



**PLANNING BOARD
AFTER ACTION REPORT
FOR MEETING HELD
MARCH 25, 2003**

I. Administration

➤ **Old Business**

- Ocean Drive workshop – report on findings and set up date for next workshop

Follow up with Ocean Drive Association and prepare report for the May meeting

➤ **New Business**

- Bay Link

Request was made to have a discussion and articulate a resolution so that after consultant is chosen for this project, the Planning Board would like to participate in the discussion and process

II. Items for Withdrawal/continuance

1. **File No. 1603 – 1560 Lenox Avenue – The Erotica Museum.** The applicant, Beach Museum Corp., is requesting a Conditional Use Permit in order to operate a museum of erotic art and gift shop on the ground floor of the building, seven days a week from 10:00 a.m. to 12 midnight. **(AT THE REQUEST OF THE APPLICANT.)**

Withdrawn

2. **File No. 1449 – 4221-4229 Pine Tree Drive (Wofford Park).** The applicant, the Miami Beach Jewish Community Center, is requesting a review of revisions to the plans for the Jewish Community Center. This use and the accompanying lease were previously approved by a public referendum and the City Commission for the subject property, which is zoned GU Government Use. **(Withdrawn by applicant)**

Deferred indefinitely – will re-notice when application comes back.

III. Public Hearings

A. Revocation Hearing

1. **File No. 1428 - Breakwater - 940 Ocean Drive** - Consideration by the Planning Board to revoke a Conditional Use Permit for an Outdoor Entertainment Establishment conducted from the front porch of the Breakwater Hotel.

Revocation lifted – progress report in 60 days.

C. Previously Continued Items

1. **File No. 1593 – Amendments to the sign regulations of the City Code.** 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, By Amending Chapter 138, "Signs," Section 138-6, "Signs Located On The Underside Of Awnings Or Canopies," By Adding Standards For Signs On The Valance Of Awnings Or Canopies; Amending Sec. 138-7, "Window Signs," By Clarifying The Language In The Existing Regulations For "Open / Close" Type Of Signs; Providing For Codification; Repealer; Severability; And An Effective Date.

Recommended for adoption by City Commission

2. **File No. 1601 - Single Family Designation Procedures** - 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, by Amending Chapter 118, "Administration and Review Procedures," Article X, "Historic Preservation," Division 4, "Designation," by Amending Section 118-591 to Establish Requirements and Procedures Specific To the Individual Designation of Single Family Homes, by Amending Section 118-593 to Clarify the Development Procedures for Properties Located in the Altos-Del-Mar Historic District; Providing for Repealer, Codification, Severability and an Effective Date.

Recommended for adoption by City Commission

3. **File No. 1602 - Nonconforming Buildings.** 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, By Amending Chapter 118, "Administration And Review Procedures," Article IX, "Nonconformances," By Amending Section 118-395 To Clarify And Update Certain Terms And Descriptions, And To Provide More Defined Parameters For What Constitutes A Nonconforming Structure; By Amending Section 118-398 To Clarify And Update

Certain Terms And Descriptions; And By Amending Section 118-399 To Clarify And Update Certain Terms And Descriptions; Amending Chapter 130, "Off Street Parking", Article VI, "Parking Credit System" By Amending Section 130-161, To Establish Revised Standards For Non-Conforming Structures; Providing For Repealer, Codification, Severability And An Effective Date. **(Discussion only).**

Discussed – Ordinance will formally come back after review by LUDC and further refinement

D. New Applications

- 1. File No. 1479 – 1928 Purdy Avenue – Sunset Harbor Marina.** The applicant, Sunset Harbor Marina, Inc. is requesting to modify the approved Conditional Use Permit by extending by six months – to July 23, 2003 – in order to complete the upgrade of the fence at the east end of “E” dock. In the alternative, the applicant is requesting to delete Condition No. 20 of the Permit, which requires compliance with all conditions of the Permit within one year, should the applicant be unsuccessful in completing the work through no fault of its own.

Extension approved.

- 2. File No. 1605 – 1901 Collins Avenue – The Shore Club.** The applicant, Philips South Beach, LLC, d/b/a The Shore Club, is requesting a Conditional Use Permit in order to authorize the use of the pool and courtyard areas for outdoor entertainment including, but not limited to live entertainment and DJs.

Continued to April meeting

- 3. File No. 1553 - Criteria for size of restaurants.** 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, by Amending Chapter 142 AZoning Districts And Regulations,” Article IV. ASupplementary District Regulations,” Division 2 AAccessory Uses,” by Amending Section 142-902 APermitted Accessory Uses,≡ by Establishing Criteria for the Size of Restaurants in Proportion to the Size of Hotels, When Permitted as an Accessory Use to the Hotel Use. Providing for Repealer; Codification; Severability, and an Effective Date.

Discussed – After extensive comments, the Board instructed the Department not to prepare an ordinance that limited the size of the accessory restaurant in a hotel based on the number of units. Alternatively, the Board requested further studies with regard to

restaurants with 5 a.m. licenses; differentiation of the use in different zoning districts; in residential districts restaurants permitted as accessory use without entertainment. Ordinance will come back at a later date after further planning studies by staff.

4. **File No. 1608 – Restriction of open air and outdoor entertainment establishments in the R-PS4 and all C-PS zoning districts.** 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, by Amending Chapter 142 “Zoning Districts And Regulations,” Article II, “District Regulations,” Division 18, “PS Performance Standard District,” Sec. 142-693, “Permitted Uses,” by restricting Outdoor Entertainment Establishments and Open Air Entertainment Establishments, and Neighborhood Impact Establishments in the R-PS4, Residential High Density Performance Standards and in the C-PS 1, 2, 3 and 4, Commercial Performance Standards Zoning Districts. Providing for Repealer; Codification; Severability, and an Effective Date.

The Board recommended going forward with the ordinance and researching the possibility of making it retroactive to existing uses.

5. **File No. 1607 – Parking requirements for elderly housing.** 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,” Section 130-32 “Off-Street Parking Requirements For Parking District No. 1, and Section 130-33 “Off-Street Parking Requirements for Parking Districts Nos. 2, 3, And 4, by Adding Parking Requirements for Housing for Low and/or Moderate Income Elderly; Providing for Repealer; Codification; Severability and an Effective Date.

Recommended adoption by City Commission

IV. Meetings Reminder

*** Next Month's Regular Meeting: TUESDAY, APRIL 29, 2003 - 3:00 P.M. mark your calendars. If you have a schedule conflict, please advise staff immediately.