



### **PLANNING BOARD Afteraction February 28, 2006**

#### **Discussion of Planning Issues**

- Collins Avenue, Washington Avenue and Ocean Drive from 5<sup>th</sup> to 15<sup>th</sup> Street

Land use issues as follows:

1. Flyers. Report from the City Attorney on whether the level of regulation can be increased and restrict further; and who is responsible for the flyers – the clubs advertised or the promoter?
2. How can storefronts be activated on a 24-hr. basis. Define retail – minimum size and quality?
3. Distance separation for entertainment establishments not operating as restaurants – define further what constitutes a restaurant operation; what would be appropriate; look at everything – size, operation, etc.
4. Study limiting the number of entertainment licenses and variance for distance separation – perhaps prohibiting such variances.
5. Study current criteria for entertainment establishments – lowering or revising thresholds where perhaps smaller venues can be approved administratively if certain criteria are met.
6. Incentives for mixed use residential in this corridor.

Staff will provide an interim report within the next 60 days, in order to prioritize issues to present at a public workshop.

The Board requested a progress report from staff on the status of residential construction approved for the Charles Garage – Collins and 43<sup>rd</sup> Street.

The Board also requested that the condo conversion discussion be eliminated from the work plan since the City Commission has appointed a committee to study this issue.

#### **Work Plan**

1. Revisit and the criteria used for lot splits to conform to present methodology, or perhaps the new s/f regulations could be used as the criteria for the lot splits.
  2. Update on the growth management system and what is being done regarding the straw ballot question approved to limit construction.
  3. Report on the Coastal Communities traffic study.
  4. Discussion item at a future date regarding the I-1 and Sunset Harbor neighborhood. Study creating incentives for work/live projects; rezoning; look at lot aggregation. Report on this proposal in 3 months.
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**File No. 1755.** An Ordinance of the Mayor and City Commission of the City of Miami Beach Amending Chapter 114, "Definitions," to include definitions for Low, Moderate and Workforce Housing; Chapter 142, "Land Development Regulations," of the City Code, by amending Division 4, "CD-1 Commercial, Low Intensity District;" Division 5, and "CD-2 Commercial, Medium Intensity District, by modifying the Development Regulations for mixed use developments and create incentives for Low Income, Moderate Income, or Workforce Housing Units. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Sanchez/Leff. Vote: 6-0. Deferred as requested by staff. Will re-advertise

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**Progress Report - File No. 1734 – 1801 Collins Avenue - Shelborne Hotel.** The applicant, Shelborne Associates, is requesting Conditional Use approval to operate Shine, a Neighborhood Impact Establishment, at the lobby level in the space previously used by a ballroom and surrounding area.

Motion: Courtney/Kuperman. Vote: 6-0 (Malakoff absent). Set a public hearing for modification of the Conditional Use Permit at the April meeting.

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**File No. 1752 – 661-665 Washington Avenue. Neighborhood Impact Establishment.** The applicant, PCHA, LLC is requesting Conditional Use approval to operate a Neighborhood Impact Establishment when combining an existing restaurant with dance and entertainment with the adjacent space which increases the occupancy in excess of 200 persons.

Motion: Courtney/Kuperman. Vote: 6-0 (Malakoff absent). Approve subject to staff recommendation and a condition that the restaurant shall open for lunch (noon) from Tuesday-Saturday.

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**File No. 1751 – 2024 Alton Road. Lot Split.** The applicants, Rafael and Irene Suarez, are requesting a division of land/lot split that will allow the owners to retain the existing residence and construct another house on the resulting parcel.

Motion: Courtney/Berman. Vote: 6-0 (Malakoff absent). Approve subject to staff recommendation including a 15' separation from the new house to the existing house (larger side yard setback) and that a restrictive covenant running with the land stipulating that the existing architectural significant home not be demolished.

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**File No. 1754 – 2940 N. Bay Road – Lot Split. 2940 N. Bay Road – Lot Split.** The applicant, Peter Gallo, is requesting a division of land/lot split to create two separate buildable parcels, renovating the existing architecturally significant residence, including the demolition of a one-story addition.

Motion: Sanchez/Leff. Vote: 5-0 (Diaz recused; Malakoff absent). Approve subject to staff recommendation and modifications: #4, maximum lot coverage excluding garage, loggias, and those other things not counted on lot coverage according to the current single-family regulations of the City Code and a maximum of 13,500 adjusted square feet of structure. #5, dock can be retained, but cannot be utilized until a CO for the new construction is obtained, and the removal of any improvements on the lot to happen 60 days after closing the sale of the property.

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**File No. 1756. Flamingo Park ordinance.** An Ordinance of the Mayor And City Commission of the City of Miami Beach Amending Chapter 142, "Land Development Regulations," of the City Code, by Amending Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," by adjusting the Floor Area Ratio (FAR) and Height for any new construction or additions to existing structures in the Flamingo Park Local Historic District. Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Sanchez/Kuperman. Vote: 4-2 (Diaz and Leff voted no; Malakoff absent). Recommend to the City Commission adoption of the proposed ordinance as recommended by staff: retain the 1.25 FAR; maximum height 35 feet and 3 floors. The opposing Board members would like to explore/study the possibility of bringing some of the FAR to the ground floor, although some parking may be sacrificed.

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**File No. 1758.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending the Land Development Regulations of the City Code by amending Chapter 142, "Zoning Districts and Regulations," Article V, "Specialized Use Regulations," Division 6, "Entertainment Establishments," Section 142-1361 "Definitions" of the City Code, to reduce occupancy threshold for Neighborhood Impact Establishments operating as Dance Halls or Entertainment Establishments within certain specified areas of the CD-2 Commercial Medium Intensity and CD-3 Commercial High Intensity Zoning Districts; Providing for Codification, Repealer, Severability and Effective Date.

Motion: Courtney/Berman. Vote: 6-0 (Malakoff absent). Continue the item to the March meeting.

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**File No. 1757.** An Ordinance of the Mayor and City Commission of the City of Miami Beach Amending Chapter 142, "Land Development Regulations," of the City Code, by Amending Division 3, "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity," Subdivision V, "RM-3 Residential Multifamily, High Intensity," Division 4, "CD-1 Commercial, Low Intensity District," Division 5, "CD-2 Commercial, Medium Intensity District," Division 6, "CD-3 Commercial, High Intensity District," Division 11, "I-1 Light Industrial District," Division 13, "MXE Mixed Use Entertainment District," And Division 18, "PS Performance Standard District," By Requiring Conditional Use Approval For New Construction of Structures 50,000 Square Feet And Over. Providing for Repealer, Severability, Codification and an Effective Date.

The scope of the proposed ordinance was limited to the I-1.

Motion 1: Leff/Berman. Vote: Motion withdrawn. Approve the threshold of 50,000 square feet of structure.

Motion 2: Leff/Kuperman. Vote: 5-1 (Sanchez no; Malakoff absent). Recommend approval of the proposed ordinance that all developments in the I-1 that are 50,000 square feet and over must obtain Conditional Use approval.

Motion 3: Berman/Kuperman. Vote 5-1 (Sanchez no; Malakoff absent). Recommend that the review process start with Planning Board Conditional Use approval before developments go before any of the other land use boards.

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#### **IV. Meetings Reminder / New Business**

\*\*\* Next Month's Regular Meeting: TUESDAY, March 28, 2006 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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