



**PLANNING BOARD
AFTERACTION**

December 19, 2006

Regular Planning Board Meeting

I. Administration

- After Action report – November 28, 2006 meeting

II. Items for Continuance

1. **File No. 1793. 1545 Collins Avenue – Royal Palm Hotel.** The applicant, Royal Palm Hotel Property, LLC, is requesting Conditional Use approval to operate Maxim's Lounge, Neighborhood Impact Establishment consisting of a restaurant and alcoholic beverage establishment offering dance and entertainment, inclusive of live music. The lounge portion that is interior to the Royal Palm Hotel was approved at the November 28, 2006 meeting. The outdoor entertainment portion of this application was separated at the November 28, 2006 meeting and continued to the December 19, 2006 meeting.

Motion: Berman/Courtney. Vote: 6-0 (Kaplan absent). Continue to the January 2007 meeting.

III. Public Hearings

Previously Continued Items

1. **File No. 1796. 4120 & 4120 Pinetree Drive and 340 W. 42nd Street (collectively referred to as 301 41st Street).** The applicants, CABI 301 Commercial LLLP and CABI 301 Residential LLLP, are requesting Conditional Use approval to construct a structure consisting of 43 condominium dwelling units situated above a three-story garage with 139 parking spaces concealed at ground level by 7 townhouse units. The proposed structure is larger than 50,000 square feet and located in a CD-3, Commercial High Intensity zoning district.

Motion: Kuperman/Berman. Vote: 6-0 (Kaplan absent). Continue to the January 2007 meeting to allow developer to meet with staff and neighbors to try to make project more compatible with the neighborhood.

2. **File No. 1799. 7 Palm Avenue – mooring piles.** The applicant, Michael Lerner is requesting Conditional Use approval to install two, 2-pile mooring piles at approximately 55 feet from the seawall.

Motion: Berman/Courtney. Vote: 6-0 (Kaplan absent). Continue to the January 2007 meeting and notify the objecting neighbor.

3. **File No. 1805. Requirements and Procedures for Designation of Historic Structures and Districts and the Issuance of Demolition Permits.** An Ordinance Of The Mayor And City Commission Of The City Of Miami Beach Amending The Land Development Regulations Of The City, By Amending Chapter 118, "Administration And Review Procedures," Article X, "Historic Preservation", Division 4, "Designation," Section 118-591, By Clarifying The Requirements And Procedures For Designation Of Historic Structures And Districts And The Issuance Of Demolition Permits; Providing For Repealer, Severability, Codification And An Effective Date.

Motion: Berman/Courtney. Vote: 6-0 (Kaplan absent). Recommend approval.

4. **File No. 1800. Lot Split criteria.** An Ordinance of the Mayor and City Commission of the City of Miami Beach Amending Chapter 118, "Administration and Review Procedures," of the City Code, by amending Article VII, "Division of Land/Lot Split," by expanding the Review Criteria for the review of requests for a Division of Land/Lot Split; Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Courtney/Adler. Vote: 6-0 (Kaplan absent). Continue to the January 2007 meeting to revise the ordinance.

5. **File No. 1803. Parking Impact Fee CRITERIA.** 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 Section 130 "Off-Street Parking," Article V "Parking Impact Fee Program," Section 130-131 "Generally," By Adding New Criteria For The Utilization Of Impact Fees. Providing for Repealer, Codification, Severability and an Effective Date.
6. **File No. 1804. Parking Impact Fee ELIMINATION.** An Ordinance Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Amending The Code Of The City Of Miami Beach, Florida, Section 130 "Off-Street Parking," Article V "Parking Impact Fee Program," Section 130-131 "Generally," By Modifying The Utilization Standards For Impact Fees For New Construction And Additions And Setting Forth Limitations For The Usage Of Parking Impact Fees In Certain Instances. Providing For Codification; Repealer; Severability; and an Effective Date.

Motion: Courtney/Leff. Vote: 6-0 (Kaplan absent). Files No. 1803 and 1804 were deferred for a workshop discussion on how the Parking Impact Fee and fine tune. Include in the workshop: reduction of parking requirements for elderly housing; requirements for hotels; to whom applied. Report on Parking Impact fee collection, how applied; staff to identify a list of other issues.

C. New Applications

1. **File No. 1737 – 1901 Convention Center Drive – Request for extension of time for Miami Beach Convention Center as a venue for events involving adult materials.** The management of the Miami Beach Convention Center is seeking a second extension of a waiver of Florida Statute s. 847.0134 through January 14, 2013, for the previously approved location for conventions, tradeshow, exhibitions,

events and shows involving product lines oriented toward adult entertainment. The approval would be for the location for future events that fall under the provisions of said statute. In addition, the applicant is requesting approval to expand such events into exhibit halls adjacent to Hall C while maintaining the C lobby for entrance. Pursuant to the provisions of s. 847.0134, Florida Statutes, which prohibits adult entertainment establishments that display, sell, or distribute materials harmful to minors within 2,500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, a municipality must approve the location under proceedings as provided in s. 166.041(3)(c), which is the same procedures as a zoning map change, requiring two public hearings before the City of Miami Beach City Commission and a recommendation from the Planning Board, also under the public hearing process. This application is necessary because this location is within 2500 feet of Miami Beach Senior High School.

Motion: Courtney/Kuperman. Vote: 6-0 (Kaplan absent). Recommend granting of the waiver. Additional conditions: no flyers/handbills; on regular basis, there shall be policing of the area for cleanliness and making sure there is sweeping of the surrounding areas.

2. **File No. 1495. 125-133 and 141 Collins Avenue – Extension of Conditional Use permit for surface parking lots.** The applicant, D. A. Mortgage, Inc., is requesting an extension of time for a previously approved Conditional Use permit to operate surface parking lots located in the R-PS3 zoning district. The approval of these surface lots was for a term of five years with an option to request extensions from the Planning Board.

Motion: Kuperman/Leff. Vote: 6-0 (Kaplan absent). Approve subject to staff recommendation.

3. **File No. 1809. Robotic Parking.** 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,” Article III “Design Standards,” Section 130-68 “Commercial And Noncommercial Parking Garages” To Permit Robotic Parking Systems In Main Use Garages In The GU And CCC Districts; Providing For Repealer; Codification; Severability And An Effective Date.

Motion: Adler/Leff. Vote: 6-0 (Kaplan absent). Recommend approval.

4. **File No. 1808. Lighting Associated With Marine Structures.** 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 142, “Zoning Districts And Regulations,” Division 4, “Supplementary Yard Regulations,” By Including Requirements For Lighting Associated With Marine Structures; Providing For Repealer, Severability, Codification And An Effective Date.

Motion: Berman/Kuperman. Vote: 6-0 (Kaplan absent). Recommend approval.

5. **File No. 1807. Maximum Height for ground floor additions (attached or detached).** 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", by amending Division 3, "Residential Multifamily Districts", by amending Subdivision V, "RM-3 Residential Multifamily High Intensity", to modify the maximum building height requirements for properties located in historic districts; Providing for Repealer, Codification, Severability and an Effective Date.

Motion: Adler/Courtney. Vote: 6-0 (Kaplan absent). Recommend approval subject to modifications:
1. maximum height to be 50 feet and maximum number of stories five, to apply to Architectural and all local historic districts. 2. Applicability clause to a date that covers projects approved by any land development boards for the maximum time permitted for extensions of time.

IV. Meetings Reminder / New Business

*** Next Month's Regular Meeting: TUESDAY, January 23, 2007 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.