MIAMIBEACH

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: July 13, 2011

SUBJECT: **REPORT OF THE JUNE 6, 2011 LAND USE AND DEVELOPMENT COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on June 6, 2011. Members in attendance were Commissioners Wolfson and Exposito; Commissioners Libbin and Weithorn were also 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 4:25 pm.

OLD BUSINESS:

1. a) **DISCUSSION ON A POSSIBLE AMENDMENT TO THE ACCESSORY USE REGULATIONS FOR THE RM-2 ZONING DISTRICT TO PERMIT A LIMITED NUMBER OF COMMERCIAL ACCESSORY USES IN AN APARTMENT BUILDING ADJACENT TO A PUBLIC BAYWALK TO BE OPEN TO THE PUBLIC.**

   AFTER-ACTION: DEFERRED TO JULY 20 LUDC MEETING.

1. b) **DISCUSSION REGARDING THE BAYWALK CONSERVATION DISTRICT PROPOSAL PUT FORTH BY MEMBERS OF THE LINCOLN WEST NEIGHBORHOOD ASSOCIATION.**

   AFTER-ACTION: Commissioner Wolfson introduced the item. Jorge Gomez explained the history of this item and the differences between the RM-2 and the RM-3 districts. Arthur Marcus explained the Lincoln West neighborhood association's concerns relative to the introduction of commercial uses into the Capri apartment building. Michael Larkin representing the Capri expressed the opinion that there should be no outright prohibition on commercial uses in these areas. Tim Nardi, chairman of the Greater Miami Hotel Association, expressed opposition to broad restrictions on commercial uses in the RM-3 district. Sheryl Gold, of Palm View neighborhood, expressed support for a conservation district limiting commercialization of the Baywalk. Christina Labuzetta spoke. Morris Sunshine read into the record a message opposing the addition of commercial uses in RM-2. Charlie Urstadt mentioned possibly grandfathering existing commercial uses. Mike Burke spoke. Commissioner Weithorn asked the City Attorney if this set a precedent, and Jose Smith indicated that it did not. Commissioner Wolfson discussed with Arthur Marcus and staff that the main issue was not the RM-3 areas, but the RM-2 district intensification.

Agenda Item C6E
Date 7-13-11

AFTER-ACTION: DEFERRED TO JULY 20 LUDC MEETING.

2. DISCUSSION REGARDING THE GALE HOTEL HEIGHT LIMITS.

AFTER-ACTION: DEFERRED TO JULY 20 LUDC MEETING.

3. DISCUSSION ON THE OCEAN BEACH HISTORIC DISTRICT R-PS4 ZONING AMENDMENT.

AFTER-ACTION: DEFERRED TO A SPECIAL LAND USE COMMITTEE MEETING SCHEDULED FOR JULY 7, 2011, AT THE CONCLUSION OF THE JOINT NEIGHBORHOOD/LANDUSE COMMITTEE MEETING.

4. AN ORDINANCE CLARIFYING THE QUALIFICATIONS AND CATEGORIES OF MEMBERS TO BE APPOINTED TO THE CITY'S LAND USE BOARDS.

AFTER-ACTION: Gary Held and Jorge Gomez introduced the item. The committee discussed whether lawyers should be limited to those licensed within Florida or a wider eligibility.

MOTION: DEFERRED TO NEXT MEETING TO MAKE CHANGES TO LICENSING REQUIREMENTS.

5. DISCUSSION CONCERNING A LOCATION FOR A SKATE PARK IN MIAMI BEACH INCLUDING THE FUNDING SOURCES AVAILABLE.

AFTER-ACTION: Commissioner Libbin introduced the item. Kevin Smith updated the Committee on the North Beach meeting that was held on May 12. Joyce Meyers also discussed the proposal and explained that the proposed design was not presented or discussed, only the location and desirability of the facility. Jorge Gomez indicated the various funding options. Daniel Veitia of North Beach expressed support for the proposal. Arthur Marcus spoke. Eric Stromborn spoke. Jose Smith discussed the state statute exempting the City from liability.

MOTION: Libbin/Exposito (vote 3-0) Place the proposed 81st Street site on the agenda for capital budget committee, expressing the preference that the skatepark facility be free for residents.

6. DISCUSSON ON THE BAYWALK.

AFTER-ACTION: Jorge Gomez gave the committee an update on the status of various Baywalk projects, including the Bentley Bay and Floridian condo buildings and the removal of a wall impeding through access; the South Bay Club condo; Southgate Towers; the CMB 10th Street street-end; the Mondrian and Mirador properties and the associated application to the State for approval of an overwater baywalk; 1228 West Avenue and their consent to the City building a baywalk; Monad Terrace; the Waverly; and the Flamingo, which is scheduled to be completed by December.

7. DISCUSSION REGARDING A POTENTIAL METHOD OF REPLACING PINE TREES ON HISTORIC PINE TREE DRIVE.

AFTER-ACTION: Kevin Smith introduced the item and discussed the results of the tree autopsy, indicating that some of the trees were fully diseased and some were still viable. The committee discussed with staff the ability to request a waiver of the regulations for invasive species, and decided to direct the Administration to contact our local legislators to inform them of the City's desire to be able to replant the pine trees. Jose Smith added information regarding the history of the Pinetree Drive historic designation.

MOTION: Exposito/Wolfson (vote 2-0) Direct the Administration to go through the process of requesting a waiver to permit the planting of Australian pine trees, including going through our state legislature, and also try planting Slash Pine seedlings of our own.

Attachment

JMG/JGG/RGL

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LAND USE AND DEVELOPMENT COMMITTEE MEETING
June 6, 2011 @ 4:00 pm
City Manager's Large Conference Room

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS
1. Ruth Remington	305.695.1711	✓	RemingtonMiami @gmail.com
2. Marian Del Vecchio	305.672-2486		mdelvecchio @atlanticbb.net
3. Tim Nardi	305-778-7623	✓	Tim.Nardi @morgansHotelgroup.com
4. Robert Santos-Alborna	66684	robertsantos-alborna	@miamibeachfl.gov
5. ARTHUR MARCUS	305-674-8945	✓	maras_A @bellsouth.net
6. JEFF DONNELLY	305-532-1441	–	JEFFDONN @AOL.COM
7. N Gunthier	305 –	✓	— @ —
8. Ro Marrero	305-538-3270	✓	drmwk @ juno.com
9. David Kelsey	305-673-0440		[illegible] @bellsouth.net
10. Mike Burke	786 269 7320	✓	MIKE.BURKE @YAHOO.COM
11. Joyce Meyers	305 673-7550		jmeyers @miamibeachfl.gov
12. Daniel Jedlis	305 219 5400	✓	[illegible] @usaresource.com
13. Maureen Langer	305-674-8779	✓	MLANGER @bellsouth.net
14. Christina LaBuzetta	305 6048888		christina @location resources.com
15. SHERYL GOLD	305 672-6388	✓	shergoldcom @gmail.com
16. CHRIS LATT	305-673-7000 ext. 6391		clatt @miamibeachfl.gov
17. ERIC SCHOENBORN	202-250-4020	✓	ERIC @CULTUREONDEMAND.COM
18. Michael Larkin	(305) 377-6231	✓	mlarkin @brzoninglaw.com
19. FRANK DEL VECCHIO	305-672-2486		fdelvecchio @atlanticbb.net
20. Charles Urstadt	305-498-0077	✓	Charlie @Urstadt.com

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LAND USE AND DEVELOPMENT COMMITTEE MEETING
June 6, 2011 @ 4:00 pm
City Manager's Large Conference Room

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA	E-MAIL ADDRESS
21. KEVIN SMITH	7730		KEVINSMITH @MIAMIBEACHFL.G
22. Matthew Amster	3053776236		mamster @brzoninglaw.com
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