



**PLANNING BOARD
AFTER ACTION REPORT
FOR MEETING HELD
APRIL 29, 2003**

1. **Discussion – File No. 1611** - 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 IV, "Supplemental Yard Regulations", Division 4, "Allowable Encroachments", by Amending Section 142-1132 to Establish Revised Standards for the Installation of Fences in Residential Districts; Providing For Repealer, Codification, Severability and an Effective Date.

Not discussed – will be re-schedule for the May 27, 2003 agenda

2. Discussion – Single Family Residential Review Board.

Not discussed – will be re-schedule for the May 27, 2003 agenda

I. Items for Withdrawal/continuance

- None

V. Public Hearings

A. Progress Reports

- None

B. Previously Continued Items

1. **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 the May 27, 2003 meeting

C. New Applications

1. **File No. 1609 – File No. 1609 – 205-237 20th Street – Parking Garage.** The applicants, Just Around the Corner, L.L.C. and POP Development, L.L.C., are requesting a substantial amendment to the conditional use permit granted by the Planning Board on February 27, 2002 (File No. 1493) in order to extend the existing valet parking garage to the east along 20th Street.

Approved subject to staff recommendations and as amended by the Planning Board – Cond. #3: dance halls, bars or any kind of neighborhood impact establishment permitted only along Collins Avenue. Cond. #7: excess parking spaces generated by this project to remain available by valet to the general public on a first-come, first-serve basis.

2. **File No. 1589 – 4300-4332 Collins Avenue – Parking Garage.** The applicants, FRU Management, Inc., is requesting a modification to the conditional use permit granted by the Planning Board on January 28, 2003 in order eliminate the expiration date of May 31, 2003 for the use of an existing surface parking lot.

Continued to May 27, 2003

3. **File No. 1422 – 340 23rd Street – Temporary parking lot.** The applicants, American Riviera Real Estate Company is requesting a two-year extension of time for a temporary parking lot pursuant to Section 130-70 (8) of the City Code. The subject parking facility received a Conditional Use Permit on November 22, 1999 in order to operate a commercial parking lot, for valet and self parking, operating after midnight.

Continued to May 27, 2003

5. **File No. 1612 – 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,” Section 142-213, “Conditional Uses” in the RM-2 Residential Multifamily, Medium Intensity District in order to clarify that Accessory Neighborhood Impact Establishment is not a Conditional Use or Permitted Accessory Use in this District; amending Section 142-243 “Conditional Uses” in the RM-3, Residential Multifamily, High Intensity District to include restaurants licensed as alcoholic beverage establishments, also operating as dance halls or entertainment establishments after 2:00 a.m. as a Conditional Use and to make these uses subject to distance separation regulations and age restriction regulations; Providing for Repealer; Codification; Severability; and an Effective Date.**

Application withdrawn

6. **File No. 1613** - An Ordinance of the Mayor and City Commission of the City Of Miami Beach, Florida, Amending the Code of the City of Miami Beach, by amending Chapter 6 "Alcoholic Beverages," Section 6-4 "Location and Use Restriction," to include Restaurants Licensed as Alcoholic Beverage Establishments Operating after 2:00 A.M., which are also operating as Dance Halls or Entertainment Establishments; Amending Article II. "District Regulations," Section 142-272 "Main Permitted Uses" in the CD-1 Commercial, Low Intensity District; Section 142-302 "Main Permitted Uses" in the CD-2, Commercial, Medium Intensity District; Section 142-332 "Main Permitted Uses" in the CD-3 Commercial, High Intensity District, in order to clarify the Use Restrictions of Restaurants or Alcoholic Beverage Establishments operating after 2:00 A.M. which are also operating as Dance Halls or Entertainment Establishments and to make these uses subject to Distance Separation Regulations and Age Restriction Regulations; Amending Section 142-485 "Prohibited Uses" in the I-1 Light Industrial District in order to clarify the Prohibited Uses; Amending Section 142-693, "Permitted Uses," in the Performance Standard Districts by clarifying the Permitted Uses; Amending Division 6 "Entertainment Establishments," Section 142-1362 "Review Guidelines," in order to clarify that all After-Hours Dance Halls are subject to Conditional Use Approval; Amending Division 9, "Dance Halls," Section 142-1421 "Generally," in order to clarify the minimum distance separation. Providing for Repealer; Codification; Severability; and an Effective Date.

Public testimony revealed a greater concern of the cumulative effects of further legislation on the nightlife industry rather than any specific comments on the merits of the proposed ordinance. After presentation by staff explaining the ordinance and discussion by the Board, the item was continued to June 24, 2003 with direction to staff to try to explain the intent and purpose of the ordinance to the different interested groups. Mr. David Kelsey, representing the South Beach Hotel and Restaurant Association (check actual name), proposed to host a meeting with his group where staff would be invited to address the specifics of the ordinance. The Board also asked staff to explore further refinements to the ordinance to address concerns expressed by the Board.

VI. **Meetings Reminder**

*** Next Month's Regular Meeting: TUESDAY, May 27, 2002 at 3:00 P.M. Please mark your calendars; if you have a schedule conflict, please advise staff immediately.