

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: April 25, 2023

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB 0616-0033. 915-955 Washington Avenue. Moxy. Progress Report.**

BACKGROUND

August 23, 2016 The applicant came before the Planning Board and requested a continuance to finalize the Traffic Study. The application was continued to September 27, 2016.

September 27, 2016 The application for Conditional Use approval was scheduled to be heard by the board and was continued to a date certain of November 15, 2016 due to the time constraints of the commission chambers.

November 15, 2016 The Planning Board approved the Conditional Use Permit for the construction of a new seven (7) story hotel development exceeding 50,000 square feet including a parking garage, commercial uses, and a Neighborhood Impact Establishment with outdoor entertainment (File No. PB0616-0033).

February 7, 2023 A cure letter was sent to the operator requesting that the applicant appear before the Planning Board for a progress report.

February 28, 2023 The Planning Board discussed and continued this progress report to April 25, 2023 to further assess the operation of the establishment, as well as monitor compliance with the conditions of the CUP.

PROGRESS REPORT

As of the writing of this report there have been no new violations or warnings since the last Planning Board hearing.

STAFF ANALYSIS

There are currently no open noise-related violations on the property. The most recent noise-related warning recorded in the City's code case management system is the following:

- 09/04/2022 – **NC2022-24461** Written Warning Issued

Notes indicate: 8:23 PM Arrive 10:13 PM Depart Inspection of the above premises this date has revealed that you are in violation of Section 46-152 of the Code of the City of Miami Beach by making, continuing, or causing to be made or continued any unreasonably

loud, excessive, unnecessary, or unusual noise. YOU SHALL IMMEDIATELY CEASE THE VIOLATION. LOUD MUSIC COMING FROM WASHINGTON AVE P Godsill 756 BWC used.

Staff has monitored the site for compliance with the conditions of the CUP. Since there are no new or recent CUP related violations issued against the property, staff recommends that the progress report be concluded.

STAFF RECOMMENDATION

Staff recommends that the Planning Board conclude the progress report.