

## PLANNING BOARD AFTER ACTION REPORT

*Tuesday, March 24, 2015*

**1:00 PM - 5:30 PM**

**Board:** Five (5) of Six (6) members present – Brian Elias, Jeff Feldman, Randy Gumenick, Jack Johnson & Regan Pace. Jonathon Beloff absent.

**Staff:** Thomas Mooney, Eve Boutsis, Michael Belush, Rogelio Madan, Tui Monday

### **I. Discussion**

A. Single Family Homes Update

**DISCUSSED - follow up discussion scheduled for June 23, 2015 meeting.** **1:02 – 1:52**

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B. Quasi-Judicial Procedures

**DISCUSSED** **1:52 – 2:21**

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### **II. Administration**

A. After Action Report – February 24, 2015

**APPROVED - Johnson / Elias 5-0** **2:21**

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### **III. Requests for Continuances / Withdrawal / Other**

A. **File No. 2151. 709, 721 and 745 Alton Road (“700 Alton”)** –The applicants, South Beach Heights II, LLC and KMC Equities, LLC, are requesting a clarification, or in the alternative, a modification of conditions for a previously issued Conditional Use Permit to allow the of use the building for medical offices and related uses, and to change the name of the owner to Alton Road Development, LLC, pursuant to Section 118, Article IV. **[Previously continued form January 28, 2015 meeting.]**

**CONTINUED to May 26, 2015 - Elias / Gumenick 5-0** **2:21 – 2:24**

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B. **File No. 2094. “500 – 700 Alton” (500 - 650 Alton Road; 1220 Sixth Street and 525 - 737 West Avenue.)** South Beach Heights I, LLC, 500 Alton Road Ventures, LLC, 1220 Six, LLC, and KGM Equities, LLC, (collectively the applicant) is requesting a modification to a previously issued Conditional Use Permit to incorporate the existing surface parking lot north of Sixth Street at 659 - 737 West Avenue, and to change the name of the owner in order to add KGM Equities, LLC, as an owner, pursuant to Section 118, Article IV. **[Previously Continued from February 24, 2015.]**

**CONTINUED to April 28, 2015 - Elias / Gumenick 5-0** **2:24**

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C. **File No. 2231. 1052 Ocean Drive** – The applicant, Ocean Drive Restaurant LB, LLC, is requesting Conditional Use approval for an outdoor entertainment establishment to add to an existing restaurant, pursuant to Section 142, Article V. **[Previously Continued from February 24, 2015.]**

**CONTINUED to May 26, 2015 - Gumenick / Elias 5-0** **2:25**

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- D. File No. 2239. 8204 Harding Avenue** – The applicant, Shore Club Suites LLC, is requesting Conditional Use approval for a mechanical lift parking system for a new 4-story apartment building, pursuant to Section 118, Article IV, and Section 130, Article II.

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**CONTINUED to April 28, 2015 - Johnson / Elias 5-0**

**2:26**

**IV. Progress Reports / Revocation/Modification Hearings / Other**

- A. File No. 1294-A. 4025 Pine Tree Drive** – Revocation/Modification hearing as requested by the Board with regards to an increase in enrollment exceeding what was approved in the existing Conditional Use Permit.

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**CONTINUED to April 28, 2015 - Elias / Johnson 5-0**

**2:38 – 2:52**

- B. File No. 1933. 875 71 Street** – Progress Report requested by staff via Cure Letter due to Code Violations. **[Previously Continued from February 24, 2015.]**

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**CONTINUED to May 26, 2015 - Elias / Gumenick 5-0**

**2:52 – 2:58**

- C. File No. 2136. 4041 Collins Avenue – The Thompson Miami Beach Hotel (f/k/a The Crown and The Crown Roosevelt).** - 90-day Progress Report as required by the Conditional Use Permit.

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**DISCUSSED - No further progress reports at this time - Elias / Johnson 5-0**

**2:58– 3:05**

**V. Code Amendments**

- A. FILE NO. 2233. ALCOHOLIC BEVERAGES AND ASSOCIATED 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; AND AN EFFECTIVE DATE. **[Previously Continued from February 24, 2015.]****

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**CONTINUED to May 26, 2015 - Johnson / Elias 5-0**

**2:26 – 2:38 & 3:05 – 4:06**

- B. FILE NO. 2234. 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 MODIFY, CLARIFY AND EXPAND MAIN PERMITTED, CONDITIONAL, AND PROHIBITED USES RELATED TO ALCOHOLIC BEVERAGES; BY AMENDING ARTICLE V, "SPECIALIZED USE REGULATIONS" BY DELETING DIVISION 4, "ALCOHOLIC BEVERAGES," BY AMENDING DIVISION 6, "ENTERTAINMENT ESTABLISHMENTS" TO MODIFY AND CLARIFY REGULATIONS RELATING TO ALCOHOL BEVERAGES; BY AMENDING THE NEIGHBORHOOD IMPACT ESTABLISHMENT THRESHOLD REQUIREMENTS AND CREATING NEW DEFINITIONS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE. [**Previously Continued from February 24, 2015.**]

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**CONTINUED to May 26, 2015 - Johnson / Elias 5-0**

**2:26 – 2:38 & 3:05 – 4:06**

**C. FILE NO. 2235. CONSOLIDATION OF ALCOHOLIC BEVERAGE REGULATIONS - AN ORDINANCE** OF 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, AMENDING SUBPART B - LAND DEVELOPMENT REGULATIONS CHAPTER 142 ARTICLE II. - DISTRICT REGULATIONS, DIVISION 20. - TC NORTH BEACH TOWN CENTER DISTRICTS, ARTICLE V. - ARTICLE V. - SPECIALIZED USE REGULATIONS DIVISION 4. ALCOHOLIC BEVERAGES TO ENSURE THAT ALL REGULATIONS RELATING TO ALCOHOL REGULATION ARE IN ONE LOCATION; REMOVING ALL REGULATION OF ALCOHOLIC BEVERAGE ESTABLISHMENTS FROM CHAPTER 142 AND PLACING THOSE PROVISIONS IN CHAPTER 6; PROVIDING FOR DEFINITIONS; HOURS OF OPERATION; DISTANCE SEPARATION; MINIMUM SEATS AND HOTEL ROOMS; PROVIDING FOR NEIGHBORHOOD COMPATIBILITY CRITERIA; PROVIDING FOR ENHANCED SECURITY PROVISIONS FOR CERTAIN DISTRICTS WITH ALCOHOL ESTABLISHMENT USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE. [**Previously Continued from February 24, 2015.**]

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**CONTINUED to May 26, 2015 - Johnson / Elias 5-0**

**2:26 – 2:38 & 3:05 – 4:06**

**D. File No. 2240. FORM OF OWNERSHIP IN RELATION TO LOT SPLIT REVIEW - 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 IV, "DIVISION OF LAND/LOT SPLIT", AT SECTION 118-321, ENTITLED "PURPOSE, STANDARDS AND PROCEDURE" IN ORDER TO CLARIFY THE REQUIREMENTS AND STANDARDS FOR A LOT SPLIT TO ALLOW A CHANGE IN THE FORM OF OWNERSHIP OF BUILDING SITES OR UNIFIED DEVELOPMENT SITES TO ALLOW OWNERSHIP BY AN INDIVIDUAL, OR VIA A COVENANT IN LIEU OF UNITY OF TITLE WITHOUT REQUIRING A LOT SPLIT; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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**TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION**  
- Johnson / Gumenick 5-0

**4:06 – 4:33**

- E. File No. 2241. DEFINITION OF A UNIFIED DEVELOPMENT SITE - 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 I, "IN GENERAL," SECTION 118-5, "UNITY OF TITLE; COVENANT IN LIEU THEREOF," BY AMENDING THE REQUIREMENTS AND STANDARDS FOR A COVENANT IN LIEU AND BY PROVIDING A DEFINITION FOR UNIFIED DEVELOPMENT SITE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

**TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION**

- Johnson / Elias 5-0

4:06 – 4:33

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- F. File No. 2242. SINGLE FAMILY DEVELOPMENT REGULATIONS - ADJUSTED GRADE - 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, "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," BY INCLUDING DEFINITIONS FOR ADJUSTED GRADE AND AVERAGE GRADE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," DIVISION 2, "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY AMENDING AND CLARIFYING THE MAXIMUM ELEVATION WITHIN A REQUIRED YARD, AND BY AMENDING AND CLARIFYING WHEN THE WATER PORTION OF A POOL IS COUNTED TOWARDS THE OPEN SPACE PERVIOUS REQUIREMENTS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION**

- Johnson / Gumenick 5-0

4:33– 5:00

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- G. File No. 2243. PARKING PLAN FOR CONSTRUCTION WORKERS - AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 114-4 ENTITLED "COMPLIANCE WITH REGULATIONS REQUIRED;" CREATING SUBSECTION (12) PROVIDING THAT NO BUILDING PERMIT OR BOARD ORDER SHALL BE ISSUED FOR ANY LOT OR SITE WITH A BUILDING PERMIT VALUED AT \$250,000 OR MORE WITHOUT A CONSTRUCTION PARKING AND TRAFFIC MANAGEMENT PLAN (CPTMP) APPROVED BY THE PARKING DIRECTOR PURSUANT TO CHAPTER 106, ARTICLE II, DIVISION 3, ENTITLED "CONSTRUCTION MANAGEMENT PLAN"; AND MODIFYING CHAPTER 130, ARTICLE IV ENTITLED "FEE IN LIEU OF PARKING" BY AMENDING SECTION 130-134, ENTITLED "DEPOSIT OF FUNDS/ACCOUNT"; BY AUTHORIZING THE PLACEMENT OF THE FINES OR PENALTIES COLLECTED FROM ENFORCEMENT OF CHAPTER 106 CPTMP, INTO THIS ACCOUNT TO BE UTILIZED FOR THE PURPOSES PROVIDED THEREIN; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION**

- Elias / Johnson 5-0

5:00 – 5:08

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~~H. File No. 2250. DESIGN REVIEW BOARD MEMBER 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, "ADMINISTRATIVE AND REVIEW PROCEDURES," ARTICLE II, "BOARDS," DIVISION 3, "DESIGN REVIEW BOARD," SECTION 118-72, "MEMBERSHIP," TO MODIFY THE QUALIFICATIONS, REQUIREMENTS AND CATEGORIES OF MEMBERS TO BE APPOINTED TO THE DESIGN REVIEW BOARD; PROVIDING FOR REPEALER; CODIFICATION; SEVERABILITY AND AN EFFECTIVE DATE.~~

~~REMOVED FROM AGENDA~~

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**V. New Applications**

A. File No. 2236. 36 OCEAN DRIVE - HISTORIC SITE DESIGNATION - AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; BY AMENDING SECTION 118-593(E), ENTITLED "DELINEATION ON ZONING MAP" BY DESIGNATING ONE OR MORE BUILDINGS AT 36 OCEAN DRIVE AS AN HISTORIC SITE TO BE KNOWN AS "36 OCEAN DRIVE HISTORIC SITE," AS MORE PARTICULARLY DESCRIBED IN THE ORDINANCE; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE 36 OCEAN DRIVE AS AN HISTORIC SITE; ADOPTING THE DESIGNATION REPORT ATTACHED TO THE STAFF REPORT AS APPENDIX "A"; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**TRANSMIT TO CITY COMMISSION WITH A FAVORABLE RECOMMENDATION**

- Johnson / Gumenick 5-0

**5:08 – 5:30**

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**VII. NEXT MEETING DATE REMINDER:**

Tuesday, April 28, 2015 @ 1:00 p.m. – (unless otherwise changed in consultation with the Chairperson depending on the length of the agenda).

**VIII. Adjournment**