

PLANNING BOARD AFTER ACTION

Tuesday, July 30, 2024, 10:00 A.M.

I. ATTENDANCE

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

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

Absent:

Staff: Nick Kallergis, Michael Belush, Alejandro Garavito

II. CITY ATTORNEY UPDATES

III. SWEARING IN OF PUBLIC

IV. APPROVAL OF MINUTES

1. After Action Report – June 25, 2024

APPROVED – Freidin/Beattie 7-0

V. REQUESTS FOR CONTINUANCES/WITHDRAWALS/OTHER

2. **PB23-0643. a.k.a PB File No. 2325. 1200 – 1212 Lincoln Road. 1600 – 1628 Alton Road. Padel Courts.** An application has been filed requesting modifications to a previously issued conditional use permit for a five-story mixed use development exceeding 50,000 square feet. Specifically, the introduction of two accessory padel courts are proposed on the rooftop, pursuant to Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code. **[Continued from 4-25-2024 and 5-28-2024]**

DEFERRED - No action required

3. **PB23-0609. a.k.a. PB File No. 2279. 1716 - 1750 Alton Road. Palomar Hotel.** An application has been filed requesting modifications to a previously issued conditional use permit, for a hotel exceeding 50,000 square feet, including a mechanical parking garage and an accessory restaurant. Specifically, the applicant is requesting to allow the public to access to the rooftop and to become a Neighborhood Impact Establishment (NIE) by combining the occupancy load for both accessory hotel uses, the rooftop and the existing ground floor restaurant, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code. **[Continued from 4- 25-2024]**

DEFERRED - No action required

4. **PB23-0625. 1509 – 1515 Washington Avenue and 1500 Collins Avenue. New Hotel.** An application has been filed requesting a conditional use approval for a Neighborhood Impact Structure (NIS) for a new 7-story hotel exceeding 50,000 square feet, and a Neighborhood Impact Establishment (NIE) that includes, 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; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code. **[Continued from 4-25-2024 and 5-28-2024]**

DEFERRED - No action required

5. **PB22 -0539. 600-660 Washington Avenue. 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 rooftop, 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.

CONTINUED to September 24, 2024 – Gultanoff/Ciment 7-0

VI. PROGRESS REPORTS

6. **PB21-0442, 743 Washington Avenue.** Progress report due to code violations. [Continued from 6-25-2024.]

Revocation/Modification Hearing set for September 24, 2024 – Latone/Freidin 7-0

VII. REVOCATION/MODIFICATION HEARING

7. **PB16-0075, a.k.a. PB 0616-0031, f.k.a. PB 2320. 601-685 Washington Avenue. The Goodtime Hotel.** Public hearing to consider a revocation, modification, or imposition of additional or supplemental conditions to a previously issued conditional use permit for a seven-story hotel development exceeding 50,000 square feet including a parking garage with mechanical parking and a Neighborhood Impact Establishment with outdoor entertainment, pursuant to Section 2.5.2.5 of the Resiliency Code. [Note: CUP modified on 4-25-2024, Continued from 5-28-2024]

CUP Modified

CONTINUED to December 19, 2024 - Latone/Needelman 7-0

VIII. NEW APPLICATIONS

8. **PB24-0681 a.k.a. PB17-0158. 1060 Ocean Drive. Strand.** An application has been filed requesting a modification to a previously Conditional Use Permit for a Neighborhood Impact Establishment. Specifically, the applicants are requesting to change the owner/operator pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

APPROVED - Freidin/Gultanoff 7-0

9. **PB24-0684. a.k.a File No. 1481-A. 1921 Collins Avenue. Mynt.** An application has been filed requesting a modification to a previously Conditional Use Permit for a Neighborhood Impact Establishment. Specifically, the applicants are requesting to change the owner/operator pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

APPROVED - Ciment/Beattie 7-0

10. **PB24-0680. a.k.a File No. 1922. 2201 Collins Avenue. W Hotel.** An application has been filed requesting a modification to a previously Conditional Use Permit for a Neighborhood Impact Establishment. Specifically, the applicants are requesting to change the owner/operator pursuant to Chapter 2, Article V, Section 2.5.2. of the Miami Beach Resiliency Code.

APPROVED - Ciment/Beattie 7-0

11. **PB24-0669. 16, 18, 22 & 24 La Gorce Circle. Lot Split.** An application has been filed requesting a division of land/lot split to divide the one existing site which is comprised of five (5+) platted lots, into two (2) individual buildable parcels, pursuant to Chapter 2, Article V, Section 2.5.4 of the Miami Beach Resiliency Code.

APPROVED - Ciment/Beattie 6-0 (Gultanoff opposed)

12. **PB24-0672, a.k.a. PB22-0548. 1790 Alton Road. Mixed-used building.** An application has been filed requesting modifications to a previously issued conditional use permit for a 5-story mixed-used development including the use of a mechanical parking and a restaurant with more than 100 seats and a floor area in excess of 3,500 SF. Specifically, the applicant is requesting to change the outdoor operational hours and increase the seating count per recently approved City Code amendment. Pursuant to Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code.

APPROVED – Beattie/Latone 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. **PB24-0671, RPS-4 Height Incentives for Hotel Conversion to Residential Use. 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, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 15, "PERFORMANCE STANDARD DISTRICT (PS)," SECTION 7.2.15.2, "RESIDENTIAL PERFORMANCE STANDARD DISTRICTS (R-PS)," TO PROVIDE HEIGHT INCENTIVES TO ENCOURAGE THE REDEVELOPMENT OF HOTELS INTO RESIDENTIAL STRUCTURES BY PROVIDING SUCH PROPERTIES WITH A HEIGHT BONUS IF NO SHORT-TERM RENTALS ARE PROVIDED FOR PROPERTIES ZONED R-PS4; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

Transmit to the City Commission with a FAVORABLE recommendation

Latone/Freidin 5-1 (Gultanoff opposed, Elias absent)

14. **PB24-0691, Entertainment and Supper Club Regulations. 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 1, ENTITLED "GENERAL PROVISIONS," ARTICLE II, ENTITLED "DEFINITIONS," SECTION 1.2.2, ENTITLED "USE DEFINITIONS," AT SUBSECTION 1.2.2.4, ENTITLED "COMMERCIAL," BY CREATING A DEFINITION FOR RESTAURANT SUPPER CLUB; AND BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.5, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY" AT SUBSECTION 7.2.5.2,**

ENTITLED "USES (RM-2)," BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; BY AMENDING SECTION 7.2.6, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," AT SUBSECTION 7.2.6.2, ENTITLED "USES (RM-3)," BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; BY AMENDING SECTION SECTION 7.2.11, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY," AT SUBSECTION 7.2.11.2, ENTITLED "USES (CD-2)," BY REFERENCING ENTERTAINMENT USES WITH AMENDING SECTION 7.5.5.4, AND BY AMENDING THE SUPPLEMENTAL CONDITIONAL USE REGULATIONS; BY AMENDING SECTION 7.2.12, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY," AT SUBSECTION 7.1.12.2, ENTITLED "USES (CD-3," BY AMENDING THE SUPPLEMENTAL MAIN PERMITTED USES TO AMEND THE REQUIREMENTS FOR DANCE HALLS AND BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; BY AMENDING SECTION 7.2.14, ENTITLED "NORTH BEACH TOWN CENTER-CORE DISTRICT," AT SUBSECTION 7.2.14.2, ENTITLED "USES (TC-1, TC-2)," BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; BY AMENDING SECTION 7.2.14.6, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," BY AMENDING THE REQUIREMENTS FOR ENTERTAINMENT ESTABLISHMENTS AND BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; BY AMENDING SECTION 7.2.13, ENTITLES "MXE-MIXED USE ENTERTAINMENT DISTRICT," AT SUBSECTION 7.2.13.2, ENTITLED "USES (MXE)," BY REFERENCING ENTERTAINMENT USES WITH AMENDED SECTION 7.5.5.4; AND BY AMENDING ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.5, ENTITLED "SPECIALIZED USE REGULATIONS," BY AMENDING AND EXPANDING SECTION 7.5.5.4, ENTITLED "ENTERTAINMENT ESTABLISHMENTS," BY REORGANIZING THE SECTION, ESTABLISHING DETAILED REQUIREMENTS FOR LOCATION BY ZONING DISTRICT AND BASED UPON OCCUPATIONAL CONTENT AND HOURS OF OPERATION, REQUIREMENTS FOR TYPES OF ENTERTAINMENT USES AS MAIN PERMITTED AND ACCESSORY USES, STANDARDS FOR NON-CONFORMING USES, MINIMUM DISTANCE SEPARATION REQUIREMENTS AND THE DELETION OF SECTION 7.5.5.7, ENTITLED "DANCE HALLS"; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Transmit to the City Commission with a FAVORABLE recommendation
Latone/Ciment 6-0 (Elias absent)

15. **PB24-0692, Allowance for Palm Trees to Satisfy Minimum Street Tree Requirements.**
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 4 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED "LANDSCAPE REQUIREMENTS," BY AMENDING ARTICLE II, ENTITLED "REQUIREMENTS," BY AMENDING SECTION 4.2.3, ENTITLED "MINIMUM STANDARDS" BY ALLOWING PALMS TO COUNT TOWARD MINIMUM STREET TREE REQUIREMENTS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Transmit to the City Commission with an UNFAVORABLE recommendation
Freidin/Gultanoff 5-1 (Needelman opposed, Elias absent)

16. **PB24-0697, Eliminate 0.5 Floor Area Ratio (FAR) Bonus for Hotels located within the CD-2 District in South Beach.** 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, "DISTRICT REGULATIONS," SECTION 7.2.11, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 7.2.11.3, ENTITLED "DEVELOPMENT REGULATIONS (CD-2)," TO MODIFY THE FLOOR AREA RATIO BONUS FOR HOTEL USES IN THE CD-2 DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Transmit to the City Commission with a FAVORABLE recommendation
Freidin/Ciment 5-1 (Beattie opposed, Elias absent)

17. **PB24-0695, Washington Avenue Residential Use Incentive – 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 September 24, 2024
Freidin/Ciment 6-0 (Elias absent)

18. **PB24-0696, Washington Avenue Residential Use Incentive – 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 September 24, 2024

Freidin/Ciment 6-0 (Elias absent)

ADJOURNMENT