



MIAMI BEACH

PLANNING DEPARTMENT

PLANNING BOARD After Action September 23, 2008

1:30 P.M. Regular Planning Board Meeting

I. Administration

After Action report – August 26, 2008 meeting

Motion: Stolar/Fryd. Vote: 5-0. (Appel and Kuper absent). Approved as amended.

II. Items for Continuance/Withdrawal

File No. 1884. 1155 Collins Avenue. The applicant, Margules properties, Inc., is requesting Conditional Use approval to build a 4-story mechanical parking garage inclusive of roof-top parking, and approximately 5,131 square feet of retail space and two residential units that will clad portions of the structure fronting on Collins Avenue and 12th Street. The applicant is also requesting approval to operate the parking structure after midnight.

Motion: Kuperman/Weisburd. Vote: 5-0. (Appel and Kuper absent). Continue to the October meeting.

File No. 1796. 4100 & 4120 Pinetree Drive and 340 W. 42nd Street (collectively referred to as 301 41st Street). The applicants, City National Bank of Florida, as Trustee, CABI 301 Commercial LLLP and CABI 301 Residential LLLP are requesting an extension of time, not to exceed two and half (2 ½) years from the date of the original approval to June 27, 2009, in order to obtain a full building permit. The Conditional Use Permit was approved on February 27, 2007 for the construction of a structure larger than 50,000 square feet consisting of 35 condominium dwelling units situated above a three-story garage with 138 parking spaces concealed at ground level by 7 townhouse units for a total of 42 residential units.

Motion: Fryd/Stolar. Vote: 5-0. (Appel and Kuper absent). Continue to the October meeting.

III. Public Hearings

A. Progress Reports

File No. 1869 - 630 Alton Road. Underutilized spaces in the existing parking garage of the South Shore Hospital for valet storage of vehicles on a 24-hour basis.

Motion: Fryd/Stolar. Vote: 5-0. (Appel and Kuper absent). Come back with a Progress Report at the November meeting.

B. Previously Continued Items

1. Proposed Amendments to the Planning Board By-Laws.

Proposed amendments were withdrawn by Mr. Stolar. The Chair requested to have a discussion regarding the noticing requirement in the City Code which is approximately 15 days prior to the meeting. This will be a discussion item for the November meeting.

2. **File No. 1794. 49-53 Collins Avenue.** File No. 1794. 49-53 Collins Avenue. The applicant, Southpointe Heights, LLC, is requesting an extension of time, not to exceed two and half (2 ½) years from the date of the original approval to April 24, 2009, in order to obtain a full building permit. The Conditional Use Permit was approved on October 24, 2006 to construct a 7-story structure consisting of 12 condominium hotel units above commercial and retail spaces on the ground floor. The proposed structure is larger than 50,000 square feet and is located in a C-PS1, Commercial Limited Mixed Use zoning district.

Motion: Kuperman/Fryd. Vote: 5-0. (Appel absent; Kuper recused). Approve as per staff recommendations.

3. **File No. 1840. 2301 Collins Avenue (a/k/a 2377 Collins Avenue), Gansevoort Hotel.** Revocation/modification public hearing for noise violations issued during the operation of the rooftop pool and bar.

Motion: Fryd/Stolar. Vote: 6-1. (Kuperman opposed). Come back in 4 months (January meeting) with a Progress Report. Several conditions of the Conditional Use Permit were modified to clarify terms and impose further restrictions intended to reduce negative impact on the residential neighbors. Meanwhile, the applicant is to continue the dialogue with residents from all the affected condominiums to work out solutions.

4. **File No. 1833 – 15 and 21 E. San Marino Drive. Lot Split.** The applicants, 15-21 San Marino, LLC, and Michael and Layne H. Stern are requesting a Division of Land/Lot Split to divide one parcel consisting of two platted lots where a single-family home, a tennis court and other improvements are located.

Motion: Fryd/Stolar. Vote: 6-0. (Appel absent). Approve as per staff recommendations.

5. **File No. 1886. 1111 and 1119 Collins Avenue - Tudor Hotel and Palmer House - Neighborhood Impact Establishment.** TBS Realty, LLD; Tudor South Beach Resort Condominium, Inc., and Tudor South Beach Resort-North Condominium, Ind., are requesting Conditional Use approval to operate a ground floor restaurant and rooftop lounge, which will be accessed via an elevator to the roof of the Palmer House and then via a rooftop bridge connection from the Palmer House to the Tudor rooftop lounge.

Motion: Fryd/Stolar. Vote: 6-0. (Appel absent). Approve as per staff recommendations and amendments by Mr. Stolar.

C. New Applications

1. **File No. 1820. 1211-1219 Marseille Drive.** The applicants, Charter on the Beach Middle School, and River Cities Community Charter School are requesting a Modification

to a previously approved Conditional Use Permit to authorize River Cities School to sublease space in the facilities of Charter on the Beach through the 2008 – 2009 academic year only.

Motion: Fryd/Stolar. Vote: 7-0. Approve as per staff recommendations.

2. **File No. 1893. 1800 Bay Drive.** The applicants, Manuel and Marta Airala, are requesting Conditional Use approval for an after-the-fact "T"-shaped boat dock and boat lift for a total projection of approximately 52 feet waterward from the bulkhead.

Motion: Fryd/Kuperman. Vote: 7-0. Continue to the November meeting. Meanwhile, the two neighbors are to try to reconcile their differences.

3. **File No. 1892. 20 W. Dillido Drive.** The applicants, Ananda Florida Inc. and Susana Dosamantes, are requesting Conditional Use approval to construct an "L"-shaped boat dock and boat lift for a total projection of approximately 69 feet waterward from the bulkhead.

Motion: Fryd/Appel. Vote: 6-1. (Stolar opposed). Approve as per staff recommendations.

4. **File No. 1894. Temporary Docks and Pilings - 2008 Brokerage Yacht Show.** The applicant, Yachting Promotions, Inc. is requesting a 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 for the 2009 Yacht and Brokerage Show scheduled for February 12 – 16, 2009. Installation of equipment will commence on January 15, 2009 and removal will be complete by March 2, 2009.

Motion: Kuperman/Stolar. Vote: 7-0. Approve as per staff recommendations.

5. **File No. 1897. 304-312 Ocean Drive.** The applicant, 304-312 Ocean Drive, LLC, is requesting Conditional Use approval to exceed number of seats permitted in an accessory use restaurant in a 27-unit hotel located in the R-PS3 zoning district. The accessory use restaurant is permitted to have 27 seats and a occupant load of 40 and the applicant is requesting approval to increase the number of restaurant seats and occupant load to 54.

Motion: Appel/Kuperman. Vote: 5-1 (Stolar opposed, Fryd absent). Approve as per staff recommendations.

6. **File No. 1891. 350 Ocean Drive - The Wave Hotel.** The applicant, Ocean Drive Investors, LLC, the contract purchaser, is requesting Conditional Use approval to exceed number of seats permitted in an accessory use restaurant in a 63-unit hotel located in the RPS-3 zoning district. The accessory use restaurant is permitted to have 63 seats and the applicant is requesting approval to increase the number of restaurant seats to 126.

Motion: Weisburd/Kuperman. Vote: 6:0 (Fryd absent). Continue to the October meeting.

7. **File No. 1890. Flamingo Park Historic District Westward Expansion South of 8th Street.** 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," Division 4, "Designation," by expanding the boundaries to include the area bounded on the south by the center line of 6th Street, on the west by the eastern right-of-way line of Alton Road, on the north by the

center line of 8th Street, and on the east by the center line of Lenox Court, which abuts and is contiguous to the western boundary of the existing Flamingo Park Historic District; Providing for Repealer, Codification, Severability and an Effective Date.

Motion: Kuperman/Appel. Vote: 4-2 (Kuper and Weisburd opposed, Fryd absent). Approve as per staff recommendations.

- 8. File No. 1895. 1916 Bay Road. Lot split. File No. 1895. 1916 Bay Road. Lot split.** The applicant, Scott Robins Companies, Inc., is requesting approval for a lot split to separate the east 75 feet of Lot 3, Block 14-A, more commonly known as 1916 Bay Road, from the parcel that encompasses Lots 1 and 2, Block 14-A, the east half of Lot 7 and all of Lot 8, Block 14 (a/k/a the Tremont Towing Site).

Motion: Fryd/Kuper. Vote: 6-0. (Appel absent). Approve as per staff recommendations.

- 9. File No. 1896. 1838 - 1908 Bay Road and 1835 - 1909 Purdy Avenue.** The applicant, Scott Robins Companies, Inc. is requesting a Conditional Use approval for the construction of a structure greater than 50,000 square feet consisting of a 456 space public parking garage and 31,000 square feet of ground floor retail space; and the use of the garage after midnight.

Motion: Kuperman/Kuper. Vote: 6-0. (Appel absent). Approve as per staff recommendations.

IV. Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, October 28, 2008 at 1:30 p.m. for discussion of Planning issues and 3:00 for the regular agenda, unless otherwise changed in consultation with the Chairperson depending on the length of the agenda. Please mark your calendars and inform staff if you have a schedule conflict.

V. Adjournment

Planning Board members: Remember to save the plans and backup materials from items that were continued or deferred; the Planning Department does not have any additional copies.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE BOARD'S ADMINISTRATOR NO LATER THAN FOUR DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 673-7550 FOR ASSISTANCE; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS, (800) 955-8771 (TDD) *-OR (800) 955-8770 (VOICE), FOR ASSISTANCE.

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