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:

Jimmy L. Morales, City Manager

DATE:

October 16, 2013

SUBJECT: REPORT OF THE SEPTEMBER 23, 2013 LAND USE AND DEVELOPMENT

COMMITTEE MEETING AND SPECIAL PUBLIC WORKSHOP

A Land Use and Development Committee meeting and Special Public Workshop was held on September 23, 2013. Land Use Committee Members in attendance were Commissioners Michael Góngora, Jonah Wolfson and Edward L. Tobin. Other Commission Members in attendance were Mayor Matti Bower. Commissioners Jorge Exposito and Deede Weithorn. Members from the Administration, including Jimmy Morales, Joe Jimenez, Richard Lorber, Thomas Mooney, Michael Belush, Jose Smith, Gary Held and Deborah Turner, as well as members of public, were also in attendance. Please see the attached sign-in sheet.

The meeting was called to order at 3:27 pm.

3:00 REGULAR AGENDA

1. DISCUSSION OF THE REDEVELOPMENT OF THE TALMUDIC UNIVERSITY PROPERTY LOCATED AT 4000 ALTON ROAD. (REQUESTED BY COMMISSIONER JERRY LIBBIN APRIL 17, 2013 CITY COMMISSION MEETING, ITEM C4J)

AFTER-ACTION:

Richard Lorber provided an overview, including required legislation and amendments to comprehensive plan. Michael Larkin presented on behalf of the Talmudic University and indicated that the height increase desired is 85 feet. Mr. Larkin acknowledged that the proposed project would comply with the proposed MBU single family height interface Ordinance. Suria Yaffur from Zyscovich Architect presented the proposed initial site and development plan.

Comm. Wolfson had a question regarding the specific property that the code amendment would apply to. He also asked whether it makes sense to re-zone FDOT properties before or after the actual purchase.

MOTION:

Refer to Planning Board as proposed. Tobin/Wolfson 3-0

2. DISCUSSION REGARDING TAXI SERVICE IN MIAMI BEACH AND MIAMI-DADE COUNTY.

(REQUESTED BY COMMISSIONER MICHAEL GONGORA SEPTEMBER 11, 2013 CITY COMMISSION MEETING, ITEM R9Q)

AFTER-ACTION:

Comm. Gongora provided a brief history of the matter. Deborah Turner provided an overview of the Resolution proposed. Marcia Monserrat from the City Manager's office also provided an overview of the proposed County Ordinance. Jimmy Morales updates the Committee.

Comm Tobin suggested that the discussion be deferred.

MOTION:

Send an Administration representative to the County Commission meeting to monitor the item and report back to the LUDC. Gongora\Wolfson (3-0)

3:30 SPECIAL PUBLIC WORKSHOP

1. DISCUSSION REGARDING AN AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS THAT WILL CREATE PROTECTION FROM TOTAL DEMOLITION OF ARCHITECTURALLY SIGNIFICANT SINGLE FAMILY HOMES BUILT PRIOR TO 1942.

(RETURNING FROM THE JUNE 12, 2013 LUDC MEETING
ORIGINALLY REQUESTED BY MAYOR MATTI HERRERA BOWER
AND CITY COMMISSION
DECEMBER 12, 2012 CITY COMMISSION MEETING, ITEM C4P)

AFTER-ACTION:

Richard Lorber provided an overview of the proposed Ordinance by going over the proposed new incentives.

Commission Discussion & Questions:

Mayor Bower asked a question regarding the lot coverage changes and incentives.

Comm. Tobin had a question regarding the number of new homes that have been constructed. Comm. Tobin stated that demolition across the board is not always a bad thing and that it was important to retain/preserves homes of significant value.

Comm. Exposito had a question regarding proposed allowable lot coverage for a specific home.

Mayor Bower expressed a concern with the size of homes in relation to the interior side setbacks and asked whether 2nd floors can be further setback to prevent 'looming' effect.

Comm. Tobin had a question and raised a concern regarding minimum courtyard requirements within interior side yards.

Comm Weithorn and Tobin had questions on post 1942 architecture and how post war architecture is defined.

Comm Tobin had a question on how the DRB would have to 'substantially' reintroduce the original scale, massing, etc.

Richard Lorber indicated that some of the language proposed could be further fine tuned.

Comm. Tobin suggested that staff take photos of the 4-5 'problem' homes in order to analyze what the problems and issues are.

Comm. Gongora indicated that he believes the compatibility of the new structures and additions should be taken into account.

Mayor Bower also indicated that compatibility is important.

Comm. Weithhorn expressed a concern with the DRB trying to make an 'objective' decision in a 'subjective' manner. She stressed that the DRB needs as much information as possible to make the most informed decision.

Public Comment:

Emmanuel Sebag – agreed on objectives. Rules do not promote good architecture. Too much uncertainties in current code. Concerns with proposals on massing, heights.

Julian Johnston - Preserving an existing home built in 1926

Kathy Burman – Parents long time residents. Concern with trying to sell existing home, and impact that the demolition moratorium has had on the ability to sell.

Gordon Loader - Proposed amendments should be implemented quickly.

Jo Manning - Discussed issue of government regulation and property rights. Supported proposed regulations, as they will further compatibility.

Daniel Ciraldo - Discussed the built environment and support for the compromise proposal before the LUDC.

Kent Robins – Indicated that the proposed regulations are conservative and believes purpose of ordinance is to protect current property owner's values.

Terry Beinstock - Discussed importance of Neighborhoods.

Jaimie Rubinson – Expressed a concern with the details of the Ordinance. Specifically, issue of lot sizes and what was original v. what is on the site. Importance of emphasizing that size of existing house can be replicated. Also had a concern with large, incompatible additions to original homes.

Nelson Gonzalez - Indicated that the ordinance needs a lot of fine tuning.

Gary Appel – Indicated there are good incentives in the Ordinance. For own home the retention and addition required a lot of variances. Ordnance would remove that burden for retention of homes. SF neighborhoods are different. Protection of Quality of Life of neighborhood important.

Michael Larkin — Indicated that he thought there was a lack of homeowner outreach and that in his opinion homeowners do not know about 'property rights' being diminished. He also addressed the issue of flood insurance subsidies. On architecturally significant criteria, he believes that the criteria should be fine tuned as current criteria is too broad. He also had an issue with compatibility criteria of 375 feet.

Catherine Rodstein – Indicated the has a 1938, 1 story home and spent over \$300,000.00 enhancing it. Now has 2 large modern houses flanking her. Expressed a concern with the incompatibility of new homes within the established context. She believes that the appropriate determination for new homes is the ratio to the remainder of its surroundings.

Darren Tansy - Lives in a 1938 home and would not tear it down by his choice.

Dora Puig — Pre-1942 home owner, very happy with home but had a concern with the impact of the ordinance on the re-sale value of the home. Also believes compatibility issue is affected by FEMA requirements.

George Helvecki – Owns a Pre-1942 home and concerned about disincentives.

Danny Hertzberg – Believes proposed changes are an overreaction and that they have already impacted the real estate market across the board for 'tear down' homes. Also concerned with previous homes being 'substantially re-introduced.

Jill Hertzberg - Noted that she was born and raised in Miami Beach and promotes the City

City Commission Memorandum Report of Land Use & Development Committee Meeting of September 23, 2013 Page 4 of 4

on a daily basis. Also noted that no City gets the same dollar per sq ft that Miami Beach does.

Peter Luria – Lives in a pre-1942 home, but believes that the proposed ordinance is not necessary. Suggested that oversized homes should be integrated into the discussion.

Joel Simmons – Read a letter from a prospective home owner regarding a pre-1942 home and the impact of the ordinance on the new home proposed for property.

Commission Deliberations:

Comm. Tobin indicated that the LUDC should make a recommendation regarding the proposed Ordinance.

Comm. Wolfson recommended against the Ordinance.

Comm. Tobin suggested that some direction be given and recommended that the disincentives proposed be further studied.

Comm. Weithorn indicated that she does not believe the Ordinance is ready to move forward in its current form. Context data is missing and what is proposed is too much.

MOTION:

Recommendation NOT to approve the Ordinance (Tobin/Wolfson 2-0)

2. ORDINANCE AMENDMENT PERTAINING TO OVERSIZED SINGLE FAMILY HOMES.
(REQUESTED BY CITY COMMISSION
SEPTEMBER 11, 2013 CITY COMMISSION MEETING ITEM C4E)

AFTER-ACTION:

Commissioner Tobin indicated that a requirement for 'context' material was needed, particularly for new homes impacted by FEMA requirements, which have an impact on compatibility. Also indicated that the 4-5 problem homes need to be photographed and studied.

MOTION:

No action taken.

3. DISCUSSION ON ARCHITECTURALLY SIGNIFICANT HOMES — THE CITY OF CORAL GABLES ORDINANCE LANGUAGE IN REGARDS TO THE REVIEW OF TOTAL DEMOLITION REQUESTS FOR SINGLE FAMILY HOMES.

(REQUESTED BY MAYOR MATTI HERRERA BOWER SEPTEMBER 11, 2013 CITY COMMISSION MEETING, ITEM C4J)

AFTER-ACTION:

No discussion and no action taken. Item deferred.

Meeting Adjourned at 6:10 PM

Attachment JLM/JMJ/RGL

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LAND USE AND DEVELOPMENT COMMITTEE MEETING AND SPECIAL PUBLIC WORKSHOP ON ARCHITECTURALLY SIGNIFICANT HOMES

September 23, 2013 @ 3:00 pm City Manager's Large Conference Room

Attendance Sheet

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NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS	
1. SLADIA STANTIC	305.799.76.97	Yes	SSHIAMI @ FIMAL.COM	
	786.297.7539	Yes	GOLDENDINA @ GHAIL. COM	
3. HAVA RYWLIN- RI	WIN 305-531-5487	NO YES	HAVA 12 & ATL GAVICAB. COM.	
4. Diene Star Heller	305-534-8383	No	@	
5. Peter LURIA	305-321-3201	Yes	peter pl @bellsouth. Net	
6. Dean lamma		<u>uoc</u>	Diage @ Spileacty con	
7 Will Tethby	305-341-7447	yes	ginfoc @ the jills con	
8. Hillary Herausery	305-336-2210	Yes	Hillary @theilts.com	
9. Darry Her tobers	305-505-1950	Ver	Darry @ The Jills, com	
10. GIORGIO Vecchi	305-7989300	'yer	grecchie Qma Com	
11. DORA PUIG	305/613-2118	Yes	Dora @ Dorafuig.com	
12. DARIN JANSEY	305 924 4100	Yes	DARIN @ DARIN IANSE!	
13. KOGERT WOLFAVOR	305 527-7300	Y62	passiculifice Hormanc and	
14 Alexander	ext. 7105		@	
15. Jack Johnson	205-673-1267	yes	Jacob 3 @ grant Can	
16. Pent Could	305 4969575	yes	1223 @grail. Com	
17. Jo Manning	305.538.3270	723	drm WE juno. Com	
18. Gordon Londer	305 674 7665	TES	ghlowder @bellsooth-net	
19. Charles Urstadt	305-498-0077,	YCS	Charlie Wrstadt. Com	
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LAND USE AND DEVELOPMENT COMMITTEE MEETING AND SPECIAL PUBLIC WORKSHOP ON ARCHITECTURALLY SIGNIFICANT HOMES September 23, 2013 @ 3:00 pm

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA	E-MAIL ADDRESS
21. Kethy Bernan	954-540-7068	409	Kathu Bernan Dal South, No
22. JULIAN JOHNSTON	305502 3985	YES	JUZIAN @ MIAWATER FRONT.
23. JOEL SIMMONOS	305 799 0244	Ϋ́Ες	isinmonds @ Muabbal. Gm
24. Eurmanuel Schag	305 319 9979	q	OFFICE @ SEBAG.NAME
2 Jam Bierstock	305903-4000	Alcandy at it	@
26. Auf Drankel	305 720 2106	12	@
27. Girs Bosch	305.992.5847	Yes	Luisboschmiami@hotmail,com
28. Eddle Irvine -	305 776 9000	YES	EISUPERSONER @GMAIL-COM
29. AhmAD LEE KHAMSI	305-505-9455	Ý	DVUMISI 100 C. GMIR
30. Dina Goldertay	oc 786-277-15	39 Xes	golderdina gmail (a)
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