

PLANNING BOARD AFTER ACTION REPORT

Tuesday, October 27, 2015

1:00 PM – 5:25 PM

Board: Seven (7) of Seven (7) members present – Brian Elias, Jeff Feldman, Jonathon Beloff, Jack Johnson, Roberto Rovira & Randy Gumenick, & Regan Pace

Staff: Thomas Mooney, Michael Belush, Eve Boutsis, Rogelio Madan, & Tui Munday

I. Administration

A. After Action Report – October 9, 2015

APPROVED - Gumenick / Elias 7-0

1:05

II. Discussion

A. Alcoholic beverage establishment concentrations

DISCUSSED & Continued to January 26, 2016 to include further review of such establishments in close proximity to residential districts, including west side of Washington Avenue - Johnson / Rovira 7-0

1:06

III. Requests for Continuances / Withdrawals / Other

A. File No. 2282. ELECTRIC VEHICLE PARKING. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS", ESTABLISHING SECTION 130-39, "ELECTRIC VEHICLE PARKING," IN ORDER TO PROVIDE MINIMUM REQUIREMENTS FOR ELECTRIC VEHICLE PARKING SPACES; BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM," SECTION 130-132, "FEE CALCULATION," TO ESTABLISH AN ELECTRIC VEHICLE CHARGING STATION SURPLUS FEE AS PART OF THE FEE IN LIEU OF PROVIDING REQUIRED PARKING PROGRAM, AND SECTION 130-134, "DEPOSIT OF FUNDS; ACCOUNT," TO AUTHORIZE THE PLACEMENT OF FUNDS COLLECTED FROM THE ELECTRIC VEHICLE CHARGING STATION SURPLUS FEE INTO AN ACCOUNT TO BE UTILIZED FOR THE PURPOSES STATED HEREIN; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

CONTINUED to November 24, 2015 - Johnson / Elias 7-0

- B. File No. 2290. SUSTAINABILITY AND RESILIENCY. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR'S) OF THE CITY CODE, BY ESTABLISHING CHAPTER 133, "SUSTAINABILITY AND RESILIENCY," BY ESTABLISHING REQUIREMENTS FOR LEED GOLD CERTIFICATION, ESTABLISHING A SUSTAINABILITY FEE PROGRAM FOR PROJECTS THAT DO NOT ACHIEVE THE REQUIRED LEED CERTIFICATION, ESTABLISHING A SUSTAINABILITY AND RESILIENCY FUND FOR THE DEPOSIT OF FUNDS GENERATED THROUGH THE SUSTAINABILITY FEE PROGRAM, AND PROVIDING THE USES FOR WHICH THE REVENUE DEPOSITED IN THE SUSTAINABILITY AND RESILIENCY FUND CAN BE USED; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.**

CONTINUED to November 24, 2015 - Johnson / Elias 7-0

IV. Progress Reports / Revocation/ Modification hearings

- A. File No. 2223. 1030 15th Street - AT&T Florida.** Progress report as required as part of the lot split application approved by the Board on February 24, 2015. **[Previously continued from October 9, 2015.]**

DISCUSSED & Additional updates to be provided verbally as warranted **1:30 – 1:40**

V. New Applications (including associated requests for Modifications)

- A. File No. 2285. 424 W. 40th Street – Ahavas Torah Synagogue –** The applicant, Ahavas Torah Congregation, Inc., is requesting Conditional Use approval for the operation of a religious institution as part of the construction of a new building within the 40th Street Overlay District, pursuant to Chapter 118, Article IV, and Chapter 142, Article III, Division 8 of the Land Development Regulations of the City Code.

APPROVED - Rovira / Johnson 7-0 **1:40 – 1:54**

- B. File No. 2286. 4525 Collins Avenue – Nobu –** The applicants, Nobu Associates (South Beach), LP., and Eden Rock, LLLP., are requesting Conditional Use approval for a Neighborhood Impact Establishment consisting of a restaurant with an occupant content of more than 300 persons, pursuant to Chapter 118, Article IV and Chapter 142, Article V of the Land Development Regulations of the City Code.

APPROVED - Johnson / Elias 7-0 **1:59 – 2:12**

VI. Code Amendments (Filed pursuant to Chapter 118, Article III of the Land Development Regulations of the City Code.)

- B. File No. 2288. REQUIRED OFF STREET LOADING SPACES. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130 "OFF STREET PARKING", ARTICLE IV, "OFF-STREET LOADING", BY MODIFYING THE REQUIREMENTS FOR CALCULATING AND PROVIDING REQUIRED LOADING SPACES FOR EXISTING BUILDINGS, CHANGES IN USE AND NEW CONSTRUCTION, INCLUDING ENCLOSED STRUCTURES USED**

FOR THE STORAGE AND PARKING OF VEHICLES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Gumenick 7-0

2:12 – 2:35

C. File No. 2289. TRAFFIC STUDY REQUIREMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," AT SECTION 118-253, BY INCLUDING APPLICATION REQUIREMENTS FOR DESIGN REVIEW BOARD APPLICATIONS, TO INCLUDE THRESHOLD REQUIREMENTS FOR THE SUBMISSION OF TRAFFIC STUDIES, AND BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 3, "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS TO DIG / CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," AT SECTION 118-562, BY INCLUDING THRESHOLD REQUIREMENTS FOR THE SUBMISSION OF TRAFFIC STUDIES FOR HISTORIC PRESERVATION BOARD APPLICATIONS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Rovira 7-0

2:35 – 3:00

D. FILE NO. 2273. CONSOLIDATION AND STANDARDIZING OF NOTIFICATION PROCEDURES FOR QUASI-JUDICIAL APPLICATIONS BEFORE HISTORIC PRESERVATION BOARD, BOARD OF ADJUSTMENT, PLANNING BOARD, AND DESIGN REVIEW BOARD. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY CREATING SECTION 118-8 ENTITLED "NOTICE PROCEDURES" AT CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," IN ORDER TO CONSOLIDATE AND STANDARDIZE THE NOTICE PROVISIONS FROM THE VARIOUS SUBSECTIONS OF THE LAND DEVELOPMENT CODE IN ONE SECTION; AMENDING AND/OR STRIKING THE VARIOUS NOTICE PROVISIONS FROM ARTICLE II "BOARDS," DIVISION 5 "BOARD OF ADJUSTMENT" AT SECTION 118-134; ARTICLE IV "CONDITIONAL USE PROCEDURE" AT SECTION 118-193; ARTICLE VI "DESIGN REVIEW PROCEDURES" AT SECTION 118-254; ARTICLE X "HISTORIC PRESERVATION" DIVISION 3 "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION" AT SECTION 118-563; AND DIVISION 4 "DESIGNATION" AT SECTION 118-591; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Feldman 7-0

3:00 – 5:12

E. FILE NO. 2297. CONSOLIDATION AND STANDARDIZING OF NOTIFICATION PROCEDURES. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING AND/OR STRIKING THE VARIOUS NOTICE PROVISIONS OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS", AT SECTION 142-108; AND ADOPTING PORTIONS OF THE CONSOLIDATED AND STANDARDIZED "NOTIFICATIONS PROCEDURES" WITHIN THE NEWLY CREATED SECTION 118-8, ENTITLED "NOTICE PROCEDURES" OF CHAPTER 118, "ADMINISTRATION AND REVIEW

PROCEDURES”; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Feldman 7-0

3:00 – 5:12

F. File No. 2276. CONSOLIDATION AND STANDARDIZATION OF REHEARING AND APPEAL PROCEDURES. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CONSOLIDATING AND STANDARDIZING THE REHEARING AND APPEAL PROCEDURES, INCLUDING ADMINISTRATIVE APPEALS AND QUASI-JUDICIAL APPLICATIONS BEFORE HISTORIC PRESERVATION BOARD, BOARD OF ADJUSTMENT, PLANNING BOARD, AND DESIGN REVIEW BOARD, BY AMENDING THE FOLLOWING SECTIONS: CHAPTER 118, “ADMINISTRATION AND REVIEW PROCEDURES,” AT SECTION 118-9, ENTITLED “APPEAL AND REHEARING PROCEDURES”; AND AMENDING ARTICLE II “BOARDS” DIVISION 3 “DESIGN REVIEW BOARD” AT SECTION 118-71; DIVISION 5 “BOARD OF ADJUSTMENT” AT SECTIONS 118-134, 118-136, 118-137, 118-138; ARTICLE IV “CONDITIONAL USE PROCEDURE” AT SECTIONS 118-193, AND 118-197; ARTICLE VI “DESIGN REVIEW PROCEDURES” AT SECTIONS 118-258, 118-260, 118-261, 118-262, 118-263; ARTICLE VIII “PROCEDURES FOR VARIANCES AND ADMINISTRATIVE APPEALS” AT SECTIONS 118-352 and 118-358; ARTICLE IX “NONCONFORMANCES” AT SECTIONS 118-395 AND 118-397; ARTICLE X “HISTORIC PRESERVATION”; DIVISION 2 “HISTORIC PRESERVATION BOARD REVIEW OF PROJECTS” AT SECTIONS 118-532, 118-536, AND 118-537; DIVISION 3 “ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION” AT SECTIONS 118-563, 118-564, 118-565; DIVISION 5 “SINGLE-FAMILY AD VALOREM TAX EXEMPTION” AT SECTION 118-609; CHAPTER 142, “ZONING DISTRICTS AND REGULATIONS” AT ARTICLE II “DISTRICT REGULATIONS,” DIVISION 2 “RS-1,RS-2, RS-3, RS-4 SINGLE FAMILY RESIDENTIAL DISTRICTS AT SECTION 142-108 IN ORDER TO REMOVE ANY CONFLICTS WITH NEWLY CREATED SECTION 118-9; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Feldman 7-0

3:00 – 5:12

G. File No. 2291. LAND DEVELOPMENT REGULATIONS FEE STRUCTURE. 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, FLORIDA; BY AMENDING CHAPTER 114 ENTITLED “GENERAL PROVISIONS”, AT SECTION 114-7; CHAPTER 118 ENTITLED “ADMINISTRATION AND REVIEW PROCEDURES”, ARTICLE I ENTITLED “IN GENERAL”, AT SECTIONS 118-3 AND 118-6, ARTICLE III ENTITLED “AMENDMENT PROCEDURE”, AT SECTION 118-162, ARTICLE IV ENTITLED “CONDITIONAL USE PROCEDURE”, AT SECTION 118-193 AND 118-196, ARTICLE VI ENTITLED “DESIGN REVIEW PROCEDURES”, AT SECTIONS 118-253 AND 118-255, ARTICLE VII ENTITLED “DIVISION OF LAND/LOT SPLIT”, AT SECTION 118-321, ARTICLE VIII ENTITLED “PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS”, AT SECTIONS 118-353 AND 118-357, ARTICLE IX ENTITLED “NONCONFORMANCES”, AT SECTION 118-399, ARTICLE X ENTITLED “HISTORIC PRESERVATION”, AT SECTIONS 118-562, 118-563, 118-564, AND 118-591; CHAPTER 138, ENTITLED

“SIGNS”, AT SECTIONS 138-135 AND 138-136; CHAPTER 142, ENTITLED “ZONING DISTRICTS AND REGULATIONS”, AT SECTION 142-108; AND FURTHER AMENDING CHAPTER 118, ENTITLED “ADMINISTRATION AND REVIEW PROCEDURES”, TO CREATE SECTION 118-7 AND 118-8; UPDATING AND CONSOLIDATING THE SECTIONS OF THE LAND DEVELOPMENT REGULATIONS REQUIRING THE ASSESSMENT OF FEES IN ORDER TO IMPROVE PREDICTABILITY, TRANSPARENCY AND EFFICIENCY OF THE CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Elias 7-0

5:12 – 5:25

H. File No. 2292. SUNSET HARBOUR CD-2 ENTERTAINMENT PROHIBITION. 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 142, “ZONING DISTRICTS AND REGULATIONS”, ARTICLE II, “DISTRICT REGULATIONS,” DIVISION 5, “CD-2 COMMERCIAL MEDIUM INTENSITY DISTRICT,” AT SECTION 142-305, “PROHIBITED USES,” BY ADDING BARS, DANCE HALLS, AND ENTERTAINMENT ESTABLISHMENTS AS PROHIBITED USES WITHIN THE CD-2, SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD AND DADE BOULEVARD; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION

- Johnson / Elias 6-1 (Pace Opposed)

Discussion item re: entertainment to be added to November 24, 2015 agenda

3:00 – 4:08

VII. NEXT MEETING DATE REMINDER:

Tuesday, November 24, 2015 @ 1:00 pm