



PLANNING BOARD AFTERACTION June 27, 2006

1:30 P.M. – Discussion of Planning Issues

- Growth management. Update on the system and what is being done regarding the straw ballot question approved to limit construction.

Written and verbal report provided. Consultant's contract will be submitted to the City Commission on 7-12-06 for approval.

- MXE zoning specific to Ocean Terrace – incentivizing certain uses; looking at commercial uses and discuss what restrictions, if any, relative to allowable uses. This item to be placed on the April and May agendas as backup discussion items if time permits.

Verbal and power point presentation made on several initiatives that need to be explored in order to activate Ocean Terrace – both public and private sectors.

- City to complete beachwalk
- Food kiosks on large plazas bookending Ocean Terrace
- Locate tent boutiques on street/sidewalks
- Weekly/monthly outdoor markets
- Shade street trees on public right-of-way
- Awnings on buildings, outdoor umbrellas, etc.
- Flexible seating – movable tables and chairs (not necessarily tied to a restaurant)

Concerns:

- What kind of commercial uses fronting on the streets
- Condo conversion
- Renovation vs. new construction
- Height and scale
- Parking

Comments:

- Concerns re: mandated commercial use on ground floor; however important to have commercial uses as a key to making this area more viable.
- Aggregation of two/three lots may have merit to attract development
- Create incentives to attract an anchor-type tenant to attract other tenants.
- Government should encourage more special events to bring people to the area
- Conduct a charette

I. Administration

- After Action report – May 23, 2006 meeting

After action adopted with the request that in the future include the names of those members voting in opposition or absent.

III. Public Hearings

A. Progress Report

1. **File No. 1587. 615 5th Street** – National Parking Systems Corp., operating an underutilized parking lot after midnight.

Progress report will be scheduled for the next available meeting of the Planning Board within 90 days after the modified license for the hours of operation is issued.

B. Previously Continued Items

1. **File No. 1658. 621-623 Washington Avenue - Club Deep.** – As required by the Conditional Use Permit approved for Club Deep on May 25, 2004, the new owner of the establishment, P. J. Patel, is appearing before the Planning Board to affirm its understanding of the conditions of approval as a modification to the Permit.

Motion: Kaplan/Kuperman. Vote: 5-0 (Courtney, Diaz absent). Approve subject to staff recommendation and require a progress report 90 days from the date of closing.

C. New Applications

1. **File No. 1764 – 235 23rd Street – Neighborhood Impact Establishment.** The applicant, Mama Vieja, LLC, is requesting Conditional Use to operate a Neighborhood Impact Establishment for an existing restaurant with dancing and entertainment with a proposed occupant content in excess of 200 persons.

Motion: Kaplan/Leff. Vote: 5-0 (Courtney, Diaz absent). Approve subject to staff recommendation.

2. **File No. 1771. 1801 Bay Road; 1333 18th Street; and 1800, 1824 and 1874 West Avenue.** The applicant, Goldwater Realty is requesting Conditional Use approval for a project that consists of the redevelopment of multiple lots in the I-1, Light Industrial Zoning District. The new structure is proposed to be a two-level structure with attached elevated parking totaling approximately 78,294 square feet, and proposes to house a home improvement supply retailer.

Motion: Adler/Leff. Vote: 3-2. Continue application to the July 25, 2006 meeting. A number of speakers resident in the Sunset Harbor Towers, Townhouses and Sunset Islands made statements

opposing the project.

Staff asked a number of questions regarding the traffic study and raised concerns as follows:

- Mitigation: signal timing, flow/circulation and pedestrian traffic
- Committed developments – none were mentioned in study
- Cumulative impact of commercial and residential development

Summary of public comments and concerns:

- Trash on streets from fall-out from trucks
- Noise of delivery trucks and traffic
- Time of deliveries
- Alarm of delivery trucks when backing into loading areas

Summary of Board comments:

- Not the same as other big box stores, but not the proper environment either for this use.
- Concerns about traffic – more emphasis should be placed on the traffic and traffic impact
- Design is not the traditional big-box development. The urban character of Miami Beach and this may be a concept of a larger store for an urban area.
- Noise, security are two areas of concern.
- Applicant should come back to address all the concerns, including but not limited to traffic and circulation

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3. **File No. 1769 – 1701 Cleveland Road.** The applicant, Philippe Harari, is requesting a modification of a previously approved Conditional Use to install a boatlift as part of an existing wood dock in a single family home.

Motion: Leff/Kaplan. Vote: 5-0 (Diaz, Courtney absent). Approve subject to staff recommendation.

4. **File No. 1719 – 1633 No. View Drive, Sunset Island No. 1.** NVD, LLC is requesting a modification to previously approved lot split to modify the gross floor area limitation from the approved 8,100 square feet including garage structure to 11,000 square feet, including any garage structure, in compliance with the requirements of the proposed revisions to the single-family development regulations.

Motion: Kaplan/Leff. Vote: 5-0 (Diaz, Courtney absent). Approve subject to staff recommendation modifying condition #3 to read: The single-family be proposed to be built on Lot 1 in Block 1-E of Sunset Island No. 1, a/k/a 1633 North View Drive, Miami Beach, Florida, shall be limited to a maximum 10,168 gross square feet each, including any garage and shall be built substantially as shown on the plans submitted with this application, which are dated March 1, 2006 and prepared by Z. W. Jarosz Architect, P.A.

5. **File No. 1770 – 7141 Indian Creek Drive.** The applicant, Charter on the Beach Middle School, is requesting a Conditional Use to operate a charter middle school to include 7th and 8th grades.

Motion: Kuperman/Kaplan. Vote: 5-0 (Diaz, Courtney absent). Continue to July 25, 2006 as recommended by staff meeting to give the applicant the opportunity to have a traffic engineer conduct a traffic impact study to determine the impact of the proposed drop-off/pick-up plan.

6. **File No. 1767-a. Additional development regulations for Flamingo Park**

District. An Ordinance of the Mayor and City Commission of the City of Miami Beach amending Chapter 142, "Land Development Regulations," of the City Code; by amending Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," by adding new development regulations for any new construction or additions to properties in the Flamingo Park Local Historic District. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Leff/Kaplan. Vote: 5-0. (Diaz, Courtney absent). Recommend to the City Commission **not to adopt** version 1767-a, which allows roof-top additions.

7. **File No. 1767-b. Additional development regulations for Flamingo Park District –prohibition of roof-top additions.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending Chapter 142, "Land Development Regulations," of the City Code; by amending Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," by adding new development regulations for any new construction or additions to properties in the Flamingo Park Local Historic District, including the prohibition of roof-top additions. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Kuperman/Kaplan. Vote:5-0. (Diaz, Courtney absent). Recommend **adoption** of version 1767-b to the City Commission.

8. **File No. 1768. Flamingo Park Conditional Use for new construction over 1.0 Floor Area Ratio (FAR).** 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 142, "Land Development Regulations,"; by amending Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," Section 142-153, "Conditional Uses," by providing for Conditional Use Review by the Planning Board of new structures in the Flamingo Park Local Historic District that are over 1.0 Floor Area Ratio (FAR), but not to exceed 1.25 FAR. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Kaplan/Adler. Vote: 5-0. Motion: Kuperman/Kaplan. Vote: 5-0. (Diaz, Courtney absent). Recommend to the City Commission **not to adopt** the ordinance.

9. **File No. 1773. Lowering height in CD-1 and CD-2 when abutting the Flamingo Park Local Historic District.** . An Ordinance of the Mayor and City Commission of the City of Miami Beach amending the Code of the City of Miami Beach, by amending Chapter 142, "Land Development Regulations," by amending Division 4, "CD-1 Commercial, Low Intensity District," And Division 5, "CD-2 Commercial, Medium Intensity District," by reducing the permissible height when adjacent or abutting the RM-1, Residential Multifamily, Low Intensity Flamingo Park Local Historic District. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Kuperman/Adler. Vote: 4-0 (Diaz, Courtney and Kaplan absent). Continue the review of this ordinance and schedule a workshop with all the land development boards, community and design professionals, emphasizing quality of architecture and compatibility. Comments made: Alton Road is a big commercial corridor where commercial uses should occur; the width of Alton

Road can support five stories; reducing height is not a solution to the problem – compatibility is main issue and it is a design review issue.

10. **File No. 1772. Cigar Vendors on Ocean Drive.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending the Code of the City of Miami Beach, by amending Chapter 142, “Land Development Regulations,” by amending Article IV, “Supplementary Use Regulations,” Section 142-874, “Required Enclosures,” by clarifying store enclosures; and amending Section 142-904, “Additional Mixed Use Entertainment District Regulations,” to allow the sale of cigars and cigarettes by a vendor licensed on the premises with transactions to occur only within private property. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Kuperman/Leff. Vote: 4-0 (Diaz, Courtney and Kaplan absent). Recommend adoption of the ordinance to the City Commission; however it should be modified to allow the transportation of goods on public right-of-way in covered containers that are obscured from view; however, the Board recommended that the City Commission consider severe penalties for violation of this provision.

11. **File No. 1763 - Transfer of Development rights Block 1.** 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 Section 114-1, “Definitions,” clarifying the meaning of “Site;” amending Chapter 142, “Zoning Districts And Regulations,” Article II, “District Regulations,” Division 18, “PS Performance Standard District,” Clarifying that Floor Area may be distributed on Block 1 through Covenants In Lieu of Unity of Title; Providing For Repealer, Severability, Codification And An Effective Date.

Motion: Leff/Kuperman. Vote: 4-0 (Diaz, Courtney and Kaplan absent). Recommend adoption of the ordinance subject to:

- The required setback between new building and Taverna Opa should be respected and if there is some unused floor area, this would create a greater public benefit.
 - There should be a greater public benefit negotiated with the developer other than the open space being proposed. At a minimum some financial mechanism in perpetuity, such as a trust should be created independent of the developer, but funded by the developer, to ensure that this open space is adequately maintained and operated in a manner that enhances the public good.
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12. **File No. 1766. Requirements for approvals for Certificates of Appropriateness.** An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida amending the Land Development Regulations of the Code of the City of Miami Beach, by amending Chapter 118, "Administration and Review Procedures", Article II, "Boards", Division 4, "Historic Preservation Board", Section 118-106 to modify the requirements for approvals of Certificates of Appropriateness; Providing For Repealer, Codification, Severability And An Effective Date.

Motion: Kuperman/Adler. Vote: 4-0 (Diaz, Courtney and Kaplan absent). Recommend adoption of the ordinance to the City Commission.

IV. Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, July 25, 2006 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.

V. **Adjournment**

Planning Board members: Remember to save the plans and backup materials from items that were continued or deferred; the Planning Department does not have any additional copies.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE BOARD'S ADMINISTRATOR NO LATER THAN FOUR DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 673-7550 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) *-OR (800) 955-8770 (VOICE), FOR ASSISTANCE.