

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

DATE: January 6, 2026

TO: Chairperson and Members
Planning Board

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: PB25-0791, **1330 18th Street – Bey Bey Restaurant**.

An application has been filed requesting Conditional Use approval for a restaurant with more than 100 seats and an occupancy content in excess of 125 persons, pursuant to Sections 2.5.2, and 7.2.23 of the Miami Beach Resiliency Code.

RECOMMENDATION

Approval of the conditional use permit with conditions.

ZONING / SITE DATA

Folio: 02-3233-012-0640

Legal Description: Lot 6 and beginning 14.82 feet south of the northeast corner of Lot 7, south 85.06 feet, west 16 feet, north 85.06 feet east 0.12 feet to the point of beginning, Block 16-A, of the Island View Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida.

Zoning: I-1, Light industrial

Future Land Use Designation: I-1, Urban light industrial

Surrounding Uses: North: vehicle repair
East: retail and restaurant
South: towing
West: vacant commercial

THE PROJECT

The applicant, Luey LLC, submitted plans entitled “Bey Bey”, as prepared by BGArchitects, dated November 9, 2025. The applicant is proposing the introduction of a restaurant within the building in excess of the thresholds for administrative approval. More specifically, in the Sunset Harbour Neighborhood I-1 zoning district, a restaurant that serves alcohol, with more than 100 seats or an occupancy content (as determined by the Fire Marshal) in excess of 125 persons requires a Conditional Use Permit.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES

Conditional Uses may be approved in accordance with the procedures and standards set forth in the Miami Beach Resiliency Code Chapter 2, Article V, 2.5.2.2:

1. The use shall be consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.
Consistent
The request is consistent with the conditional uses in the Light Industrial Zoning District (I-1) as designated on the Future Land Use Map within the Comprehensive Plan.
2. The intended use or construction shall not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan.
Consistent
The proposed use is not anticipated to degrade the Levels of Service (LOS) for the surrounding area below the thresholds that have been established.
3. Structures and uses associated with the request shall be consistent with these land development regulations.
Consistent
Restaurants that serve alcohol with 100 seats or more or an occupancy content in excess of 125 occupants are permitted in the Sunset Harbour Neighborhood, I-1 light industrial zoning district as a conditional use, per Section 7.2.23.2 of the Resiliency Code.
4. The public health, safety, morals and general welfare shall not be adversely affected.
Consistent
Entertainment is not permitted within this area of the City. The applicant is proposing background ambient level music which will not adversely affect the general welfare of nearby residents.
5. Adequate off-street parking facilities will be provided.
Partially Consistent
No parking is provided on-site and valet service will not be offered. It is anticipated that there will be significant patron arrival by walking and ride share services. Additionally, there are several public and private parking garages within the immediate area. The City's Transportation & Mobility Department has reviewed the project and has included several recommended conditions as outlined in the attached draft CUP.
6. Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.
Consistent
Staff has included recommended conditions in the draft CUP to mitigate any adverse impacts on the surrounding neighbors.
7. The concentration of similar types of uses shall not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.
Partially Consistent
While there are several restaurants with bars in the area, adverse impacts are not

anticipated.

8. The structure and site comply with the sea level rise and resiliency review critical in Chapter 7, Article I, as applicable.
Not Applicable
9. Appropriate consideration is given to the safety of and friendliness to pedestrian traffic; passageways through alleys is encouraged where feasible and driveways shall be minimized to the extent possible.
Not Applicable

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these criteria:

1. A recycling or salvage plan for partial or total demolition shall be provided.
Not Applicable
2. Windows that are proposed to be replaced shall be hurricane proof impact windows.
Not Applicable
3. Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.
Not Applicable
4. Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.
Not Applicable
5. Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.
Not Applicable
6. The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.
Not Applicable
7. Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.
Satisfied
To be reviewed at the time of building permit review.
8. Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.
Not Applicable

9. When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.

Not Applicable

10. Where feasible and appropriate, water retention systems shall be provided.

Not Applicable

11. Cool pavement materials or porous pavement materials shall be utilized.

Not Applicable

12. The design of each project shall minimize the potential for heat island effects on-site.

Not Applicable

STAFF ANALYSIS

The applicant is proposing the partial renovation of an existing restaurant space (Bey Bey) within the building. In the Sunset Harbour Neighborhood I-1 zoning district, a restaurant that serves alcohol, with more than 100 seats or an occupancy content (as determined by the Fire Marshal) in excess of 125 persons, requires Conditional Use Permit approval.

Operations

The restaurant initially opened in 2021 with 60 seats and a maximum patron occupancy of 104 persons, below the thresholds requiring CUP approval. Staff would note that the previous restaurant management did receive several violations related to the operations of the restaurant, all of which have been closed. The applicant, a new management team, is currently proposing to expand the restaurant into several storage areas within the building, increasing the number of seats to 132 and increasing the occupancy content to 198 persons (maximum allowable per Section 7.2.23.2 is 199 persons).

The following operating hours are proposed:

Main Dining

Tuesday – Saturday: 5:00 p.m. – 2:00 a.m. (outdoor dining to close at 12:00 a.m.)
Sunday: 10:00 a.m. – 4:00 p.m.
Monday: Closed

Café

Tuesday – Sunday: 8:00 a.m. – 11:00 p.m.

Noise Complaints/Violations

Since 2021, the property has received eleven noise complaints which have been found not valid by the Code Compliance Department. Additionally, the following use violation for an outdoor bar counter was issued to the property as outlined below:

1. **04/25/2023 – ZV2023-04732:** Zoning Violation.
09/12/2023: Closed. Adjudicated guilty. No fines.

Notes indicate: Section 142-485 (a) (b). The prohibited uses in the I-1 urban light industrial district are accessory outdoor bar counters, bars, dance halls, or entertainment establishments (as defined in section 114-1 of this Code), outdoor entertainment establishments, neighborhood impact establishments, open air entertainment

establishments, and residential uses, except as provided for in subsection 142-483(10).

REF: Having a Bar that is not approved.

Sound

A sound study was not required for this proposal as entertainment is not permitted. The applicant is proposing indoor ambient background music, played at a level that does not interfere with normal conversation.

Parking/Valet Operations

No parking is provided on-site and valet service will not be offered. It is anticipated that there will be significant patron arrival by walking and ride share services. Additionally, there are several public and private parking garages within the immediate area. The City's Transportation & Mobility Department has reviewed the project and has included several recommended conditions as outlined in the Transportation & Mobility Department memorandum.

Security and Crowd Control

The restaurant is accessed from 18th Street which opens to an outdoor patio where there is ample space for patrons to wait to be seated. A dedicated security team will oversee the safety and security of the premises, and the property will be monitored by a full complement of security cameras.

Deliveries and Sanitation

The applicant is proposing for deliveries to take place between 8:00 a.m. and 4:00 p.m. utilizing City-designated commercial and freight loading zones. Additionally, the applicant has partnered with a City-approved waste collection service to manage trash pickup. Refuse will be transported from a climate-controlled, enclosed garbage room located along the west side of the building to the trash collection vehicle. Staff has included several recommended conditions within the draft CUP to mitigate any adverse impacts with regard to deliveries and sanitation.

STAFF RECOMMENDATION

In view of the foregoing, staff recommends the application be approved, subject to the conditions in the attached draft order.

**PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA**

MEETING DATE: January 6, 2026

PROPERTY/FOLIO: 1330 18th Street / 02-3233-012-0640

FILE NO: PB25-0791

APPLICANT: 1916 Bay Road Operations LLC

IN RE: An application has been filed requesting Conditional Use approval for a restaurant with more than 100 seats and an occupancy content in excess of 125, pursuant to Sections 2.5.2, and 7.2.23 of the Miami Beach Resiliency Code.

LEGAL: Lot 6 and beginning 14.82 feet south of the northeast corner of Lot 7, south 85.06 feet, west 16 feet, north 85.06 feet east 0.12 feet to the point of beginning, Block 16-A, of the Island View Subdivision, according to the Plat thereof, as recorded in Plat Book 6, Page 115, of the Public Records of Miami-Dade County, Florida.

CONDITIONAL USE PERMIT

The applicant is requesting a Conditional Use Permit for the operation of a Neighborhood Impact Establishment, including indoor entertainment, with an occupational content exceeding 199 persons. Notice of the request was given, as required by law, and mailed out to owners of property within a distance of 375 feet of the exterior limits of the property upon which the application was made.

The Planning Board of the City of Miami Beach makes the following FINDINGS OF FACT, based upon the evidence, information, testimony and materials presented at the public hearing and which are part of the of the record for this matter:

That the property in question is located in the I-1, Light Industrial zoning district;

That the use is consistent with the Comprehensive Plan for the area in which the property is located;

That the intended use or construction will not result in an impact that will exceed the thresholds for the levels of service as set forth in the Comprehensive Plan;

That structures and uses associated with the request are consistent with the Land Development Regulations;

That the public health, safety, morals, and general welfare will not be adversely affected;

That necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

IT IS THEREFORE ORDERED, based upon the foregoing findings of fact, the evidence, information, testimony and materials presented at the public hearing, which are part of the record for this matter, and the staff report and analysis, which is adopted herein, including staff recommendations, as may

have been modified by the Planning Board, that a Conditional Use Permit as requested and set forth above, be GRANTED subject to the following conditions to which the applicant has agreed.

1. This Conditional Use Permit is issued to Ccool LLC, as operator, for a restaurant with alcoholic beverages. The subject establishment shall always be licensed as a single restaurant serving full meals at all times. Any change of operator or fifty percent (50%) or more stock ownership shall require the new owners or operators to submit an affidavit, approved by City, to the City of Miami Beach Planning Department, transferring approval to the new owners and/or operators and acknowledging acceptance of all conditions established herein, prior to the issuance of a new Business Tax Receipt. A progress report shall be scheduled within 60 days following the applicant's submission and staff's approval of the affidavit.
2. The applicant shall be required to provide a letter to the Planning Department subsequent to the initial progress report and on an annual basis thereafter attesting to the applicant's compliance with all conditions of the CUP. The Planning Director shall include a copy of all such letters on the next available meeting agenda of the Planning Board for informational purposes. Following receipt of an applicant's annual letter, the Planning Board may elect to schedule a progress report before the Board at its next available meeting. Failure to provide such letter on an annual basis shall constitute a violation of the CUP and a progress report shall be scheduled. In addition to all enforcement provisions herein, the Board reserves the right to schedule a modification / revocation hearing if determined necessary when reviewing any annual progress report.
3. The Applicant agrees to the following operational conditions for all permitted and accessory uses and shall bind itself, and successors and assigns and all successors in interest in whole or in part to comply with the following operational and noise attenuation requirements and/or limitations. The applicant shall ensure through appropriate contracts, assignments and management rules that these restrictions are enforced, and the applicant agrees to include the rules and regulations set forth in these conditions in any contract or assignment:
 - A. The project authorized by this Conditional Use Permit includes the creation and operation of the proposed approximately 132-seat restaurant.
 - B. The restaurant subject to this CUP shall have a maximum occupant content of **199** persons or any lesser such occupant content as determined by the Fire Marshal.
 - C. The hours of operations shall be limited as follows:

Main Dining:	
Tuesday – Saturday:	5:00 p.m. – 2:00 a.m. (outdoor dining to close at 12:00 a.m.)
Sunday:	10:00 a.m. – 4:00 p.m.
Monday:	Closed
Café:	
Tuesday – Sunday:	8:00 a.m. – 11:00 p.m.
 - D. The operator shall designate a contact person to be available by telephone on a 24-hour basis. The telephone number of the contact shall be provided to neighboring residents.
 - E. Entertainment, as defined in City Code Section 1.2.2.9, is prohibited in all indoor and outdoor areas.

- F. At all times the establishment is open, food service with a full menu and operating kitchen shall be required throughout the venue.
- G. Deliveries and waste collection may only occur between 9:00 a.m. and 3:00 p.m. each day, or as specified by the City in approved loading zones in the vicinity.
- H. No patrons shall be allowed to queue on public rights-of-way, or anywhere on the exterior premises of the subject property. Security staff shall monitor the crowds to ensure that they do not obstruct the sidewalk.
- I. Equipment and supplies shall not be stored in areas visible from streets, or nearby buildings.
- J. Security staff and restaurant staff shall monitor patron circulation and occupancy levels.
- K. All trash containers shall utilize rubber wheels, or the path for the trash containers shall consist of a surface finish that reduces noise, in a manner to be reviewed and approved by staff.
- L. Adequate trash room space, air conditioned and noise baffled, shall be provided, in a manner to be approved by the Planning and Public Works Departments. Sufficient interior space must be provided so that doors can remain closed while trash and trash bags are being deposited in dumpsters. Doors shall remain closed and secured when not in active use.
- M. Restaurant and bar personnel shall take measures to enforce the Patron Age Restriction of the City Code during the hours of operation of all alcoholic beverage establishments.
- N. The owner/operator shall be responsible for maintaining the areas adjacent to the facility, including the sidewalk, and all areas around the perimeter of the property. These areas shall be kept free of trash, debris and odor, and shall be swept and hosed down at the end of each business day.
- O. Street flyers and handouts shall not be permitted, including handbills from third-party promotions.
- P. Sound generated from the venue, including, but not limited to, recorded music and patron conversations, shall not be plainly audible from adjacent residential buildings.
- Q. No exterior speakers shall be permitted except those necessary for fire and life safety purposes.
- R. Televisions and projectors shall not be located anywhere in the exterior areas of the property.
- S. No dancehall shall be permitted on the site.
- T. Special event permits shall be prohibited.
- U. After normal operating hours, the establishment shall remain closed and no patrons or other persons, other than those employed by the establishment, shall remain therein between the establishment's closing time and 8:00 AM.

4. The applicant shall comply with the conditions as outlined in the Transportation & Mobility Department memorandum dated December 2025.
5. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall appear before the Planning Board for a progress report within 90 days from the issuance of the BTR. The Board reserves the right to modify the Conditional Use approval at the time of a progress report in a non-substantive manner, to impose additional conditions to address possible problems and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under Section 2.5.2.5 of the Resiliency Code.
6. The applicant shall be required to provide a letter to the Planning Department subsequent to the initial progress report and on an annual basis thereafter attesting to the applicant's compliance with all conditions of the CUP. The Planning Director shall include a copy of all such letters on the next available meeting agenda of the Planning Board for informational purposes. Following receipt of an applicant's annual letter, the Planning Board may elect to schedule a progress report before the Board at its next available meeting. Failure to provide such letter on an annual basis shall constitute a violation of the CUP and a progress report shall be scheduled. In addition to all enforcement provisions herein, the Board reserves the right to schedule a modification / revocation hearing if determined necessary when reviewing any annual progress report.
7. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property owners, operators, and all successors in interest and assigns.
8. Substantial modifications to the plans submitted and approved as part of the application, as determined by the Planning Director or designee, may require the applicant to return to the Board for approval.
9. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.
10. The applicant shall participate in a Transportation Concurrency Management Area Plan (TCMA Plan), if deemed necessary, by paying its fair share cost, as determined by the Transportation/Concurrency Management Division, prior to obtaining a Certificate of Occupancy or Business Tax Receipt, whichever may occur first, and any other fair share cost that may be due and owing. Without exception, all concurrency fees, mitigation fees and concurrency administrative costs shall be paid prior to the issuance of a Certificate of Occupancy or Business Tax Receipt.
11. The applicant shall satisfy outstanding liens and past due City bills, if any, to the satisfaction of the City prior to the issuance of an occupational license to operate this entertainment establishment.
12. The Planning Board shall retain the right to call the owner or operator back before them and modify the hours of operation or the occupant load of the accessory uses proposed for the project should there be valid complaints about loud, excessive, unnecessary, or unusual noise. Nothing in this provision shall be deemed to limit the right of the Planning Board to call back the owner or operator for other reasons and for other modifications of this Conditional Use Permit.
13. A violation of Chapter 46, Article IV, "Noise," of the Code of the City of Miami Beach, Florida (a/k/a "noise ordinance"), as may be amended from time to time, shall be deemed a violation of this Conditional Use Permit and subject to the remedies as described in Section 2.5.2.5 of the Land

Development Regulations (LDRs) of the City of Miami Beach, Florida, entitled "Compliance with conditions; revocation or modification".

- 14. The applicant agrees and shall be required to provide access to areas subject to this CUP (not including private residences) for inspection by the City (i.e.: Planning, Code Compliance, Building Department, Fire Safety), to ensure compliance with the terms and conditions of this CUP.
- 15. This order is not severable, and if any provision or condition hereof is held void or unconstitutional in a final decision by a court of competent jurisdiction, the order shall be returned to the Board for reconsideration as to whether the order meets the criteria for approval absent the stricken provision or condition, and/or it is appropriate to modify the remaining conditions or impose new conditions.
- 16. The executed Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.
- 17. The establishment and operation of this Conditional Use shall comply with all the aforementioned conditions of approval; non-compliance shall constitute a violation of the Code of the City of Miami Beach, Florida, and shall be subject to enforcement procedures set forth in Section 1.3.7 of the Land Development Regulations (LDR's), entitled "ENFORCEMENT", and such enforcement procedures as are otherwise available. Any failure by the owner, applicant or operators to comply with the conditions of this Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use permit.
- 18. Nothing in this order authorizes a violation of the City Code or other applicable law, nor allows a relaxation of any requirement or standard set forth in the City Code.

Dated this _____ day of _____, 20____.

PLANNING BOARD
THE CITY OF MIAMI BEACH, FLORIDA

BY: _____
DEBORAH TACKETT
HISTORIC PRESERVATION & ARCHITECTURE OFFICER
FOR THE CHAIR

STATE OF FLORIDA)
)SS
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____ 20____ by Deborah Tackett, Historic Preservation & Architecture Officer, Planning Department, City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. She is personally known to me.

