



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: March 18, 2009

SUBJECT: **REPORT OF THE MARCH 2, 2009 LAND USE AND DEVELOPMENT COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on March 2, 2009. Mayor Matti Herrera Bower and Commissioners Wolfson (Chair), Gross and Diaz, were in attendance. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet. The meeting was called to order at 5:30 pm.

OLD BUSINESS

Administration:

1. ELECTION OF CHAIR AND VICE-CHAIR

AFTER-ACTION: Motion to select Commissioner Wolfson as Chair (Diaz/Gross) Vote: 3-0. Motion to select Commissioner Diaz as Vice-Chair (Gross/Wolfson) Vote: 3-0.

Regular Agenda:

1. DISCUSSION REGARDING IMPLEMENTING A REQUIREMENT THAT WHEN PROPERTY OWNERS ASK FOR ANY APPROVAL FROM THE CITY THEY MUST PROVIDE A LINKED PUBLIC ACCESS BAYWALK AND THAT THE CITY IDENTIFIES THE LOCATION

AFTER-ACTION: Commissioner Diaz outlined the issue. Gary Held gave an overview of the concept. The City policy should provide a public Baywalk or at a minimum a mechanism should be created for enforcement of the existing ordinance from the Shoreline Review Committee. Motion to adopt an ordinance to provide for a public Baywalk and Shoreline Review criteria. Vote (3-0).

2. DISCUSSION REGARDING THE UNWANTED DISTRIBUTION OF LITERATURE, NEWSPAPERS IN PARTICULAR, AT LOCAL RESIDENCES

AFTER-ACTION: Item withdrawn. No further action required.

3. DISCUSSION REGARDING A LEASE AGREEMENT WITH MOON THAI SOUTH BEACH, INC. FOR THE PREMISES LOCATED AT 22 WASHINGTON AVENUE

Agenda Item CGC
Date 3-18-09

AFTER-ACTION: Hilda Fernandez introduced the item and gave an overview of the proposed lease. The Committee passed a motion to include changes to the lease Vote (2-0). Several operational and use limitations were identified including the following:

- There shall not be any valet operation on Washington Avenue; the ramp must be on Commerce Street
- There shall not be any taxi stand on Washington Avenue, or drop off and pick up
- Do not restrict their ability to apply for a liquor license in the future. Allow them to count the outdoor tables for any liquor license application
- Sidewalk café: None on Washington Ave., may be located on Commerce Street
- No TV on the outside
- Restrict to prohibit special events
- No loud speakers located on the outdoor area or mounted on the building
- Hours: 11pm Sunday – Thursday, Midnight on Friday and Saturday
- No café operation outside can occur independent of restaurant operating inside
- Alcoholic beverages can be served as long as the kitchen is open
- All tables and chairs to be properly stored inside
- All delivery take out business to be handled through the Commerce Street side of the business
- No bar counter to be placed on leased premises (only inside)

4. DISCUSSION ON RECOMMENDATIONS OF FLAMINGO PARK NEIGHBORHOOD ASSOCIATION FOR ALTON ROAD REDEVELOPMENT

AFTER-ACTION: Jorge Gomez updated the Committee on the recent workshops held with the Planning Board and the community regarding the Alton Road corridor. Commissioner Diaz expressed his desire to move forward on some of the initiatives suggested by the Flamingo Park Neighborhood Association in order to provide for a less intense commercial use development pattern that is more sensitive to the residential uses immediately abutting to the East. The Committee instructed the Administration to prepare an ordinance that would re-zone the East side of Alton Road between 6th and 16th Streets from the CD-2 District to the CD-1 District. Staff is to review the uses and to the extent that there is a floor area incentive for mixed use buildings, require that the additional FAR be set aside for affordable or Work Force Housing. The Committee also instructed the Administration to place this on the Planning Board's agenda as quickly as possible. Motion to refer item to the Planning Board Vote (3-0).

5. DISCUSSION REGARDING A PROPOSED ORDINANCE DEALING WITH REVISIONS TO SINGLE FAMILY AD VALOREM TAX EXEMPTIONS

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article X, "Historic Preservation," Division 5, "Single Family Ad Valorem Tax Exemption", Modifying The Requirements And Procedures For City Ad Valorem Tax Exemptions For Single Family Homes; Providing For Repealer, Codification, Severability And An Effective Date.

AFTER-ACTION: Tom Mooney explained the item and outlined the need to allow more time for the applicants to complete the work associated with restoration or additions to Single Family Homes. The Committee adopted a motion to refer the proposed ordinance for full Commission consideration. Vote (2-0).

6. DISCUSSION REGARDING ABSENCES AND RECUSALS FOR LAND USE BOARD MEMBERS

An Ordinance Amending The Land Development Regulations Of The City Code To Harmonize The Permitted Number Of Absences And Recusals For Land Use Board Members, By Amending Chapter 118, Administrative And Review Procedures, Article II, Boards, Division 2, Planning Board, Section 118-52, Meetings And Procedures; Division 3, Design Review Board, Section 118-74, Removal; Division 4, Historic Preservation Board, Section 118-105, Removal; Division 5; Board Of Adjustment, Section 118-133, Removal, Providing For Repealer; Codification; Severability And An Effective Date.

AFTER-ACTION: The Committee reviewed the proposed ordinance as suggested by the Planning Board and made the following changes: the number of recusals be three per year for all four Land Use Boards, absences are to be defined as missing more than 50% of scheduled items (instead of 30%) unless the member attended 70% of the duration of time of the meeting's agenda. Referred the item for full Commission action. Vote (2-0).

Attachment ~~18~~
JMG/PH/JGG

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

March 2, 2009 @ 4:00 pm

City Manager's Large Conference Room

Attendance Sheet

| | NAME | E-MAIL ADDRESS | CONTACT NUMBERS |
|-----|---------------------|------------------------------------|-----------------|
| 1. | Maria Sunshine | NoiseControl@the-beach.net | 305 672 90- |
| 2. | Beverly Jones | @ | 305 376 8800 |
| 3. | Roger Abraham | osmusic @ bellsouth.net | 305-861-5227 |
| 4. | Jo Manning | drmwk @ jurd.com | 305-538-3270 |
| 5. | Heidi Calvert | MAMIMAMA @ yahoo.com | 305 695 1826 |
| 6. | ED CAVIN | @ | " |
| 7. | Comm. Wolfson | @ | |
| 8. | Comm. Gross | @ | |
| 9. | Comm. Diaz | @ | |
| 10. | Sherry Roberts | (Resident) sherry@sherryrobert.com | 305-205-2030 |
| 11. | Richard Lorber | CMB Planning Dept | 7550 |
| 12. | MIKE BURKE | MIKE.BURKE@yaho.com | 780-269-7320 |
| 13. | JEFF DONNELLY | JEFFDONN @ AOL.COM | 305-532-1441 |
| 14. | Jack Johnson | jjsobe @ gmail.com | 305-673-1267 |
| 15. | Joyce Meyers | jmeyers @ miamibeachfl.gov | 305 673-7550 |
| 16. | G. Cloutier | gary.cloutier @ miamibeachfl.gov | |
| 17. | Anna Parekh | CMB | x6174 |
| 18. | AC Velasco | avelasco @ miami Beach fl.gov | x6727 |
| 19. | Rebecca Dellagloria | @ | 376-2284 |
| 20. | JACK PUNMA | @ | 305 707 9375 |

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

March 2, 2009 @ 4:00 pm

City Manager's Large Conference Room

Attendance Sheet

| NAME | E-MAIL ADDRESS | CONTACT NUMBERS |
|---------------------|------------------------|--------------------|
| 21. DAVID H. NEVE L | DHNEVE L @ YAHOO . COM | cell: 305 794 1120 |
| 22. | @ | |
| 23. | @ | |
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