

PLANNING BOARD AFTER ACTION REPORT

Tuesday, December 15, 2015

1:00 PM – 7:45 PM

Board: Seven (7) of Seven (7) members present – Brian Elias (present until 6:30 PM), Jeff Feldman, Jack Johnson, Roberto Rovira, Randy Gumenick, & Regan Pace & Johnathan Beloff.

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

I. Administration

- A. After Action Report – November 24, 2015

APPROVED - Feldman / Johnson 7-0

1:07

B. Discussion

Board scheduled a discussion on Robotic Parking for February 23, 2016.

II. Requests for Continuances / Withdrawals / Other

- A. **File No. 2293. 1824 Alton Road** – The applicant, Saber 1800, LLC., is requesting Conditional Use approval for the construction of a new commercial building exceeding 50,000 square feet including a parking garage and a restaurant with an occupant content exceeding 100 persons, pursuant to Chapter 118, Article IV and Chapter 142 Article II of the City Code. . **[The Planning Department is recommending a continuance.]**

CONTINUED to January 26, 2016 - Johnson / Rovira 7-0

1:08

III. Extensions of Time

- A. **File No. 2193. 8421- 8427 Crespi Boulevard – Mechanical Parking.** The applicant, 8421 Crespi, LLC., is requesting a one (1) year Extension of Time to obtain a building permit for a previously issued Conditional Use Permit for the construction of a parking garage with a mechanical lift system as required parking for a new, 5-story multifamily residential building, pursuant to Chapter 118, Article IV of the City Code.

APPROVED - Elias / Rovira 7-0

1:10 – 1:30

IV. Previously Continued Applications (including associated progress reports / Revocation / Modification hearings)

- A. **File No. 2277. 2038 Collins Avenue (202-218 21st Street) – Bagatelle.** The applicant, Bagatelle Miami, LLC, is requesting Conditional Use approval for an entertainment establishment, pursuant to the requirements of the Master Conditional Use Permit for the property (PB File No. 1609) which requires that any additional entertainment

establishment be reviewed by the Planning Board, regardless of occupant load, and pursuant Section 118, Article IV and Section 142, Article V. **[Previously continued from 11-24-15]**

APPROVED - Elias / Feldman 7-0

1:30 – 1:55

B. File No. 2279. 1718-1750 Alton Road – Hotel. The applicant, Sobe Alton LLC, is requesting Conditional Use approval for the construction of a new hotel exceeding 50,000 square feet including a mechanical parking garage and an accessory restaurant, pursuant to Section 118, Article IV and Section 130, Article II. **[Previously continued from 11-24-15]**

APPROVED - Elias / Pace 7-0

1:56 – 2:47

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

A. File No. 2290A. 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. **[Previously continued from 11-24-15]**

WITHDRAWN

B. File No. 2290B. 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, ENTITLED "SUSTAINABILITY AND RESILIENCY;" ESTABLISHING REQUIREMENTS FOR GREEN BUILDING CERTIFICATION AS A REQUIREMENT DURING ZONING REVIEW OF NEW PROJECTS OVER A CERTAIN SIZE ("ELIGIBLE PROJECT(S)"); ESTABLISHING A SUSTAINABILITY FEE PROGRAM FOR PROJECTS THAT DO NOT ACHIEVE THE REQUIRED GREEN BUILDING CERTIFICATION LEVEL; AUTHORIZING PROPERTY OWNERS AND DEVELOPERS TO PAY A SUSTAINABILITY FEE, OR, IN THE ALTERNATIVE, POST A BOND, IN THE AMOUNT OF FIVE PERCENT (5%) OF THE TOTAL CONSTRUCTION COST FOR THE ELIGIBLE PROJECT(S), INTO THE CITY'S SUSTAINABILITY FUND, WHICH BOND OR FUNDS ARE REIMBURSABLE TO THE PROPERTY OWNER OR DEVELOPER PURSUANT TO THE LEVEL OF GREEN BUILDING COMPLIANCE ACHIEVED BY THE "ELIGIBLE PROJECT"; ESTABLISHING A SUSTAINABILITY AND RESILIENCY FUND FOR THE DEPOSIT OF THE SUSTAINABILITY FEES GENERATED THROUGH THE SUSTAINABILITY FEE PROGRAM, AND PROVIDING THE USES FOR WHICH THE FEES DEPOSITED IN THE SUSTAINABILITY AND RESILIENCY FUND CAN BE USED; AND REPEALING

CHAPTER 100, ENTITLED "SUSTAINABILITY" AS DUPLICATIVE AND CONTRADICTORY TO THE SUSTAINABILITY AND RESILIENCY REVISIONS OF CHAPTER 133; PROVIDING FOR REVIEW; APPLICABILITY; CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **[Corrected title for the Sustainability and Resiliency Ordinance identified as File No. 2290B.]**

CONTINUED to January 26, 2016 - Johnson / Rovira 6-0 (Elias absent)

6:28 – 6:48

- C. File No. 2300-A. ALCOHOLIC BEVERAGES AND ASSOCIATE DEFINITIONS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B - LAND DEVELOPMENT REGULATIONS, CHAPTER 114 "GENERAL PROVISIONS" , AMENDING SECTION 114-1, DEFINITIONS, BY MODIFYING AND ADDING DEFINITIONS TO CLARIFY ALCOHOLIC BEVERAGE AND USE REQUIREMENTS OF THE CODE OF THE CITY OF MIAMI BEACH, PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; EXCEPTIONS; AND AN EFFECTIVE DATE. **[Previously continued from 11-24-15 by The Planning Department.]****

TRANSMIT THE ORDINANCE AS DRAFTED TO THE CITY COMMISSION WITH AN UNFAVORABLE RECOMMENDATION , however with noted general support for consolidation and clarification of the City Code, and with the recommendation that any new provisions come back to the Board for further review as part of a new ordinance - Elias / Feldman 7-0

2:47 – 5:15

- D. File No. 2300-B. CONSOLIDATION OF ALCOHOLIC BEVERAGE REGULATIONS. AN ORDINANCE THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A - GENERAL ORDINANCES, CHAPTER 6 "ALCOHOLIC BEVERAGES" OF THE CODE OF THE CITY OF MIAMI BEACH, TO CONSOLIDATE ALL PROVISIONS RELATING TO ALCOHOL REGULATION IN ONE CHAPTER OF THE CITY CODE BY RELOCATING CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS FROM CHAPTER 142 AND PLACING THOSE PROVISIONS IN CHAPTER 6; PROVIDING FOR HOURS OF OPERATION; LOCATION AND USE RESTRICTIONS; PATRON AGE RESTRICTIONS; MINIMUM SEATS AND HOTEL ROOMS REQUIREMENTS; PROVIDING FOR NEIGHBORHOOD COMPATIBILITY REQUIREMENTS; AMENDING ARTICLE II, CONDUCT; PROVIDING DEFINITIONS; STRIKING ALCOHOL REGULATIONS RELATING TO HOURS OF OPERATION, MINIMUM SEAT AND HOTEL ROOMS FROM CHAPTER 142 "ZONING DISTRICTS AND REGULATIONS", ARTICLE II "DISTRICT REGULATIONS," DIVISION 20 "TC NORTH BEACH TOWN CENTER DISTRICTS," AT SECTION 142-736; AND MODIFYING CHAPTER 142, ARTICLE V "SPECIAL USE REGULATIONS," AT DIVISION 4 " ALCOHOLIC BEVERAGES," BY STRIKING SECTIONS 142-1302 AND 142-1303; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; EXCEPTIONS; AND AN EFFECTIVE DATE. **[Previously continued from 11-24-15.]****

TRANSMIT THE ORDINANCE AS DRAFTED TO THE CITY COMMISSION WITH AN UNFAVORABLE RECOMMENDATION , however with noted general support for consolidation and clarification of the City Code, and with the recommendation that any new provisions come back to the Board for further review as part of a new ordinance - Elias / Feldman 7-0

2:47 – 5:15

- E. File No. 2300-C. ALCOHOLIC BEVERAGES AND ASSOCIATED USE REGULATIONS IN ALL DISTRICTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS" DIVISION 4, "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT" DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT" DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT" DIVISION 7, "CCC CIVIC AND CONVENTION CENTER DISTRICT" DIVISION 8, "GC GOLF COURSE DISTRICT" DIVISION 9, "GU GOVERNMENT USE DISTRICT" DIVISION 10, "HD HOSPITAL DISTRICT" DIVISION 11, "I-1 LIGHT INDUSTRIAL DISTRICT" DIVISION 12, "MR MARINE RECREATION DISTRICT;" DIVISION 13, "MXE MIXED USE ENTERTAINMENT DISTRICT;" DIVISION 16, "WD-1 WATERWAY DISTRICT" DIVISION 17, "WD-2 WATERWAY DISTRICT" DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," TO DELINEATE ALL ALCOHOLIC BEVERAGE ESTABLISHMENTS AS RELATED MAIN PERMITTED, CONDITIONAL, AND PROHIBITED USES BY ZONING DISTRICT; MODIFYING CHAPTER 142, ARTICLE V, "SPECIALIZED USE REGULATIONS," TO DELETE DIVISION 4, AND SECTION 143-1301, ENTITLED "PERMITTED DISTRICTS;" AMENDING CHAPTER 142, DIVISION 6, "ENTERTAINMENT ESTABLISHMENTS" TO MODIFY AND CLARIFY DEFINITIONS REGULATIONS RELATING ENTERTAINMENT ESTABLISHMENTS AND NEIGHBORHOOD IMPACT ESTABLISHMENTS; BY AMENDING THE NEIGHBORHOOD IMPACT ESTABLISHMENT THRESHOLD REQUIREMENTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; EXCEPTIONS; AND AN EFFECTIVE DATE. [Previously continued from 11-24-15]**

TRANSMIT THE ORDINANCE AS DRAFTED TO THE CITY COMMISSION WITH AN UNFAVORABLE RECOMMENDATION , however with noted general support for consolidation and clarification of the City Code, and with the recommendation that any new provisions come back to the Board for further review as part of a new ordinance - Elias / Feldman 7-0 2:47 – 5:17

VI. New Applications (including associated requests for Modifications)

- A. File No. 2301. 2301 - 2395 Collins Avenue – 1 Hotel.** The applicant SB Hotel owner, L.P, a Delaware Limited Partnership is requesting a Conditional Use Permit pursuant to Chapter 130, Article II, and Chapter 118, Article IV, of the City Code, for a mechanical parking system within the existing parking garage.

APPROVED - Gumenick / Pace 6-0 (Elias absent) 6:48 – 7:30

- B. File No. 1840. 2301 – 2395 Collins Avenue – 1 Hotel.** The applicant SB Hotel owner, L.P, a Delaware Limited Partnership, is requesting a modification to a previously issued Conditional Use Permit for a Neighborhood Impact Establishment, to change the name of the owner/operator from 2377 Collins Resort, L.P., a Delaware Limited Partnership., to SB Hotel owner, L.P, a Delaware Limited Partnership., pursuant to Chapter 118, Article IV of the City Code.

APPROVED - Gumenick / Feldman 6-0 (Elias absent) 7:30 – 7:31

C. File No. 2302. 7645 Carlyle Avenue – The Applicant Carlyle 77 Investments, LLC., is requesting Conditional Use approval for a mechanical lift parking system for a new 3-story Townhouse building, pursuant to Chapter 118, Article IV, and Chapter 130, Article II of the City Code.

APPROVED - Feldman / Rovira 6-0 (Elias absent)

7:32 – 7:36

D. File No. 2296. 426 Euclid Avenue – Temporary Parking Lot – The applicant Sunset Parking Systems, Inc. Is Requesting Planning Board Approval for a two (2) year extension of time for the temporary parking lot, pursuant to Chapter 130, Article III of the City Code.

APPROVED - Rovira / Feldman 6-0 (Elias absent)

7:36 – 7:40

E. File No. 2287. 1787 Purdy Avenue – Tackle Box – The applicant, TB Purdy Restaurant, LLC., is requesting Conditional Use approval for a new restaurant with an occupant content exceeding 100 persons, pursuant to Chapter 118, Article IV, and Chapter 142, Article II of the City Code. **[Time certain of 4pm or shortly thereafter.]**

APPROVED - Johnson / Elias 7-0

5:28 – 6:28

VII. NEXT MEETING DATE REMINDER:

Tuesday, January 26, 2016 @ 1:00 pm

VIII. Adjournment

Planning Board members: Please mark your calendars and inform staff if you have a schedule conflict. Remember to save the plans and backup materials from items that were continued or deferred; the Planning Department does not have any additional copies.