

PLANNING BOARD AFTER ACTION
Tuesday, April 8, 2025

I. ATTENDANCE

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

Brian Elias, Jonathan Freidin, Melissa Beattie, Yechiel Ciment, Keith Marks, 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 – March 4, 2025

APPROVED – Beattie / Ciment / 7-0

V. REQUESTS FOR CONTINUANCES / WITHDRAWALS / OTHER

2. **PB24-0656. 1235 Washington Avenue. Night Club.** An application has been filed requesting a conditional use permit for a Neighborhood Impact Establishment (NIE) for a Nightclub/dancehall/bar; Specifically, the applicant is requesting to increase the occupant load for this non-conforming establishment, pursuant to Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code. **[Continued from 2/4/2025 & 3/4/2025. Application withdrawn. No action required]**

NO ACTION TAKEN

3. **PB22-0539. 600 - 660 Washington Ave. Angler's Hotel.** An application has been filed requesting a conditional use approval for a Neighborhood Impact Establishment (NIE) with Entertainment and Outdoor Entertainment on the rooftop including an alcoholic beverage establishment or restaurant located on the top floor of a building, whether fully enclosed, partially open, or open to the sky, including all open-air portions above the roof-top, which is located on a property that is within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code. **[Continuance requested until May 6, 2025]**

CONTINUED to 5/6/2025 – Ciment / Beattie 7-0

4. **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 7.2.11.3, 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. **[Continuance requested to June 10, 2025]**

CONTINUED to 6/10/2025 – Ciment / Beattie 7-0

5. **PB25-0747. Vendor Appointments to Land Use Boards. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," AT SECTION 2-22 THEREOF, ENTITLED "GENERAL REQUIREMENTS," TO ADOPT RESTRICTIONS ON THE APPOINTMENT OF A CITY VENDOR, INCLUDING A PRINCIPAL OR EMPLOYEE OF A VENDOR, TO A CITY BOARD OR COMMITTEE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. [Continuance requested to May 6, 2025]**

CONTINUED to 6/10/2025 – Ciment / Beattie 7-0

6. **PB25-0758. 6701 Collins Avenue & 6625 Indian Creek Drive. FIRST READING/PUBLIC HEARING BY THE MIAMI BEACH PLANNING BOARD OF A DEVELOPMENT AGREEMENT, AS AUTHORIZED UNDER SECTION 2.11.1 OF THE MIAMI BEACH RESILIENCY CODE, AND SECTIONS 163.3220 – 163.3243, FLORIDA STATUTES, BETWEEN THE CITY AND TMG 67 COMMUNITIES, LLC AND DEAUVILLE ASSOCIATES, LLC (COLLECTIVELY THE "DEVELOPER"), WHICH DEVELOPMENT AGREEMENT DELINEATES THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT 6701 COLLINS AVENUE (THE "DEAUVILLE PROPERTY") AND 6625 INDIAN CREEK DRIVE (THE "GARAGE PROPERTY") LOCATED IN MIAMI BEACH, FLORIDA**

CONSISTING OF (1) A MAXIMUM OF 280 HOTEL UNITS, (2) A MAXIMUM OF 140 RESIDENTIAL UNITS, (3) GROUND FLOOR RETAIL, (4) PUBLIC PARKING, AND (5) ACCESSORY USES (THE "PROJECT"); AND MEMORIALIZES CERTAIN ADDITIONAL PUBLIC BENEFIT COMMITMENTS MADE BY THE DEVELOPER.

[Continuance requested to May 6, 2025]

CONTINUED to 5/6/2025 – Ciment / Beattie 7-0

VI. REVOCATION / MODIFICATION HEARINGS

7. **PB21-0442. 743 Washington Avenue – Vendome.** Public hearing to consider a revocation, modification, or imposition of additional or supplemental conditions to a previously issued conditional use permit for a neighborhood impact establishment with entertainment, pursuant to Section 2.5.2.5 of the Miami Beach Resiliency Code. **[CUP modified on 9-24-2024 and on 11-26-2024, revocation/modification hearing continued from 2-4-2025]**

REVOCATION / MODIFICATION HEARING CONCLUDED – Freidin / Beattie 7-0

VII. PROGRESS REPORTS

8. **PB18-0252. 928 Ocean Drive.** Progress report within 90 days of the issuance of the BTR with entertainment, as required by the CUP.

PROGRESS REPORT CONCLUDED – Latone / Ciment 7-0

9. **PB21-0448. 235 23rd Street.** Progress report due to a change of owner / operator, as required by the CUP.

CONTINUED to 6/10/2025 – Ciment / Latone 7-0

10. **PB22-0518. 818 Lincoln Road.** Progress report with 90 days of the issuance of the BTR, as required by the CUP.

PROGRESS REPORT CONCLUDED – Ciment / Latone 7-0

11. **PB File No. 2046. 400 Collins Avenue – Parking Lot.** Progress report due to code violations.

If violations corrected prior to 6/6/2025 then progress report concluded, otherwise continued to 5/6/2025– Ciment / Beattie 7-0

VIII. PREVIOUSLY CONTINUED APPLICATIONS

12. **PB24-0734. Increasing and Enhancing Porous Surface Requirements for Parking Lots and Driveways.** 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," BY AMENDING CHAPTER 5, ENTITLED "OFF-STREET PARKING," ARTICLE III, ENTITLED "DESIGN STANDARDS," SECTION 5.3.11, ENTITLED "PARKING LOT DESIGN STANDARDS," BY MODIFYING THE POROUS PAVEMENT REQUIREMENTS FOR SURFACE PARKING LOTS; 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," BY MODIFYING THE MINIMUM OPEN SPACE AND PERVIOUS AREA REQUIREMENTS IN SINGLE FAMILY DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER,

SEVERABILITY, AND AN EFFECTIVE DATE.

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

IX. 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.)

13. **PB25-0744. Commercial Use of Single Family homes – LDR Amendment.** **AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 7 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING SECTION 7.2.2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS" BY AMENDING SUBSECTION 7.2.2.2, ENTITLED "USES (RS)" TO CLARIFY AND AMEND REGULATIONS ON THE COMMERCIAL USE OF SINGLE-FAMILY HOMES; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

14. **PB25-0745. Website Advertising for LDR Amendments.** **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 IV, ENTITLED "AMENDMENTS TO COMPREHENSIVE PLAN AND TO THE TEXT OF THE LAND DEVELOPMENT REGULATIONS," SECTION 2.4.2, ENTITLES "AMENDMENT TO THE TEXT OF LAND DEVELOPMENT REGULATIONS," BY MODIFYING THE PUBLISHED NOTICE REQUIREMENTS FOR AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

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

15. **PB25-0746. Vote Requirement for the Release of Covenants Requiring Non-Transient Uses.** **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 I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," TO ESTABLISH A MINIMUM VOTING THRESHOLD FOR THE RELEASE OF A COVENANT RESTRICTING TRANSIENT USES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

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

16. **PB25-0748. Variance Fee Waivers for Building Recertification.** **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, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", ARTICLE

ENTITLED "GENERAL DEVELOPMENT APPLICATION AND HEARING PROCEDURES," BY AMENDING SECTION 2.2.3, ENTITLED "DEVELOPMENT APPLICATION SUBMISSION AND REVIEW," BY MODIFYING THE APPLICABLE PROVISIONS FOR LAND USE BOARD APPLICATION FEES AND ESTABLISHING A PROCESS AND CRITERIA FOR THE CITY COMMISSION TO CONSIDER A WAIVER OF REQUIRED FEES FOR VARIANCE APPLICATIONS RELATED TO COMPLIANCE WITH APPLICABLE BUILDING RECERTIFICATION REQUIREMENTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

17. **PB25-0749. Setback Regulations for Air Conditioning Units. 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 V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.3, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," BY AMENDING THE ALLOWABLE SETBACK ENCROACHMENTS FOR AIR CONDITIONING UNITS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

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

18. **PB25-0750. RO District Regulations for Nonconforming Uses and Alcohol Sales – 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 RLU 1.1.11: RESIDENTIAL / OFFICE (RO), TO ESTABLISH REQUIREMENTS FOR NONCONFORMING CAFES SERVING ALCOHOL AND LOCATED ON ALTON ROAD; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

19. **PB25-0751. RO District Regulations for Nonconforming Uses and Alcohol Sales – LDR Amendment. 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, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES", ARTICLE XII, ENTITLED "NONCONFORMITIES," BY AMENDING SECTION 2.12.5, ENTITLED "NONCONFORMING USE OF BUILDINGS," TO ESTABLISH REQUIREMENTS FOR NONCONFORMING CAFES SERVING ALCOHOL AND LOCATED ON ALTON ROAD; BY AMENDING CHAPTER 7 ENTITLED, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, ENTITLED, "GENERAL TO ALL ZONING DISTRICTS", DIVISION 7.2.9 ENTITLED, "RO RESIDENTIAL/OFFICE DISTRICT," BY AMENDING SECTION 7.2.9.2, ENTITLED "USES (RO)," TO ALLOW ALCOHOL SALES IN EXISTING CAFES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

20. **PB25-0753. Distance Separation Exemptions for Adult Material in Retail Cosmetics Stores.** 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 1, ENTITLED "GENERAL PROVISIONS," ARTICLE II, ENTITLED "DEFINITIONS," SECTION 1.2.2, ENTITLED "USE DEFINITIONS," BY ADDING A DEFINITION FOR 'COSMETICS STORE', AND BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.5, ENTITLED "SUPPLEMENTARY USE REGULATIONS," SECTION 7.5.5.2, ENTITLED "ADULT ENTERTAINMENT", BY CREATING EXEMPTIONS FROM THE DISTANCE SEPARATION REQUIREMENTS FOR COSMETIC STORES, WHERE ADULT MATERIAL CONSTITUTES LESS THAN 20% OF THE FLOOR AREA OF THE ESTABLISHMENT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Transmit to the City Commission with a FAVORABLE recommendation
Beattie / Marks 7-0

X. ADJOURNMENT