



**PLANNING BOARD
AFTER-ACTION
MARCH 29, 2005**

1:30 P.M. – Discussion of Planning Issue

- Parking – discussion regarding referral by Commissioner Bower relative to parking requirements for new construction.

The Board continued this issue to the April meeting.

- Emerging trend for new buildings added to historic oceanfront hotels because of excess FAR under current Code. Discuss whether protection is needed in the historic district or the historic buildings already on the sites in terms of size and mass for new buildings added to the lots. Additionally, consider setting specific standards for additions to buildings in historic districts to ensure that a) the height and massing of the addition is sensitive to, and compatible with adjacent buildings; and b) property owners have more certainty as to what standards will be applied by the Historic Preservation Board.

Item discussed after SF Regs. Concerns about triggering Bert J. Harris claims if FAR, height or open space requirements are tightened. The size of rear additions was also discussed, and creating design guidelines to limit those sizes was discussed.

- Revision to the single-family land development regulations: lot coverage; demolition of pre-1942 homes and new construction on site; design guidelines/regulations.

The Board was presented with concepts that address the scale and massing of infill construction for new homes. The Board was interested in issues such as visible courtyards, larger second floor setbacks from street, and varying the lot coverage depending on the RS District, incentivizing single story homes by allowing greater lot coverage, ensuring courtyards aren't totally impervious surfaces and exploring the creation of a review process with guidelines that address contextual issues, massing and siting, but not dictating the style of architecture.

3:00 P.M. – Regular Planning Board Meeting

I. Items for Continuance

II. Public Hearings

A. Progress Report

1. **File No. 1647 - 1775 Collins Avenue - Raleigh Hotel.** The applicant, AB Green Raleigh LLC, is requesting Conditional Use approval in order to operate a Neighborhood Impact Establishment on the property of the Raleigh Hotel.

Item was discussed, and the staff recommendations were adopted.

B. Previously Continued Items

1. **Special Event Guidelines – Review and Comments.**

Item was discussed at length and many members of the public offered comments as well. Main comments were:

- Place special event guidelines online for public review.
- Address non-conforming uses. Currently non-conforming uses can apply for and receive special event permits. They felt that non-conforming uses should not be able to apply for and receive permits that allow entertainment and create additional impacts on the public.
- Report on both the Lummus Park and Lincoln Road User fees (how much \$\$ in each account and how often waivers are granted).
- Enforcement: They believe there needs to be more and better enforcement. Mentioned that resources need to be provided to address this.
- Community Impact Fee to event producers to help cover costs of city services.
- Determination of capacity. When we reach our limit as a city or neighborhood, we need to cut off additional activity.
- Provide examples of permitted uses for all other private property, not just hotels.
- All Ages Events: Discourage this activity since City has made efforts to address this issue.
- Public Parking lots/meters should not be bagged for valets during major events. Public Parking should remain for the public.
- Predictability of the industry. Rules should be communicated proactively to the industry.
- Try to work with the event organizers months in advance to plan and schedule so that several events don't happen on the same dates.

Board recommended continuance to April meeting by a 6-0 vote.

2. **File No. 1387 – 900 Ocean Drive – Mango's Tropical Cafe.** The applicant, Mango's Tropical Café, Inc., is requesting a modification to a previously approved Conditional Use Permit for a neighborhood impact establishment for an increase of the occupancy load because of the conversion of areas previously used as retail spaces for Mango's Café use.

Item approved 6-0 with modifications.

- The northern set of double doors will be for exit only, and remain closed during hours of operation.
- Double doors to the south of the main entrance shall be closed during hours of operation, with the exception of one door to remain open for servers to use while

carrying trays. These doors will be exit only, with the exception that patrons can be escorted through by staff for the sole purpose of using the bathrooms.

- The applicant stipulates that any future changes the Board may make during a progress report to the use of the double doors will not be considered a substantive change.
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3. **File No. 1481 – 1921 Collins Avenue - Mynt Lounge.** The applicant, Mynt Lounge, is requesting a modification to a previously approved Conditional Use Permit for a Neighborhood Impact Establishment due to the inter-connection with the adjacent alcoholic beverage establishment space known as Rok Bar, thereby increasing the occupancy load.

Item was continued for 60 days. Comments from Board included concern over the number and variety of violations and the lack of meeting the previous CU standards of visibility through the front windows during the day.

4. **File No. 1705 – Pre-1942 Single-Family Home Development Regulations.** 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 to revise the requirements for new development on sites with single-family homes constructed prior to 1942.

Item was approved for transmittal to the City Commission 6-0 with the following modifications:

1. Additions to existing structures and new construction, which are less than 40% of the square footage of the existing home and are not substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, provided such additions do not require the permanent alteration of architecturally significant features or defining architectural features of the building, shall be subject to the review and approval of the Planning Department.
 2. Additions to existing structures and new construction, which are greater than 40% of the square footage of the existing home and are substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, shall be subject to the review and approval of the Design Review Board, in accordance with the Design Review criteria in Chapter 118, Article VI, of the Land Development Regulations of the City Code.
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5. **File No. 1704 - Development regulations for single-family lots abutting the GC golf course district.** An Ordinance of the Mayor and City Commission of the City of Miami Beach Amending the Land Development Regulations of the City, providing for legal, non-conforming status for existing structures, rear setbacks and encroachments into easement areas.

Item was adopted 4-1 (Berman dissenting) with modifications. Paragraph B.1 would be changed to allow pools and decks to be placed at the fee simple property line with 0' setback, except for minimum Code requirement for edge-of-pool walkway between water's edge and property line. Removable safety fence around pool is allowed. Paragraph B.2 is deleted, refer to existing code language. Para C is changed to not allow any structures, including pools or decks. Only greenspace/landscaping and a fence/hedge would be allowed. Should the Commission allow structures, then the Board recommends that only in-ground pools/decks be allowed.

C. New Applications

- 1. File No. 1703 – Ordinance. Housing for the elderly.** An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, Amending the Code of the City of Miami Beach to enact incentives for creation of Housing For Low and/or Moderate Income Elderly.

Adopted 6-0 with modification of language concerning the change to other use after 30 years. The change merely clarifies the existing language, and states "Bring the uses into compliance with the Code in effect at the time of the change in use."

- 2. File No. 1706 - Reconstruction of Demolished Properties and Engineering Requirements.** 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.

Discussion centered on ensuring that no economic incentives for demolition of contributing buildings are perpetuated. Limiting the FAR, height and massing to the existing building provides certainty to the development community that they will not be allowed to demolish and then build something bigger. Re-creation of the contributing structure was also discussed, but no consensus was gained on that issue.

Item passed 4-2, but was then brought back by a reconsideration motion, and continued to April to be heard in conjunction with the Non-Conforming Building Ordinance and the Board also requested that the section dealing with the maintenance of property and demolition by neglect.

- 3. File No. 1602 – Ordinance - 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, to provide more defined parameters for what constitutes a nonconforming structure.

Discussion centered on ensuring that no economic incentives for demolition of contributing buildings are perpetuated. Limiting the FAR, height and massing to the existing building provides certainty to the development community that they will not be allowed to demolish and then build something bigger.

Item continued to April to be heard in conjunction with File #1706, above.

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4. **File No. 1707 – 530 South Shore Drive – Dock and Mooring Piles.** The applicant, Rolando Hernandez, is requesting Conditional Use approval to build a dock and mooring piles that will result in a total projection of 35' from the seawall.

Item approved 6-0 with modification allowing white lights on the dock only to reach a height of 4' above the dock, and to be shaded so as to not shine towards the shoreline.

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5. **File No. 1708 – 1500 Daytonia Road – Dock and Mooring Piles.** The applicant, Charles Dascal, is requesting Conditional Use approval to build a dock and mooring piles that will result in a total projection of 59' from the seawall.

Item continued 6-0 at request of applicant.

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6. **File No. 1709 – 4358 North Bay Road – Lot Split.** The applicant, Puck Key Invest L9 LLC, is requesting a Division of Land/Lot Split of one buildable parcel consisting of two platted lots, to be divided into two buildable parcels.

Item approved 6-0 with modification that the existing dock be allowed to remain as long as it is not used until the house on that lot is completed.

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7. **File No. 1710 – 7735 Collins Avenue – Lot Split.** The applicant, Altos Del Mar LTD, is requesting a Division of Land/Lot Split of one buildable parcel consisting of two platted lots, to be divided into two buildable parcels.

Item approved 6-0.

III. **Meeting Adjourned at 8:20**

IV. **Meetings Reminder / New Business**

*** Next Month's Regular Meeting: TUESDAY, April 26, 2005 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.