



PLANNING BOARD After Action May 22, 2012 (Revised 12/19/12)

Discussion Code Compliance

Gary Held started the discussion at the request of Chairman Randy Weisburd. In light of the recent indictments of Code Compliance Officers for alleged corruption, Assistant City Manager, Hilda Fernandez, made a presentation to try to address the Board's concerns about if and how Code Compliance reported complaints and violations used by the Board in their decision to grant or modify Conditional Use Permits may have affected these decisions. She described the actions being taken by the City and other governmental agencies to address the problem, such as investigations, and internal and external audits. She explained the internal audit will focus primarily on internal processes and procedures while the external audit will use some of the data from the internal audit but will focus more on performance. She also reported on what has transpired to date, and the status of these processes. Board members asked questions and gave suggestions for the City to consider, such as the Planning Department working with the Code Compliance Department at the time applications are submitted. Board members indicated that they now have a better understanding of what is going on. The following three understandings were agreed among the Board, the staff, and Ms. Fernandez: (1) Concerning cases which the Planning Board considered at any time between January 1, 2010 and the indictments, Ms. Fernandez agreed to arrange with Robert Santos and Jim Sutter (who are conducting the audit of Code Compliance cases during that period), to bring to the attention of the Planning Department and the Planning Board any patterns of responses to Code complaints which appear questionable. (2) Planning Department staff will send copies of Conditional Use Permit applications and Modified Conditional Use Permit applications to Code Compliance, for review and comment, shortly after the filing of those applications with the Planning Department. (3) Ms. Fernandez agreed to arrange for Code Compliance Officers' full names to appear in all future reports of responses to Code complaints. The discussion item at the June meeting will be time management and planning initiatives.

After Action Report April 24, 2012

Motion: Stolar/Veitia. Vote: 7-0. Approve with amendment.

File No. 2025. Temporary Docks and Pilings - 2012 Yacht & Brokerage Show is appearing before the Planning Board for a report on the Show held in the month of February 2012.

Motion: Stolar/Urstadt. Vote 6-0 (Wolfarth absent) 2:05 – 2:07. Approve.

File No. 1422. 340 23 Street. The applicant, American Riviera Real Estate Company, is appearing before the Planning Board for a status report and a modification/revocation hearing of its Conditional Use Permit to operate a temporary parking lot.

Motion: Stolar/Veitia. Vote: 7-0. No further progress reports. Staff is to advise Board whether a Certificate of Completion is required. (By e-mail dated May 23, 2012 and forwarded that day

by staff to Board members, Howard Ramirez, an Engineering Inspector with the Building Department, reported that a Certificate of Completion is not required in this case.) 2:07 – 2:14

File No. 2058. 1426A Alton Road (a.k.a. 1218 14th Court). The applicant, Foxhole Bar, LLC, is requested to appear before the Planning Board to provide a progress report as per Condition #1 of the Conditional Use Permit approved on March 27, 2012.

Motion: Veitia/Beloff. Vote 7-0. Come back to the July 24, 2012 meeting for a Progress Report. Include applicant's materials in the board packages. 2:15 – 2:25

File No. 1947 – 550 Washington Avenue. Bamboo Group, Inc. is appearing before the Planning Board to provide a report on the progress made with regards to the mitigation of noise, as requested at the April 24, 2012 Planning Board meeting.

Motion: Beloff/Urstadt. Vote: 6-1. (Stolar opposed). Come back to the June 26 meeting for a Progress Report and continue the modification/revocation hearing to the July 24, 2012 meeting. 2:27 – 2:36

File No. 2046 – 400 Collins Avenue – Temporary parking lot – The applicant, Savoy Partners, LLC, is being requested to appear before the Planning Board to provide a progress report due to the issuance of notices of violation.

Motion: Veitia/Beloff. Vote: 7-0. Come back to the July 24, 2012 meeting for a Progress Report. 2:38 – 2:42

File No. 1734 – 1801 Collins Avenue – Shelborne Hotel. The applicant, SBH Investors, Inc., et al, is being requested to appear before the Planning Board to provide a progress report due to the issuance of Notices of Violation and non-compliance with the Conditional Use Permit.

Motion: Veitia/Urstadt. Vote: 7-0. Continued to the July 24, 2012 meeting, as requested by the applicant 2:00 – 2:05

File No. 2043. 1201, 1225, & 1237 20th Street. The applicant, Palau Sunset Harbor, LLC., is requesting Conditional Use approval under City Code Chapter 142, Article IV, Section 118-192, Conditional Use for new structures 50,000 square feet and over; and Chapter 130, Article II, Section 130-38, Mechanical and Robotic Parking Systems, for a 5-story mixed use structure consisting of 70 residential units, and approximately 13,056 square feet of commercial space, with mechanical parking lifts.

Motion: Beloff/Veitia. Vote 6-0. (Tobin absent). Approve as recommended by staff with additional conditions and direct applicant to work with Design Review staff to make changes in preparation for the DRB hearing. 2:44 – 7:22

File No. 1361 – 1236 Ocean Drive. Modification/Revocation hearing pursuant to Section 118-94, "Compliance with Conditions;" status of implementation of the speaker system; and compliance with condition 9 of the Conditional Use Permit.

Motion: Stolar/Beloff. Vote 6-0. (Tobin absent). Approve as recommended by staff with amended condition. Modification/revocation hearing closed. No further Progress Reports unless deemed necessary. Staff to advise Board as to the completion of the awnings and sprinkler system installation. 7:35 – 7:49

File No. 1988. 1908 Collins Avenue. The applicant, 1906 Collins LLC, is requesting a modification to a Conditional Use Permit pursuant to Sections 142-1362 of the Land

Development Regulations of the City Code, to operate Baoli, a dinner restaurant and evening entertainment establishment, with an occupant content of approximately 343 persons to replace the existing Baoli Vita.

Motion: Veitia/Beloff. Vote 5-1. (Stolar opposed, Tobin absent). Approve as recommended by staff with amendments. 6:55 – 6-59

File No. 2061. 330 Lincoln Rd. The applicant, Oh Magic, LLC d/b/a Vice Lounge and Cafe, is requesting Conditional Use approval, pursuant to Sections 142-1362 of the Land Development Regulations of the City Code, for a Neighborhood Impact Establishment consisting of an alcoholic beverage establishment with food service, also operating as an entertainment establishment, with an occupant content of 200 or more persons.

Motion: Urstadt/Veitia. Vote: 6-0. (Tobin absent). Continue to the June 26, 2012 meeting, as requested by applicant.

File No. 2059. FLUM Amendment. The applicant, 4701 North Meridian, LLC, is requesting to amend the Future Land Use Map of the Comprehensive Plan of the City of Miami Beach pursuant to Chapter 163.3181 F.S., and Chapter 163-3187 F.S., by changing the Future Land Use Designation for the parcel of land more commonly known as Miami Heart Institute, comprised of less than 10 acres from the current PF-HD, "Public Facility Hospital," to the Future Land Use Category of RM-1, "Residential, Multifamily Low Intensity."

Motion: Beloff/Urstadt. Vote: 6-0. (Tobin absent). Continue to the June 26, 2012 meeting, as requested by applicant.

File No. 2060. Zoning Map Change. The applicant, 4701 North Meridian, LLC is requesting to amend the Official Zoning District Map, referenced in Section 142-72 of the Code of the City Of Miami Beach, Florida, pursuant to Section 118-162, "Petitions for Changes and Amendments," by changing the Zoning District Classification for the parcel of land more commonly known as Miami Heart Institute, comprised of less than 10 acres, from the current HD, Hospital District, to RM-1, "Residential, Multifamily Low Intensity." The applicant intends retain the existing nonconforming height, setbacks, floor area ratio and off-street parking by converting existing structures to a multifamily building with associated amenities and parking.

Motion: Veitia/Stolar. Vote: 6-0. (Tobin absent). Continue to the June 26, 2012 meeting, as requested by applicant.

File No. 2066. 1234 Washington Avenue. The applicant, Chalk's on the Beach, LLC., is requesting Conditional Use approval to operate a Neighborhood Impact Establishment consisting of a bar with ping pong and pool tables indoors on the ground floor of a 3-story commercial building with an occupant content of 200 or more persons.

Motion: Veitia/Beloff. Vote: 6-1. (Tobin absent). Approve as recommended by staff with amendments . 9:25 – 9:38

File No. 2065. 309 23 Street. The applicant, MMBP Group, LLC., is requesting Conditional Use approval to operate a Neighborhood Impact Establishment consisting of a full service restaurant and lounge, with dining in the courtyard, serving alcohol, with an occupant content of 200 or more persons.

Motion: Veitia/Beloff. Vote: 6-0. (Tobin absent). Continue to the June 26, 2012 meeting, as requested by applicant.

File No. 2067. 801-863 South Pointe Drive and 819-842 Commerce Street. The applicant, TRG, Alaska III, LLC., is requesting Conditional Use approval for a 320-space mechanical parking garage to meet the required parking for a mixed use project including 32 residential units, a 13,064 square feet for restaurant use, and 6,836 square feet of retail space on the ground floor.

Motion: Stolar/Beloff. Vote: 6-0. (Tobin absent). Approve as recommended by staff with amendments. 9:38 – 10:17

File No. 2064. Parking District No. 5, Sunset Harbor Neighborhood. An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, amending the Code of the City of Miami Beach, Florida by amending Chapter 130, "Off-Street Parking," Article II "District; Requirements," Section 130-31 "Parking Districts Established," creating a new Parking District No. 5 and Section 130-33, "Off-Street Parking Requirements," for Parking Districts Nos. 2, 3 and 4," by adding new parking regulations for Parking District No. 5 for properties generally bounded by Purdy Avenue on the west, 20th Street on the North, Alton Road on the east and Dade Boulevard on the south; Providing for Codification; Repealer; Severability; and an Effective Date.

Motion: Veitia/Urstadt. Vote: 6-0. (Tobin absent). Continue to the June 26, 2012 meeting. 10:18 – 10:23

Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, June 26, 2012 at 1:00 for discussion items and 2:00 p.m. for the regular agenda, unless otherwise changed in consultation with the Chairperson. Please mark your calendars and inform staff if you have a schedule conflict.