

MIAMI BEACH

Mayor's Ad-Hoc 41st Street Committee

4:00pm Thursday, June 13, 2019

Iberia Bank

400 41st Street, Miami Beach

MINUTES

Committee Members in Attendance:

- Seth Gadinsky, Chair
- Jerri Herzberg Bassuk
- Betty Behar
- Yechiel Ciment
- Francisco Diez-Rivas
- Eric Hankin
- Robin Jacobs, Vice Chair

City Staff in Attendance:

- John Alemán, Commissioner City of Miami Beach
- Thomas Mooney, Planning Department Director, City of Miami Beach
- Hernan Cardeno, Code Compliance Director, City of Miami Beach
- Nick Kallergis, First City Attorney, City of Miami Beach
- Bo Martinez, Economic Development Director, City of Miami Beach
- Leonard Roberts, Economic Development Assistant Director, City of Miami Beach
- Elizabeth Miro, Property Management Assistant Director, City of Miami Beach
- Gedel Merzius, Economic Development Specialist, City of Miami Beach
- Lily Alvarez, Administer Service Manager, Property Management, City of Miami Beach

Seth Gadinsky opened the meeting at 4:05 p.m. and welcomed all in attendance. Seth Gadinsky welcomed Bo Martinez, Economic Development Director and Leonard Roberts, Economic Development Assistant Director to the 41st Street Committee.

Approval of the Minutes: Jerri Herzberg Bassuk made a motion to approve the April meeting minutes. Yechiel Ciment seconded, and the motion passed 6-0 to approve the meeting minutes.

Discussion of the live performance permit

Commissioner John Alemán spoke to the Committee about a live ambient performance ordinance in the City of Miami Beach which she described as the restriction of any authentic live performance. Although you can apply for a conditional use permit in 41st street corridor the process is lengthy and can become costly. Commissioner Alemán stated that she would like a resolution to be written to allow live ambient music to be enjoyed throughout the City of Miami Beach.

Yechiel Ciment asked what the initial intent of restriction for live ambient entertainment was. Thomas Mooney stated that the original intent for the restriction dates to the early to mid 90's when specific restaurants had outdoor entertainment but than those establishments developed into nightclubs which caused major neighborhood issues.

Commissioner Alemán state that there was a commercial/residential conflict within the south beach district which has driven the current ordinance. Initially the ordinance stated that entertainment does not include recorded music, the new ordinance will allow for the music through a permit approval process.

Nick Kallergis stated that the administration has developed a pilot program that would continue to limit music in restaurants in specific districts that have expressed to the opposition of a live performance ambient music

Discussion of the distance separation requirement

Thomas Mooney discussed the distance separation requirement to the committee which are typically for alcoholic beverage establishments and 300 feet from a house of worship or school. Thomas stated that the 41st street area along with other places within the City of Miami Beach commercial areas run into issues of the distance of separation requirement. Usually, businesses that were looking to expand their restaurant in a distant separation requirement zone would need to go to the board of adjustment to seek an issuance of variance. The commission asked the administration to make up a list of what are common variances and draft a modification of the codes. One suggestion that came about was to create special districts for certain areas for the city that were within 300 ft of house of worship and schools so that way certain establishments would not need to seek special variances.

Yecheil Ciment did not agree with the proposal because of the close proximity of schools in relation to the proposed ordinance and increased residential nature of neighborhood for the mid beach area. Seth Gadinsky asked Tom to explain what the restriction would be for an establishment. Tom stated that hours of operations, limits to carry out alcohol and limits on the sale of alcohol do not have a concession on permit. The intent would be to codify what the board of adjustments typically imposes as conditions. Seth Gadinsky asked about the hours of operations and when do they apply to establishments. Tom stated that most restaurants start around noon. Jerri stated that it would be interesting if there was a provision that stated that they weren't able to serve alcohol until 4:00 pm. Yecheil stated that 5:00 pm would be a fair compromise. Thomas Mooney stated that there could be some modifications towards the provision to establish the set time for alcohol at 4:00 pm.

Francisco stated his concern with the provision because it may cause a precedent that might not be advantageous to community members within the 41st street area the committee members assured him that this provision affects establishments that are in place currently within the district. Betty Behar stated that this is a quality provision that promotes existing and prospective business.

Yecheil Ciment made a motion to support a waiver of the alcohol restriction as it relates to the distance separation requirement for the 41st street district establishing that alcohol sales for such places of business can't begin to sell alcohol until after 5 PM in and around the 41st Street District.

Motion made by: Yecheil Ciment

Motion seconded by: Betty Behar

Motion passed: 6-0

Washington Avenue Master Plan Discussion

Seth Gadinsky stated that the committee feels that there is a need to create a master plan within the 41st street district. Bernard Zyscovich was invited to speak about the incremental steps into starting a master plan. Bernard stated that the first thing into creating a master plan is to figure out the existing conditions, understand the zoning restrictions, zoning possibilities and market conditions with an examination to how they compare with other streets within the area. Then begin to do stakeholder interviews with specific sectors, Real-estate owners, business owners in a panel workshop setting. Then begin the creative process with how to get the specific vision implemented.

Betty Behar suggested that the data collected through the Alta Gehl master plan be used in the preemptive master plan.

Francisco stated that the concentration of the master plan should be focused on economic activity within the 41st street district with the objective of recruiting businesses to the 41st street committee that are conducive to the quality of life within the 41st street community.

To recommend Bernard Zyscovich be hired to create a master plan for 40th, 41st and 42nd Street as one district to enhance economic growth, mobility of the corridor, and determining if zoning changes should be made.

Motion made by: Francisco Diez - Rivas

Motion seconded by: Jerri Herzberg Bassuk

Motion passed: 6-0

Member absent: Michael Burnstine, Marcella Novella

Discussion of RFP for Lighting on 41 St

Elizabeth Miro, Property Management Assistant Director discussed the 365 lighting options to the 41st Street corridor and creating an RFQ for the lighting based on the direction of the committee. The city decided that the best possible option to procure the lighting within the corridor of 41st street is to begin the proceedings for an RFQ. The RFQ would need placed through proper advertisement for the next 30 to 45 days.

Leonard Roberts stated another alternative for the committee would be using the same vendor that is used on Washington Ave. Washington Ave placed lighting from 5th street to 17th street and spent \$130,000.

Elizabeth stated that if the committee decided to use the vendor that has been previously approved for the Washington Avenue corridor would not have to go through an RFQ process.

Betty emphasized that if the vendor cannot do it for no more than \$100,000 they will not be able do the job for anything over that amount.

Seth Gadinsky suggest that the committee define what should be recommended to the administration as far as tree placement.

The committee stated that they would like to implement lights on every third palm tree, on both sides between Prairie Avenue and Royal Palm Drive.

Robin Jacobs suggested that implementation of signage should be implemented that explains the lighting pilot program to community members of 41st street.

MOTION: To use 365 Lighting to implement lights on every third palm tree, on both sides between Prairie Avenue and Royal Palm Drive, with signage that explains the lighting pilot program to community members of 41st street.

Motion made by: Betty Behar

Motion seconded by: Jerri Herzberg Bassuk

Motion passed: 6-0

Member absent: Michael Burnstine, Marcella Novella

Leonard gave commission updates specifically about the parklet, and the storefront vacant covers being administered within the 41st street corridor, Leonard also sought clarification on the 41st street vision plan.

Elizabeth spoke about the parklet and the engineers request to construct it out of aluminum the committee wants to discuss this request further at the July meeting.

Chair updates

Seth Gadinsky gave an update on a project that he has been working on in conjunction with City of Miami Beach. Seth spoke about the possibility of the garage behind the Roosevelt hotel being a residential or mixed-use property.

Meeting adjourned at 5:52