



**PLANNING BOARD
AFTER-ACTION
MARCH 23, 2004**

Discussion of Planning Issues

- Planning Board by-laws – adoption of proposed amendments

By-laws discussed. There were many comments, changes, corrections and concerns made. The Board requested that the changes be incorporated and brought back for further discussion and possible adoption at the April 20, 2004 meeting.

Regular Planning Board Meeting

I. Administration

- After Action report – February 24, 2004

II. Items for Continuance / Withdrawal

1. **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.

Continued to the May 25, 2004 meeting

III. Old Business

IV. New Business

V. Public Hearings

A. Progress Reports

1. **File No. 1422 – 340 23rd Street** – Temporary Parking Lot.

Progress report presented by Ron Bloomberg, principal of the applicant entity. No further action at this time. Progress report in 6 months.

2. **File No. 1629 - 1901 Collins Avenue** - SkyBar

Progress report presented by Dennis Richard, Attorney for the Shore Club, including an updated report on the audio system currently being used by SkyBar. No further action at this time.

B. Previously Continued Items

1. **File No. 1650 - Conservation 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, Florida, by amending Chapter 118, "Administration and Review Procedures," by adopting Article XI, "Neighborhood Conservation Districts," in order to introduce provisions related to the creation of Neighborhood Conservation Districts; Providing for an Intent Statement, Qualification Criteria, and Procedures for creating and modifying such districts; Providing for Codification; Repealer; Severability; and an Effective Date.

Motion made to recommend to the City Commission adoption of the enabling ordinance subject to the modifications made by the Board. Motion failed 3-2 (1 member absent; 1 member recused). Ordinance will be re-scheduled for the 4/20/04 meeting.

2. **File No. 1647 – 1775 Collins Avenue** – Raleigh Hotel. The applicant, AB Green Raleigh, LLC, is requesting Conditional Use approval for a Neighborhood Impact Establishment for the pool deck and east courtyard at the Raleigh Hotel. **(This item will be heard after 6:00 p.m.)**

Continued to the 4/20/04 meeting.

3. **File No. 1649 – 105 E. Rivo Alto Drive – Lot split.** The applicant, Howard Srebnick, is requesting approval to split the existing parcel into two separate lots.

Continued to the 4/20/04 meeting. Applicant to meet with staff to resolve outstanding issues relative to maximum square feet for new construction and the existing structure.

C. New Applications

1. **File No. 1655.** 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 2, "Single Family Residential Districts," by revising procedures for the review and approval of demolition requests for single family homes constructed prior to 1942 and not located within a designated historic district; Providing For Repealer, Codification, Severability and an Effective Date.

Continued to the 5/25/04 meeting. In the mean time, schedule three workshops – north, middle and south, coordinated by staff and hosted by the Planning Board. Meetings to be advertised in the newspaper and Planning Board members to attend at least 2 of the three meetings.

2. **File No. 1654.** 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 modify the requirements and procedures for the demolition of non-designated structures; Providing For Repealer, Codification, Severability And An Effective Date.

Continued to the 5/25/04 meeting.

3. **File No. 1646 – 524 and 530 Ocean Drive – Teaser's.** The applicant, Boni Real Estate, LLC, is requesting Conditional Use approval for a Neighborhood Impact Establishment located on the first floor, terrace, basement and roof pool deck at 524 Collins Avenue and the front courtyard at 530 Ocean Drive, including sidewalk seating at both addresses.

Applicant requested continuance to the 4/20/04 meeting; request denied by 6-0 vote. Application found defective – applicant's representative withdrew the application.

4. **File No. 1652 – 5222 North Bay Road – Residential Lot Split.** The applicant, 5222 Development, LLC, is requesting approval to separate the existing parcel into two separate lots.

Continued to 4/20/04 meeting.

5. **File No. 1653 – 1300 Ocean Drive – Cardozo Hotel.** The applicant, Café Cardozo, LLC, is requesting approval for a Conditional Use Permit for an outdoor entertainment establishment in order to have musicians located on the porch.

Approved subject to staff recommendation.

COLLINS PARK/PLANNING BOARD JOINT WORKSHOP

Gary Knight gave a presentation to the Board outlining several issues, concerns and opportunities dealing with the neighborhood, including jurisdiction of the Planning Board with

regard to granting conditional use permits for neighborhood impact establishments or declare a temporary moratorium in the granting more conditional use permits or licenses. The Board commented on several issues and requested that the Legal Department research the following: regulations of those establishments that have less than 200 occupant load and their cumulative impact on the neighborhoods, especially when concentrated in one general area – how to address this issue – temporary moratoria or otherwise; a review process or separation requirement for less than 200 occupancy; and to look at the review criteria for NIE and whether the Board has the discretion to deny rather than to condition. The Board continued the discussion to the 4/20/04 meeting, but no time certain was established for this workshop.

VI. Meetings Reminder

*** Next Month's Regular Meeting: TUESDAY, April 20, 2004 at 2:30 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.

VII. 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.