



MIAMI BEACH

PLANNING DEPARTMENT

PLANNING BOARD AFTER ACTION

Tuesday, July 23, 2013

12:05 PM – 6:45 PM

ATTENDANCE:

Board: Six (6) of seven (7) members present - Jack Johnson, Charles Urstadt, Robert Wolfarth, Henry Stolar, Jean-Francois Lejeune, & Frank Kruszewski (arrived at 12:50 pm). Jonathon Beloff was absent.

Staff: Richard Lorber, Thomas Mooney, Gary Held, Katia Hirsh

I. Discussion

A. Requirements for Ownership Disclosures

Mr. Held referred to the City Attorney's Office Legal Opinion dated April 24, 2013, and Mr. Stolar's response dated July 14, 2013. Both the Legal Opinion and the response concern the requirement in the Standard Application Form – Development Review Board Hearing that the Property Owner disclose (among other things) the percentage of ownership of each of the natural persons who are the ultimate owners.

Mr. Held made five recommendations, which were adopted by the Board and are as follows:

- (1) The Board directs Planning Department staff to make no changes in the Property Owner disclosure requirements in the Standard Application Form – Development Review Board Hearing.
- (2) Mr. Held will make the same recommendation to the other three Land Use Boards (Design Review Board, Historic Preservation Board, and Board of Adjustment).
- (3) The Board directs Planning Department staff to interpret and apply to all entities, including Florida Land Trusts under Florida Statutes Section 689.071, the requirements of the ownership disclosure section of the Standard Application Form – Development Review Board Hearing, including the requirement to disclose the percentage of ownership of each of the natural persons who are the ultimate owners.
- (4) Computerized and hard copies of the Legal Opinion will be noted: "Superseded by action of the Land Use Boards."
- (5) By email or other correspondence to the Property Owner of 318-334 Lincoln

Road, Mr. Held will advise the substance of these decisions, but with the further advice that they are applicable only to future Applications. By separate email or other correspondence at the same time to the lawyers who comprise the City's land use bar, Mr. Held will furnish generally the same advice as it is furnishing to the Property Owner.

APPROVED – Stolar/ Wolfarth 6-0. 3:00 – 3:08

B. Sunset Harbor Neighborhood Improvements

The Board discussed several improvements that the City should make with funds allocated for the neighborhood. Among them are:

- Sidewalk design within the Sunset Harbor area, including the height of the sidewalks from grade, as well as making sidewalks throughout the area wider.
- Improvements to the Sunset Harbor streetscape plan to include more canopy trees, consider island medians for traffic calming, and improved lighting; the streetscape plan should also be brought before the Planning Board for comments and feedback..
- Designate loading zones limited to a certain time in the evening. Also, deliveries should be made from the garage.
- Improvements to drainage.
- Improve facades on Dade Boulevard.

Other topics discussed included:

- rethinking the West Avenue Bridge for pedestrian use only;
- better enforcement of required taxi zones;
- enforcement of tow trucks parking on the street;
- more input from Boards regarding the bagging of parking meters.

Staff will request a report from CIP and Public Works regarding the status of neighborhood improvements. **1:32 – 2:10**

**C. Updated Planning Board Meeting Guidelines
AMENDMENTS TO ARTICLE V OF BOARD BY-LAWS APPROVED – Stolar/Wolfarth 6-0.
12:50 – 1:32**

II. Administration

A. After Action report – June 25, 2013

APPROVED with Amendments – Stolar/Johnson 5-0

III. Items for Continuance / Withdrawal / Other

- A. File No. 2065. 309 23rd Street – Villa Azur.** The applicant, MMPB Group, LLC, is requesting approval for a Modification to a Conditional Use Permit, pursuant to Chapter 118, Articles IV and V, Division 6, of the Miami Beach City Code, to expand the Neighborhood Impact Establishment to the adjacent space, including a private lounge connected to the existing restaurant.

CONTINUED to October 29, 2013 - Wolfarth/Johnson 6-0.

- B. File No. 2124. 321 Ocean Drive – Mechanical Lifts.** The applicant, 321 Ocean Drive, LLC, is requesting a Conditional Use Permit pursuant to Chapter 130, Article II

of the Miami Beach City Code, for a mechanical parking system.
CONTINUED to August 27, 2013 – Johnson/Wolfarth 6-0.

IV. Progress Reports

- A. File No. 2074. 2000 Collins Avenue – Units 6, 7, 8, & 10. Barezzito.** 90-day Progress Report as mandated by the CUP.

DISCUSSED – No further Progress Reports - Kruszewski/Wolfarth 6-0. 3:10 – 3:20

- B. File No. 2094. “600 Alton Road” 500, 517, 520, 522, 530, 5410, 550, 630, 650 Alton Road, 1220 Sixth Street, 525 and 541 West Avenue.** 90-day Progress Report as mandated by the CUP.

DISCUSSED – Come back October 29, 2013 as per the CUP - Stolar/Wolfarth 6-0. 3:20 – 3:55

V. Public Hearings

A. Previously Continued Items

- 1. File No. 2105. RM-3 ACCESSORY USE SIGNAGE. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING CHAPTER 138, "SIGNS", ARTICLE I, "IN GENERAL", SECTION 138-8, "SIGNS FOR OCEANFRONT BUILDINGS," TO MODIFY THE ACCESSORY USE SIGN REQUIREMENTS FOR OCEANFRONT BUILDINGS; BY AMENDING ARTICLE V, "SIGN REGULATIONS BY DISTRICTS", SECTION 138-171, "GENERAL PROVISIONS," AND SECTION 138-172, "SCHEDULE OF SIGN REGULATIONS FOR PRINCIPAL USE SIGNS," TO MODIFY THE REQUIREMENTS FOR HOTELS AND APARTMENT BUILDINGS WITHIN THE RM-3 DISTRICT; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY AND AN EFFECTIVE DATE.**

RECOMMENDED APPROVAL WITH AMENDMENTS – Wolfarth/Lejeune 6-0. 3:55 – 4:40

- 2. File No. 2121. HEIGHT RESTRICTIONS IN PROXIMITY TO SINGLE FAMILY DISTRICTS. 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 BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS", DIVISION 5, "HEIGHT REGULATIONS", BY CREATING SECTION 142-1162 TO ESTABLISH MAXIMUM HEIGHT REGULATIONS FOR ANY NON-SINGLE FAMILY PROPERTY LOCATED WITHIN 100' OF A SINGLE FAMILY ZONING DISTRICT; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.**

CONTINUED TO SEPTEMBER 24, 2013 to be re-noticed – Kruszewski/Lejeune 5-0. (Wolfarth recused).

- 1. File No. 2123. 1861 Bay Road – Service Center.** The applicant, Royal Empire, LLC, is requesting a Conditional Use Permit pursuant to Chapter 118, Article IV of the Miami Beach City Code, for an automotive service center to be operated by a tenant on the site located in the I-1 Light Industrial District.

APPROVED WITH AMENDMENTS – Johnson/Kruszewski 6-0. 2:10 – 3:00

2. **File No. 1898 1100 West Avenue – Mondrian Hotel.** The applicant, 1100 West Properties, LLC, is requesting approval for a modification to a Conditional Use Permit pursuant to Chapter 118, Article IV of the Miami Beach City Code, in order to modify certain conditions.

CONTINUED TO August 27, 2013 – Wolfarth/Johnson 6-0.

2. **File No. 1991. 1747-1759 Bay Road – Tremont Towing & Restaurant/Retail.** The applicants, 1747 Bay road Properties, LLC and Cueto Miami, LLC, are requesting approval for modifications to a Conditional Use Permit, including changing the names of the owners and modifying or removing several conditions of the Conditional Use Permit, pursuant to Chapter 118, Article IV, of the Miami Beach City Code.

CONTINUED to August 27, 2013 - Kruszewski/Johnson 6-0.

3. **File No. 2114. 1747-1759 Bay Road - Tremont Towing & Restaurant/Retail.** The applicants, 1747 Bay road Properties, LLC and Cueto Miami, LLC, are requesting approval for a division of land/lot split, pursuant to Chapter 118, Article VII, of the Miami Beach City Code, to divide the existing single property, into two separate parcels.

CONTINUED to August 27, 2013 - Kruszewski/Johnson 6-0.

B. New Applications

1. **File No. 2126. 1741 Cleveland Road - Boat Dock.** The applicant, Hugval, LLC/Thierry Sportich is requesting a Conditional Use Permit pursuant to Chapter 118, Article II and Chapter 142, Article IV of the Miami Beach City Code, for the construction of a new L-shaped wood dock, boat lift, and mooring piles, projecting a total of 85 linear feet from the seawall.

APPROVED WITH AMENDMENTS - Wolfarth/Stolar 6-0. 6:00 – 6:35

VI. Other Business

- A. The Board asked staff questions about the Ordinance regarding the moratorium on the issuance of permits for demolition of architecturally significant homes, which was referred to the Planning Board by the City Commission and will be on the August 27, 2013 PB agenda.
- B. The Board directed that a separate code compliance report for each property be provided by no later than the Friday before the scheduled meeting.

VII. NEXT MEETING DATE REMINDER:

Tuesday, August 27, 2013 @ 1:00 p.m. – Regular Agenda (unless otherwise changed in consultation with the Chairperson depending on the length of the agenda).