




COMMISSION MEMORANDUM

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

FROM: Jorge M. Gonzalez, City Manager 

DATE: June 6, 2012

SUBJECT: **REPORT OF THE MAY 16, 2012 LAND USE AND DEVELOPMENT COMMITTEE MEETING**

A Land Use and Development Committee meeting was held on May 16, 2012. Members in attendance were Commissioners Góngora, Wolfson and Libbin. 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 4:20 pm.

**1. BOARD MEMBER QUALIFICATIONS AND CATEGORIES
(REQUESTED BY CITY COMMISSION, APRIL 11, 2012 ITEM R5I,
ORIGINALLY REQUESTED BY CITY COMMISSION
JANUARY 28, 2009, ITEM C4H)**

AFTER-ACTION: DEFERRED

**2. DISCUSSION ON THE PARKING REQUIREMENT AND HOW WE CAN INCENTIVIZE FOR GOOD HOTEL DEVELOPMENT.
(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JONAH WOLFSON
FEBRUARY 9, 2011 CITY COMMISSION MEETING, ITEM C4C)**

AFTER-ACTION: Richard Lorber introduced the item and how the proposal would be similar to parking requirements in other urban hotel areas throughout the area. The Committee expressed general approval for referral to Planning Board.

MOTION: Libbin/Wolfson: (3-0). Refer to Planning Board.

3. DISCUSSION ON RM-2 ZONING DISTRICT REGULATIONS.

**POSSIBLE AMENDMENT TO THE ACCESSORY USE REGULATIONS TO PERMIT A LIMITED NUMBER OF COMMERCIAL ACCESSORY USES IN AN APARTMENT BUILDING ADJACENT TO A PUBLIC BAYWALK TO BE OPEN TO THE PUBLIC.
(RETURNING FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER EDWARD L. TOBIN,
APRIL 13, 2011 CITY COMMISSION MEETING ITEM C4H)**

AFTER-ACTION: Jorge Gomez introduced the item. Steve Polisar indicated that they met with staff and Mr. DelVecchio and Mr. Marcus. Resident of the Capri Hal Phillips spoke. Mr. Marcus spoke. Richard Lorber explained how the ordinance would require Conditional Use approval by the Planning Board, which would be noticed to all residents within 375 feet.

Agenda Item CG B
Date 6-6-12

MOTION: Libbin/Wolfson: (3-0) refer ordinance to Planning Board.

4. DISCUSSION OF JURISDICTION OF LAND USE BOARDS OVER APPEALS.

**(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY CITY COMMISSION
APRIL 13, 2011 ITEM R9G MOTION #2)**

MOTION: Libbin/Wolfson: (3-0) Deferred from LUDC – Referred to Charter Review Committee.

5. DISCUSSION OF PROCEDURES FOR OBTAINING INFORMAL OPINIONS AND FORMAL ADMINISTRATIVE DETERMINATIONS FROM THE PLANNING DIRECTOR.

**(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
REQUESTED BY CITY COMMISSION
APRIL 13, 2011, ITEM C4E & R9G MOTION #3)**

MOTION: Libbin/Wolfson: (3-0) Deferred from LUDC – Referred to Charter Review Committee.

6. DISCUSSION REGARDING CHANGING THE PERMITTED USES IN A CD-2 DISTRICT TO ALLOW FOR SELF STORAGE.

**(RETURNING FROM THE JULY 20, 2011 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JERRY LIBBIN
APRIL 13, 2011 CITY COMMISSION MEETING, ITEM C4G)**

AFTER-ACTION: Richard Lorber introduced the item. Commissioner Libbin asked for Wayne Pathman to explain the proposed project. Attorney Wayne Pathman discussed the plans for a mini storage warehouse at 7th Street and Alton Road. David Blum spoke about the storage business. Jeff Donnelly from the Flamingo Park Neighborhood Association spoke. The Committee discussed the impact of the proposal on the neighborhood, and what kind of signage could be limited.

MOTION: Libbin/Wolfson: (3-0) Refer to Planning Board with direction to address limiting the proliferation of this use in the CD-2 districts, and to address issues of signage; item to return to the LUDC prior to going to Commission.

7. FOLLOW-UP DISCUSSION OF CONTROLLED, LIMITED AND ATTENTIVE OFF-LEASH HOURS AT PINE TREE PARK

**(RETURNING FROM THE OCTOBER 26, 2011 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JONAH WOLFSON
SEPTEMBER 14, 2011 CITY COMMISSION MEETING, ITEM C4A)**

AFTER-ACTION: Hilda Fernandez introduced the item and discussed the bark park options. Kevin Smith explained the capital budget that they have reserved was \$105,000. Discussion centered on the expansion of the existing bark park, with seating

for dog owners and a fountain for dogs. Commissioner Libbin asked about the \$105,000 budget and how it is used. Residents spoke, Rick Kendle spoke. Jonathan Groff, Chair of the Park Board spoke. Mark Derr spoke about the parking lot at the park. Gordon Loader spoke. Commissioner Libbin expressed support for a larger fenced dog park

MOTION: Libbin/Wolfson (3-0) Expand the dog park, as shown in the approved plan, but keep it fenced, subject to County approval if the City Attorney's office determines it is required.

**8. DISCUSSION ON ARTIFICIAL GRASS AT HOTELS AND HOMES AND THE PLANNING DEPARTMENT PROCEDURE FOR APPROVING SAME.
(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER JONAH WOLFSON
SEPTEMBER 14, 2011 CITY COMMISSION MEETING, ITEM C4C)**

AFTER-ACTION: The item was discussed by Committee.

MOTION: Wolfson/Libbin (3-0) Send both versions to the full Commission.

9. DISCUSSION REGARDING A RESOLUTION BY THE HISTORIC PRESERVATION BOARD TO MODIFY THE CODE GOVERNING THE VOLUNTARY DESIGNATION OF SINGLE FAMILY HOMES.

**(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY MAYOR MATTI HERRERA BOWER
SEPTEMBER 14, 2011 CITY COMMISSION MEETING, ITEM C4M)**

AFTER-ACTION: DEFERRED

10. REDUCED PARKING RATES FOR HOTEL EMPLOYEES.

**(REFERRED BY COMMISSIONER JONAH WOLFSON,
OCTOBER 19, 2011 CITY COMMISSION MEETING, ITEM C4K)**

AFTER-ACTION: DEFERRED

11. DISCUSSION REGARDING NOT CHARGING DOUBLE PERMIT FEES FOR PEOPLE WHO COME FORWARD AND REQUEST PERMITS FOR WORK DONE WITHOUT A PERMIT.

**(REQUESTED BY COMMISSIONER JONAH WOLFSON
DECEMBER 14, 2011 CITY COMMISSION MEETING, ITEM C4A)**

AFTER-ACTION: DEFERRED

12. DISCUSSION CONCERNING THE TERMINAL ISLAND TRAFFIC STUDY AND CIRCULATION STUDY.

(RETURNING FROM THE MARCH 28, 2012 LUDC MEETING

**ORIGINALLY REQUESTED BY COMMISSIONER MICHAEL GONGORA
MARCH 21, 2012 CITY COMMISSION MEETING, ITEM C4K)**

MOTION: Libbin/Gongora (2-0) Direct staff to meet with FPL and bring back an update at next meeting.

13. DISCUSSION ON WAYS TO ENHANCE THE LAND USE BOARDS OF MIAMI BEACH IN ORDER TO IMPROVE THE CITY OF MIAMI BEACH BUILDING AND PLANNING DEPARTMENT AND PROCESSES.

**(DEFERRED FROM THE MARCH 28, 2012 LUDC MEETING
ORIGINALLY REQUESTED BY COMMISSIONER MICHAEL GONGORA
MARCH 21, 2012 CITY COMMISSION MEETING, ITEM C4M)**

AFTER-ACTION: The Committee discussed the proposals, including residency requirements, appeals of board decisions, and the other points.

MOTION: Bring back to Committee with additional suggestions.

14. REQUEST FROM CITY ATTORNEY'S OVERSIGHT COMMITTEE FOR REFERRAL TO LAND USE AND DEVELOPMENT COMMITTEE TO DISCUSS AMENDMENT TO SECTION 30-36, APPOINTMENT OF CHIEF SPECIAL MASTER

**(REQUESTED BY CITY COMMISSION
APRIL 11, 2011 CITY COMMISSION MEETING, ITEM C4C)**

AFTER-ACTION: The Committee discussed the matter with the City Attorney.

MOTION: Send to full Commission.

Attachment

JMG/JGG/RGL

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

May 16, 2012 @ 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. Diana		✓	DiaVilla@yahoo.com
2. Macarena Perez			bj-Swell@hotmail.com
3. Sheryl Gold			shergoldcom@gmail.com
4. ROSABELLA BEIDER			amorad@bellsoth.net
5. Rick Kandle			TAX123@me.com
6. Joan Liberty Balkin			305905@7100 PHONE
7. Sherry Roberts			Sherry@SherryRoberts.com
8. JEFF DANNELLY			JEFFDANN@AOL.COM
9. Charles Urstadt			Charlie@Urstadt.com
10. ARTHUR MANCUS			MARCUS_A@BELLOUTH.NET
11. HAL PHILIPPS			HALPHILIPPS@AOL.COM
12. TATIANA GORT		✓	tgort@lsmpartners.com
13. Joyce Meyers			jmeyers@
14. STEVE POLISAR			STEVEPOLISAR@GMAIL.COM
15. LABELLE RESHEM			LABELLE@CRESCENTHEIGHTS.COM
16. Joseph Lefleur			joe.lefleur@herstahubels.com
17. (Signature)			atechmer@shutt.com
18. (Signature)			w/William@WilliamLouis.com
19. JENNIFER MCCONNEY			jmcconney@kosiscorp.com
20. DAVID BLUM			davidb@dmsgrp.com

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

May 16, 2012 @ 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.	Kristin Tigner			ktigner @miamibeachfl.
22.	Stephen Scott			sconfig @miamibeachfl.gov
23.	Harriet C. Halpryn	305 864-1991		@
24.	Gordon Lender			glender @baysouth.net
25.	KEVIN SMITH	7730		@ MIAMI BEACH FL. gov
26.	JULIO MABRISO	7730		@ " "
27.	Jonathan Groff	305-302-8807		JGroff @Kirshnerand
28.	M. Lanzares	7550		@Groff.com
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