

PLANNING BOARD AFTER ACTION

Tuesday, October 29, 2024, 9:00 A.M.

I. ATTENDANCE

Board: Seven (7) of seven (7) Members present:

Brian Elias, Jonathan Freidin, Melissa Beattie, Yechiel Ciment, Matthew Gultano, Elizabeth Latone, Scott Needelman

Absent:

Staff: Nick Kallergis, Michael Belush, Giselle Deschamps

II. CITY ATTORNEY UPDATES

III. SWEARING IN OF PUBLIC

IV. APPROVAL OF MINUTES

1. After Action Report – September 24, 2024

APPROVED with modification– Latone / Gultano 7-0

V. REQUESTS FOR CONTINUANCES / WITHDRAWALS / OTHER

2. **PB24-0686, 6747 Collins Ave – New Hotel.** An application has been filed requesting conditional use approval for mechanical parking, and a Neighborhood Impact Establishment (NIE) that includes a restaurant located on the rooftop of a building, which is located on a property that is within 200 feet of a property containing a residential unit, as part of the construction of a new 16-story new hotel, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 5, Article 2, Section 5.2.11.f, of the Miami Beach Resiliency Code. **[Re-advertised for 11-26-2024. No Action required]**

NO ACTION

3. **PB24-0661. Commercial / Industrial/ Residential Height and Setback Regulation Modifications Citywide. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, ENTITLED “ZONING DISTRICT REGULATIONS,” BY AMENDING SECTION 7.2.5, ENTITLED “DEVELOPMENT REGULATIONS (RM-2)” AT SUBSECTION 7.2.5.3, ENTITLED “DEVELOPMENT REGULATIONS (RM-2)” BY REDUCING THE MAXIMUM BUILDING HEIGHT; AND BY AMENDING SECTION 7.2.6, ENTITLED “DEVELOPMENT REGULATIONS (RM-3)” AT SUBSECTION 7.2.6.3, ENTITLED “DEVELOPMENT REGULATIONS (RM-3)” BY REDUCING THE MAXIMUM BUILDING HEIGHT; AND BY AMENDING SECTION 7.2.10, ENTITLED “CD-1 COMMERCIAL LOW INTENSITY ZONING DISTRICT” AT SUBSECTION 7.2.10.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-1)” BY IMPLEMENTING ADDITIONAL SETBACK REQUIREMENTS; AND BY AMENDING SECTION 7.2.11, ENTITLED “CD-2 COMMERCIAL MEDIUM INTENSITY ZONING DISTRICT” AT SUBSECTION 7.2.11.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-2)” BY IMPLEMENTING ADDITIONAL SETBACK REQUIREMENTS AND BY PLACING LIMITS ON LOT AGGREGATION; AND BY AMENDING SECTION 7.2.12, ENTITLED “CD-3 COMMERCIAL HIGH INTENSITY ZONING DISTRICT” AT SUBSECTION 7.2.12.3, ENTITLED “DEVELOPMENT REGULATIONS (CD-3)” BY IMPLEMENTING**

ADDITIONAL SETBACK REQUIREMENTS; AND BY AMENDING SECTION 7.2.14, ENTITLED "NORTH BEACH TOWN CENTER CORE DISTRICT (TC)" AT SUBSECTION 7.2.14.6, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT" BY REDUCING THE MAXIMUM BUILDING HEIGHT AND AMENDING THE PUBLIC BENEFITS PROGRAM; AND BY AMENDING SECTION 7.2.23, ENTITLED "I-1 LIGHT INDUSTRIAL DISTRICT" AT SUBSECTION 7.2.23.3 ENTITLED "DEVELOPMENT REGULATIONS (I-1)" BY IMPLEMENTING ADDITIONAL SETBACK REQUIREMENTS; AND BY AMENDING ARTICLE III, ENTITLED "OVERLAY DISTRICTS," BY AMENDING SECTION 7.3.6, ENTITLED "OCEAN TERRACE OVERLAY," AT SUBSECTION 7.3.6.2, ENTITLED "COMPLIANCE WITH REGULATIONS (OCEAN TERRACE OVERLAY)" BY REDUCING THE MAXIMUM BUILDING HEIGHT; AND BY AMENDING AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **[Continued from 6-25-2024, 9-24-24. Deferred to a future date. No action required]**

NO ACTION

DISCUSSION ITEMS

4. **Loading, including truck sizes and safety. [Deferred to November 26, 2024]**
DEFERRED to 11/26/2024
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PROGRESS REPORTS

5. **PB22-0542, 200 South Pointe Drive – Catch.** Progress report as required by the Conditional Use Permit.

REVIEWED & No further reports – Freidin / Latone 6-0 (Ciment absent)

6. **PB0616-0033, 915-955 Washington Avenue - Moxy.** Progress Report due to code violations.

CONTINUED to 5/6/2025, (only if noise complaints are received prior to the 5/6/2025 meeting) – Freidin / Gultanoff 7-0

PREVIOUSLY CONTINUED APPLICATIONS

7. **PB24-0695. Washington Avenue Residential Plan – Comprehensive Plan Amendment. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE & DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES" AT TABLE RLU 1.1 TO PROVIDE CONSISTENCY WITH FLOOR AREA RATIO (F.A.R.) REGULATIONS; BY AMENDING POLICY RLU 1.1.6, ENTITLED "MEDIUM DENSITY MULTI FAMILY RESIDENTIAL (RM-2)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES LOCATED ON WASHINGTON AVENUE; BY AMENDING POLICY RLU 1.1.9, ENTITLED "MEDIUM INTENSITY COMMERCIAL (CD-2)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES LOCATED ON WASHINGTON

AVENUE; BY AMENDING POLICY RLU 1.1.10, ENTITLED "HIGH INTENSITY COMMERCIAL (CD-3)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES LOCATED ON WASHINGTON AVENUE; BY AMENDING POLICY RLU 1.1.28, ENTITLED "GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD (C-PS2)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES LOCATED ON WASHINGTON AVENUE; BY AMENDING OBJECTIVE 1.2, ENTITLED "LAND USE REGULATION," TO ESTABLISH POLICY 1.2.8, ENTITLED "RESIDENTIAL USE INCENTIVES," TO PROVIDE MINIMUM STANDARDS FOR OBTAINING THE FAR AND DENSITY INCENTIVES SET FORTH IN THIS ORDINANCE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

REVIEWED & CONTINUED to 11/26/2024 – Ciment / Beattie 7-0

8. **PB24-0696. Washington Avenue Residential Plan – Land Development Regulations Amendments.** **AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 1, ENTITLED "GENERAL PROVISIONS," ARTICLE II, ENTITLED "DEFINITIONS," SECTION 1.2.1, ENTITLED "GENERAL DEFINITIONS," BY AMENDING THE DEFINITION OF FLOOR AREA AND CREATING A DEFINITION FOR MICRO-MOBILITY STATION; BY AMENDING CHAPTER 5, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "VEHICLE PARKING, BICYCLE PARKING AND OFF-STREET LOADING REQUIREMENTS," AT SECTION 5.2.4, ENTITLED "VEHICLE OFF-STREET PARKING REQUIREMENTS," BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 2; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICT REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING SECTION 7.1.10, ENTITLED "RESIDENTIAL USE INCENTIVES," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE UNDERLYING ZONING DISTRICTS AND PROPERTIES FRONTING WASHINGTON AVENUE FROM 5TH STREET TO 17TH STREET; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.5 ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO CREATE SECTION 7.2.5.5, ENTITLED "MID BEACH RESIDENTIAL USE INCENTIVE AREAS (RM-2)," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS AND PROPERTIES FRONTING WASHINGTON AVENUE FROM 6TH STREET TO 7TH STREET; BY AMENDING SECTION 7.2.11, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SUBSECTION 7.2.11.5, ENTITLED "WASHINGTON AVENUE (CD-2)," TO MODIFY EXISTING DEVELOPMENT REGULATIONS SPECIFIC TO PROPERTIES FRONTING WASHINGTON AVENUE AND TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; BY AMENDING SECTION 7.2.12, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," BY CREATING SECTION 7.2.12.5, ENTITLED "WASHINGTON AVENUE RESIDENTIAL INCENTIVE AREA – CD-3," TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; BY AMENDING SECTION 7.2.15 ENTITLED "PERFORMANCE STANDARD DISTRICT (PS)," AT SECTION 7.2.15.3, ENTITLED "COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS)," TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN

EFFECTIVE DATE.

REVIEWED & CONTINUED to 11/26/2024 – Ciment / Beattie 7-0

9. **PB24-0662. Conditional Use Regulations for Grocery and Convenience Stores in CD-3 zoning on Lincoln Road. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATION," ARTICLE II, "DISTRICT REGULATIONS," SECTION 7.2.12. "CD-3 COMMERCIAL HIGH INTENSITY DISTRICT," BY AMENDING SECTION 7.2.12.2. "USES (CD-3)," TO LIST GROCERY AND CONVENIENCE STORES LOCATED ON LINCOLN ROAD OR 16th STREET EAST OF DREXEL AVENUE AND WEST OF WASHINGTON AVENUE AS A CONDITIONAL USE SUBJECT TO STRICT CRITERIA; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

CONTINUED to 11/26/2024 – Ciment / Latone 7-0

10. **PB24-0670 a.k.a. PB22-0519, a.k.a. PB0416-0008, f.k.a. File No. 2136. 4041 Collins Avenue - Hotel.** An application has been filed requesting modifications to a previously issued conditional use permit for a Neighborhood Impact Establishment with Entertainment. Specifically, the applicant is requesting approval for the renovation and reconfiguration of the previously approved venues in the Hotel and the expansion and introduction of outdoor entertainment in some of the venues, pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

APPROVED – Beattie / Ciment 7-0

NEW APPLICATIONS

11. **PB24-0704, 1343 Alton Road – Day Care Center.** An application has been filed requesting modifications to a previously Conditional Use Permit for the operation of a Day Care center. Specifically, the applicant is requesting to change the owner/operator, and update the conditions of approval, pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

APPROVED – Needelman / Beattie 7-0

NEW COMPREHENSIVE PLAN & CODE AMENDMENTS (Filed pursuant to Chapter 2, Article IV of the Land Development Regulations of the City Code and Chapter 163, Part II, Florida Statutes.)

12. **PB24-0717. NOTICE REQUIREMENTS FOR LAND USE BOARDS. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "MIAMI BEACH RESILIENCY CODE," CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "GENERAL DEVELOPMENT APPLICATION AND HEARING PROCEDURES," SECTION 2.2.4, ENTITLED "PUBLIC HEARING," SECTION 2.2.4.1, ENTITLED "PUBLIC NOTIFICATION," BY MODIFYING THE PUBLISHED NOTICE REQUIREMENTS FOR THE CITY'S LAND USE BOARDS; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**Transmit to the City Commission with a FAVORABLE recommendation
Ciment / Freidin 7-0**

13. **PB24-0718. UNDERSTORY AND HEIGHT REQUIREMENTS IN SF DISTRICTS. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS, ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE FAMILY RESIDENTIAL DISTRICTS," AT SUBSECTION 7.2.2.3, ENTITLED "DEVELOPMENT REGULATIONS (RS)", TO AMEND THE REQUIREMENTS FOR UNDERSTORY HOMES; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**Transmit to the City Commission with a FAVORABLE recommendation
Latone / Elias / 4-3 (Gultanoff, Beattie, & Ciment opposed to the recommendation)**

14. **PB24-0703, 1250 West Avenue - ALTON BEACH BAYFRONT OVERLAY DISTRICT COMPREHENSIVE PLAN AMENDMENT. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, BY AMENDING GOAL RLU 1: LAND USE; OBJECTIVE RLU 1.1: ESTABLISHMENT OF FUTURE LAND USE CATEGORIES; POLICY 1.1.6: MEDIUM DENSITY MULTI FAMILY RESIDENTIAL (RM-2) AND POLICY 1.1.7: HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3) CREATING THE ALTON BEACH BAYFRONT OVERLAY LAND USE CATEGORY, PROVIDING FOR TRANSFER OF DEVELOPMENT INTENSITY, PROVIDING FLOOR AREA BONUSES FOR DEVELOPMENTS THAT INCLUDE CERTAIN PUBLIC BENEFITS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

REVIEWED & CONTINUED to 1/7/2025 – Freidin / Ciment 4-0 (Elias, Beattie and Latone absent for the vote)

15. **PB24-0698, 1250 West Avenue - DEVELOPMENT REGULATIONS FOR THE ALTON BEACH BAYFRONT OVERLAY DISTRICT. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, "ZONING DISTRICTS AND REGULATIONS," ARTICLE 3. "OVERLAY DISTRICTS" BY INCORPORATING SECTION 7.3.11 ENTITLED "ALTON BEACH BAYFRONT OVERLAY DISTRICT" TO PROVIDE DEVELOPMENT REGULATIONS FOR LOT 3, BLOCK 80 OF BAY GARDEN MANOR CONDO, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 12 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AND LOTS 8 AND 9 OF THE BAY VIEW SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 9, PAGE 110, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

REVIEWED & CONTINUED to 1/7/2025 – Freidin / Ciment 4-0 (Elias, Beattie and Latone absent for the vote)

ADJOURNMENT