Applications; Chapter 130, “Off-Street Parking,” Article II, “Districts; Requirements,” by increasing the off-street parking requirement for residential uses in all districts, and clarifying how parking requirements may be satisfied. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Berman/Sanchez – 6-0 – Recommend that the City Commission adopt the Ordinance. Include in the ordinance a clarification about the parking requirement for suites-hotel to also require 2 spaces per unit when they include full kitchens.

2. **File No. 1674 - 1761 Cleveland Road - Extension of time for Dock Construction.** The applicant, David Ettman, is requesting a one-year extension of time, from July 7, 2005 to July 7, 2006, to obtain a building permit for a previously approved dock.

Motion: Courtney/Berman – 6-0 – Approve extension of time to obtain a building permit to July 7, 2006

3. **File No. 1722 - 1501 Collins Avenue – Neighborhood Impact Establishment for a Restaurant/Lounge with entertainment.** The applicant, Bancroft Management Group LLC, is requesting a conditional use permit to operate a Neighborhood Impact Establishment on the first and second floors of this building, consisting of full-service restaurant and alcoholic beverages with entertainment and an occupancy load exceeding 200 persons.

Motion: Courtney/Malakoff – 5-0 (Mr. Berman absent) – Approve subject to staff recommendation and the following: No rooftop operation shall be permitted; handbills prohibited including third-party promotions; no queuing of patrons on public sidewalk – if necessary, stanchions shall be placed to control crowds and allow for pedestrian access; hours for patio service shall be from 5:30 p.m. to 1:00 a.m. and include food service at all times; no outdoor speakers permitted; to the greatest extent possible the noise shall be contained within the building – doors to patio shall be self-closing to diminish noise emanating outside; sweeping and hosing down sidewalk area after closing; if valet service required, no vehicle storage shall use public spaces; correct scrivener's error similar to item #5 below.

4. **File No. 1724 - 1437-39 Washington Avenue, Nightclub.** The applicant, Mantra Entertainment Group LLC, is requesting a conditional use permit to operate a Neighborhood Impact Establishment Nightclub on the site of the former Liquid nightclub, with an occupancy load exceeding 200 persons.

Motion: Courtney/Malakoff – 5-0 (Mr. Berman absent) – Approve subject to staff and the following amendments: #4 – hours of operation 7:00 p.m. to 5:00 a.m., seven days a week; handbills prohibited including third-party promotions; queuing of patrons on public sidewalk controlled by stanchions and security personnel to control crowds and allow for pedestrian access; sweeping and hosing down sidewalk area after closing; valet service shall not use public spaces vehicle storage; correct scrivener's error similar to item #5 below.

5. **File No. 1726 - 717-721 Washington Avenue - INK Restaurant/Lounge.** The applicant, Nero Enterprises Group LLC, is requesting a conditional use permit to operate a Neighborhood Impact Establishment consisting of full-service restaurant and serving alcoholic beverages with an occupancy load exceeding 200 persons, inclusive of a retail store located on the first floor of this building.

Motion: Berman/Leff – 5-1 (Mr. Sanchez voted against the motion). Approve subject to staff recommendations and as amended by the Board: #4, include: retail store shall open Tuesday to Saturday from 11:00 a.m. to 11:00 p.m.; #7 include: including third party promotions; #8 include: kitchen shall be built as shown on plans; #13 include: Sidewalk shall be swept and hosed down t the end of operations each day; #14 include: submit plans to staff that indicate location of stanchions in front of the venue to help control queuing of crowd. Stanchions shall be manned by security personnel. #15 include: valet storage facilities shall

be provided only on private property. #17, correct scrivener's error by eliminating the phrase "an outdoor" and replace with "this"

6. **File No. 1727 - 1640 Daytonia Road - Dock and Boatlift.** The applicant, Jeff Kinkead, is requesting approval to construct a pier 43' long and 5' wide extending from an existing dock for a total projection of 59'7" from the existing seawall.

Motion: Sanchez/Leff – 5-0 (Mr. Berman absent) – Approve subject to staff recommendation and add to #5 "no pole lighting and any electric lights should not be higher than the mooring piles. All electric lights shall have an off/on switch."

C. New Applications

1. **File No. 1728 – 110 First San Marino Terrace – Lot Split.** The applicant, Plaxico, LLC, is requesting approval for a division of land/lot split of the parcel located at 110 First San Marino Terrace, Sand Marino Island into three buildable lots.

Motion: Malakoff/Courtney - 6-0. Continue to the September 27th meeting.

2. **File No. 1729 – 501 Alton Road – Garage.** The applicant, AR&J, Sobe, LLC, is requesting a Conditional Use Permit to operate a parking garage in close proximity to residential uses 24 hours.

Motion: Sanchez/Berman – 5-1 (Mr. Diaz voted no) – Approve subject to staff recommendation and one additional condition "Valet operator shall not use neighborhood streets, but only utilize major arterial streets when bringing vehicles to and from storage."

3. **File No. 1730 – 301 41st Street – Religious Institution.** The applicant, Tommie Zito Ministries, is requesting conditional use approval to operate a religious institution on the 6th Floor of a commercial/office building.

Motion: Courtney/Sanchez – 6-0. Approve subject to staff recommendation and additional conditions: The number of attendees shall be capped at 200 people; however, the applicant shall be permitted to conduct five special events per year with a maximum occupancy of 350 people per event. Condition #1 include the applicant shall present a progress report in 6 months after the Certificate of Occupancy or Occupational License has been issued.

4. **File No. 1731 — Temporary Docks and Pilings - 2006 Brokerage Yacht Show.** The applicant, Yachting Promotions, Inc., is requesting a Conditional Use permit to install temporary floating docks and pilings adjacent to the existing seawall of the Indian Creek Waterway from 41st Street to 50th Street for the 2006 Yacht & Brokerage Show being held February 16-20, 2006.

Motion: Sanchez/Leff – 5-0 (Mr. Berman absent) – Approve subject to staff recommendation.

5. **File No. 1732 – Gilbert M. Fein Neighborhood Conservation District**
- An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, Amending the Land Development Regulations of the Miami Beach City Code; By Amending Chapter 142, "Zoning Districts and Regulations," and By Amending Article III, "Overlay Districts," Creating Division 6, "Gilbert M. Fein Neighborhood Conservation Overlay District (NCD-1/RM-2)," Designating Specific Land Development and Streetscape Improvement Parameters for a Certain Area Which Is Generally Bounded by the Center Line of Bay Road to the East, the Bulkhead line of Biscayne Bay to the West, the Northern Lot Lines of the Northern Properties Fronting Lincoln Terrace to the North, and the Southern Lot Lines of the Southern Properties Fronting 16th Street to the South, as More Particularly Described Herein; Providing that the City's Zoning Map Shall Be Amended to Include the Gilbert M. Fein Neighborhood Conservation District (NCD-1/ RM-2); Adopting the NCD Plan Attached Hereto; Providing for Codification; Repealer; Severability; and an Effective Date.

Motion: Malakoff/Courtney – 6-0 – Recommendation to the City Commission to adopt the ordinance.

IV. Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, September 27, 2005 at 1:30 p.m. for discussion of Planning issues and 3:00 for the regular agenda, unless otherwise changed in consultation with the Chairperson depending on the length of the agenda. Please mark your calendars and inform staff if you have a schedule conflict.