



## **PLANNING BOARD After Action December 18, 2012**

### **Discussion – The Peer Review Process - Continued from November 28, 2012**

As per the request of the Board at the November meeting, staff discussed and prepared a report outlining the current process, issues with the current process, alternatives for consideration and recommendations. The Board heard a synopsis from Acting Planning Director, Richard Lorber. Two community activists and several land use attorneys expressed their opinions and advocated for what they believed was the action the Board should take. The Board discussed several different options. Following is a summary:

- Applicants are submitting studies with no discussion - the methodology and scope of work (for sound studies) is not being reviewed and agreed upon before studies are conducted, as required by the ordinance; therefore, studies are deficient or incomplete; and applicants are not submitting studies (for traffic and sound) in a timely manner leaving little time for the peer review and staff review process and for issues of concern to be addressed.
- Staff recommended that the City take over the selection of the consultant for the initial study to retain better control of timely execution. The applicant would retain the right to hire a peer reviewer for rebuttal. However, this would require an amendment of the ordinance. Staff also made other recommendations to improve the process and make it more expeditious.

The Board voted (6-1) to do the following:

1. Maintain the existing process and direct staff to, at a minimum, require a site visit by the peer reviewer.
2. The peer reviewer shall document the date and time of the site visit, as well as whether the applicants consultant was present.

Staff will add the above noted directives to the Peer Reviewer Scope of Work. Staff will also step up efforts to enforce requirements such as, pre application meetings during which the methodology will be established in advance of the initial study, and the submittal of initial studies with complete applications by submittal deadlines.

### **After Action Report November 28, 2012**

Motion: Stolar/Lejeune. Vote: 7-0. Approve with amendments.

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**File No. 2082. 1231-51 17 Street - Mechanical Parking/Extended Stay Hotel over 50,000 sq.ft.** The applicant, SOBE17, LLC is requesting Conditional Use approval, pursuant to Sections 142-303 and 130-38 (4) of the City Code, to build a structure over 50,000 sq. ft. with

mechanical lifts with a total of 66 parking spaces, as well as a hotel with 116 rooms and a small 58-seat restaurant. **Continuance to the January 22, 2013 meeting requested by the applicant.**

Motion: Veitia/Urstadt. Vote 7-0. Approve.

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**File No. 1947. 550 Washington Avenue. Bamboo Group, Inc.** – Progress Report and continue public hearing for modification/revocation of the Conditional Use Permit.

Motion: Stolar/Wolfarth. Vote 7-0. Bring back to the February 26 meeting for another Progress Report and continue the public hearing for modification/revocation of the Conditional Use Permit to February 26, 2013. Within 30 days, the applicant shall also file an application for a Modification to the Conditional Use Permit to reflect the change of operator from Bamboo Group, Inc. to Paris Theater LLC. 3:10 – 3:25

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**File No. 2087. 1700 W. 25 Street - Lot Split.** The applicant Bernard Baumel Revocable Trust, is requesting approval of a division of land/lot split, pursuant to Section 118-321 of the City Code, to divide the existing building site, comprised of two lots, into two individual parcels.

Motion: Urstadt/Beloff. Vote 7-0. Approve as recommended by staff. 3:45 – 4:00

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**File No. 2081. 4121 Indian Creek Drive through 5025 Collins Avenue. 2013 Yacht & Brokerage Show.** The applicant, Yachting Promotions, Inc. is requesting Conditional Use approval to install temporary floating docks, pilings and ramps adjacent to the existing seawall of the Indian Creek Waterway from 41st Street to 51st Street for the 2013 Yacht and Brokerage Show scheduled for February 14 – 18, 2013; and to install 3 floating refreshment barges, food and beverage concessions, and temporary restroom trailers. Installation will commence on January 14, 2013, and removal will be complete by March 4, 2013.

Motion: Wolfarth/Urstadt. Vote 7-0. Approve as recommended by staff. 3:25 – 3:45

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**File No. 2089. 8021 Crespi Boulevard. Boat Dock.** The applicant, Luis Ramos, is requesting Conditional Use approval, pursuant to Section 66-113 of the City of Miami Beach Code, to build a new dock with 2 boat lifts on either side of the dock, and 12 wooden mooring piles with a total projection of approximately 46 linear feet from the seawall. The existing boat lift, concrete deck, and wooden dock would be removed.

Motion: Veitia/Wolfarth. Vote 7-0. Approve as recommended by staff. 4:00 – 4:25.

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**File No. 2090. 5740 N. Bay Road. Boat Dock.** The applicant, Roberto Zarco, is requesting an after-the-fact Conditional Use approval, pursuant to Section 66-113 of the City of Miami Beach Code, to legitimize mooring piles installed without a permit and to install two (2) additional piles as required by Miami Dade County Permitting, Environment and Regulatory Affairs (PERA, f.k.a. DERM) with a total projection of approximately 59 linear feet from the seawall.

Motion: Urstadt/Wolfarth. Vote 7-0. Continue to the January 22, 2013 meeting in order for the applicant to obtain a letter from the adjacent neighbor consenting to the retaining of the davit in its present location. 2:10 – 2:26.

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**File No. 2051. 1701 Collins Avenue. SLS Hotel (fka Ritz Plaza).** The applicant, 1701 Collins (Miami) Owner LLC, is requesting a modification to an existing Conditional Use Permit, pursuant to Section 118-195 of the City of Miami Beach Code, to extend the hours of operation for three of the interior venues, Dragon Bar, Sam's Lounge, and the interior portion of Hyde Beach from 2:00

AM to 5:00 AM. **Continuance to the January 22, 2013 meeting requested by the Applicant.**

Motion: Urstadt/Beloff. Vote 7-0. Approve. 2:20 – 3:10

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**File No. 2092. Division of Land/Lot Split. 120 N. MacArthur Causeway.** The applicant, Bernuth Agencies, Inc, is requesting approval of a division of land/lot split, pursuant to Section 118-321 of the City Code, to create two (2) separate parcels on the existing single site.

Motion: Veitia/Beloff. Vote 7-0. Approve as recommended by staff. 4:25 – 4:40

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### **Other Business**

Refer to the City Commission the Ordinance proposing to remove boat dock/marine structures applications from the purview of the Planning Board, as prepared by Gary Held. In the event that the Land Use Development Committee (LUDC) does not provide direction at the December 19, 2012 meeting, staff is directed to finalize the Ordinance and bring it before the Planning Board at the February 26, 2013 meeting, with the Planning Board as the applicant.

Motion: Stolar/Beloff. Vote 7-0. Approve.

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### **Meetings Reminder / New Business**

\*\*\* Next Month's Regular Meeting: TUESDAY, January 22, 2013 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.