



### **PLANNING BOARD - After Action March 24, 2009**

#### **1:30 PM - Discussion of Planning Issues**

##### Proposed LEED Ordinance

A presentation was made by Robert Middaugh for informational purposes regarding the process the City Commission is going through. The Board discussed and suggested some minor suggestions for modifications.

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##### Construction sites; fencing of construction sites

A presentation was made by Alex Reyes as to what a City interdepartmental group has been doing to address the problem of unsightly, idle and abandoned construction sites, and vacant properties. There was a discussion from the safety, aesthetics, maintenance and enforcement perspective. The Board requested that the City continue working within the interdepartmental group looking at current legislation from different governmental authorities and that staff come back to the Board with an update and a proposal with measures that strengthen what the City can do and the Board can make recommendations.

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#### **Administration**

After Action report – February 24, 2009 meeting

Motion: Stolar/Kruszewski. Vote: 6-0 (Kuperman absent). Approve.

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**File No. 1912. Entertainment in Sidewalk Café Permit Areas.** 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 82, Public Property, Article IV, "Uses In Public Rights-Of-Way," Division 5, Sidewalk Cafes, Subdivision II, "Permit," Section 82-385, by providing Minimum Standards, Criteria, and Conditions for Entertainment in Sidewalk Café Permit Areas on Ocean Drive between 8<sup>th</sup> And 13<sup>th</sup> Streets, and by amending Chapter 142, "Zoning Districts And Regulations," Article V, "Specialized Use Regulations," Division 6, "Entertainment Establishments," Section 142-1361, "Definitions," to amend the definition of Outdoor Entertainment to include such Sidewalk Café Areas on Ocean Drive, Providing for Repealer, Severability, Codification and an Effective Date.

Motion: Kruszewski/Stolar. Vote: 6-0 (Kuperman absent). Continue to the April meeting.

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#### **File No. 1898 - 1100 West Avenue - Mondrian South Beach.**

Motion: Stolar/Kruszewski. Vote: 5-1 (Kuperman absent, Weisburd opposed). Approve staff recommendation – no more progress reports unless deemed necessary by the Planning Director.

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**File No. 1840 - 2301 Collins Avenue (a/k/a 2377 Collins Avenue), Gansevoort Hotel.** Progress Report strictly for noise. **NOT TO BE HEARD BEFORE 5:00 P.M.**

Motion: Kruszewski/Stolar. Vote: 5-0 (Kuperman & Weisburd absent). Approve staff recommendation – no more progress reports unless deemed necessary by the Planning Director.

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**File No. 1915 - 1611 Lenox Avenue** - The applicant, Lincoln Group, LLC, is requesting Conditional Use approval for a commercial self-parking lot operating until midnight. The site is within an RM-1, residential multifamily zoning district which requires Conditional Use approval of parking lots.

Motion: Kruszewski/Stolar. Vote: 7-0. Continue to the April meeting as per the applicant's request.

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**File No. 1921 – 757-759 83<sup>rd</sup> Street** - The applicant, Vivian del Pilar Lopez is requesting a Conditional Use Permit in order to operate a children's day care center.

Motion: Kruszewski/Stolar. Vote: 6-0. Approve as per staff recommendations with amendment by Mr. Stolar.

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**File No. 1922 – 2201 Collins Avenue** - The applicant, 2201 Collins Fee, LLC, is requesting Conditional Use approval for a Neighborhood Impact Establishment at the W Condo/Hotel consisting of 2 restaurants, a bar/lounge, a night club, and a pool deck venue.

Motion: Kruszewski/Stolar. Vote: 5-0 (Kuperman and Appel absent). Continue at a Special Meeting April 1<sup>st</sup> at 1:30 PM. At the April 1, 2009 meeting the application was approved subject to staff recommendation and numerous conditions added by the Board.

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**File No. 1902 - Revisions to Single Family Ad Valorem Tax Exemption.** 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 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.

Motion: Stolar/Kruszewski. Vote: 5-0 (Kuperman & Weisburd absent). Recommend to City Commission with amendment by Mr. Stolar.

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**File No. 1923 – Commercial rooftop venues south of 5<sup>th</sup> Street.** An Ordinance of the Mayor and City Commission of the City of Miami Beach 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," Division 18 "PS Performance Standard District," amending Section 142-693 "Permitted Uses," by restricting or prohibiting commercial rooftop venues South of 5<sup>th</sup> Street; Providing for Repealer, Codification, Severability and an Effective Date.

Motion: Kruszewski/Stolar. Vote: 5-0 (Kuperman & Weisburd absent). Continue – staff directed to come back with definitions, such as "rooftop" "commercial use" etc.

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**File No. 1924 – Lot Split Criteria.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending City Code Chapter 118, "Administration and Review Procedures," Article VII, "Division of Land/Lot Split," Section 118-321, "Purpose, Standards and Procedures," by amending the Review Criteria for requests for a Division of Land/Lot Split to include a criterion that considers the impacts and mitigation of the proposed lot split on the architectural significance or historic value of existing homes; Providing for Repealer, Severability, Codification and an

Effective Date.

Motion: Kruszewski/Stolar. Vote: 5-0 (Kuperman & Weisburd absent). Recommend to City Commission with amendments by Mr. Stolar and Mr. Held.

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**File No. 1925 – Short Term Rental of Apartment Units or Townhomes.** An Ordinance of the Mayor and City Commission of the City of Miami Beach amending Chapter 142 of the City Code, "Zoning Districts And Regulations," Article Iv, "Supplementary District Regulations," Division 3, "Supplementary Use Regulations," by creating new Ordinance Section 142-1111, "Short Term Rental of Apartment Units or Townhomes," Providing for Repealer, Nonseverability, Codification, and an Effective Date.

Motion: Stolar/no second. Recommend not to approve. Motion failed,

Motion: Kruszewski/Stolar. Vote: 5-0 (Kuperman & Weisburd absent). Continue to the May meeting and have staff do further research.

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**Meetings Reminder / New Business**

\*\*\* Next Month's Regular Meeting: TUESDAY, April 21, 2009 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.