

# OLIVER'S BISTRO

959 WEST AVENUE, MIAMI BEACH, FL 33139

## ZONING BOARD MCUP APPLICATION FINAL SUBMITTAL - NOVEMBER 30, 2017 PB17-0167



TELESCO  
ASSOCIATES, INC

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SCOPE OF WORK FOR  
MODIFIED CONDITIONAL USE APPLICATION

THE APPLICANT, OLIVER'S BISTRO, IS REQUESTING THE MODIFICATION OF A PREVIOUSLY APPROVED ORDER.

SPECIFICALLY, CONDITION 8.C OF ORDER FILE NO. 1488, DATED OCTOBER 28, 2014.

**Condition 8.c states that:**

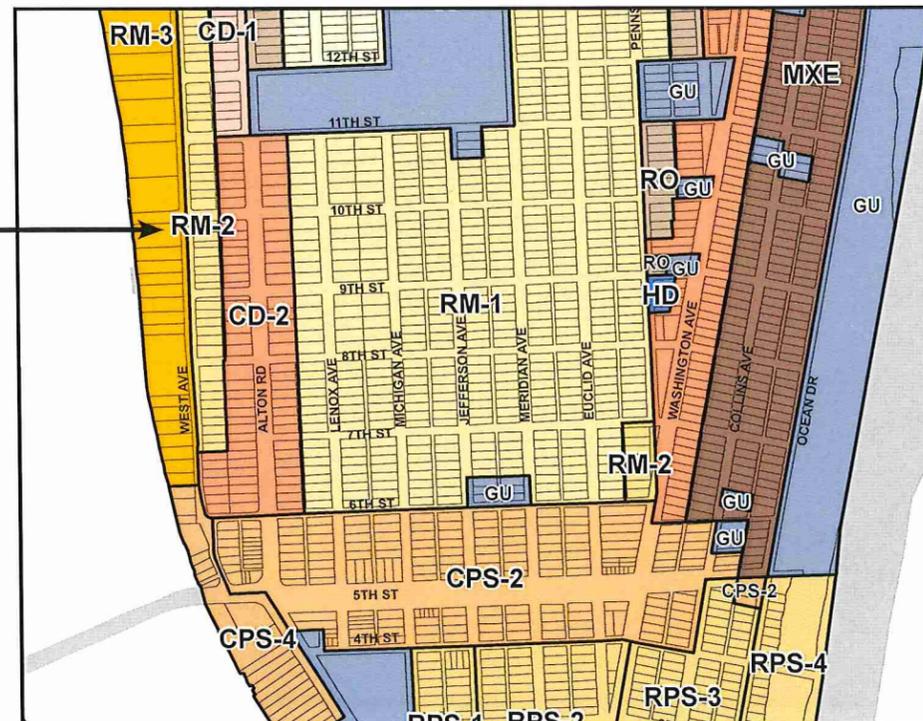
8. Food and beverage establishments shall be permitted, with 30 seats or less, and which close for business no later than 11:00 PM with the exception of the following:
  - c. Bay 15, located at the southwest corner of the structure, one full service restaurant with a maximum of ~~59~~ 85 seats, inclusive of outdoor seating may be permitted. Any outdoor seating for the ~~59~~ 85-seat restaurant shall not exceed 16 seats. This full service restaurant shall close no later than 12:00 midnight. ~~In addition, only a 2-COP (Beer and Wine) license may be permitted at this establishment.~~

OLIVER'S PRIMARY FUNCTION IS FOOD SERVICE. AT NO TIME IT WILL BECOME A DANCE HALL, DISCO OR NIGHTCLUB. THIS BUSINESS WAS RESTRICTED TO 59 SEATS ON THE ORDER, BUT WHEN THE APPLICANT OBTAINED THE BTR, SOMEHOW HE WAS APPROVED FOR 85 SEATS.

# RM-2 ZONING INFORMATION

**PB17-0167**  
**959 WEST AVENUE**  
**MIAMI BEACH, FLORIDA 33139**

- 1. LOCAL CODE:** CITY OF MIAMI BEACH, ZONING ORDINANCE
- 2. FOLIO NO.** 02-4203-001-0420
- 3. LEGAL DESCRIPTION:**  
 LOTS 8, 9, 10, 11, 12, 13, 14, AND 15, BLOCK 3, FLEETWOOD SUBDIVISION AMENDED, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.
- 4. ZONING:** RM-2 (Residential multifamily, medium intensity)
- 5. OCCUPANCY TYPE:** A-2 RESTAURANT
- 6. CONSTRUCTION TYPE:** III B (As per recorded drawings), 5 STORY BUILDING
- 7. BISTRO AREA:** INTERIOR: 1,800 S.F.  
 EXTERIOR: 630 S.F.
- 8. PARKING:** 1 PARKING SPACE FOR EVERY 4 SEATS  
 (85 SEATS / 4 = 21.25) **22 PARKING SPACES REQUIRED**



## Subdivision IV. - RM-2 Residential Multifamily, Medium Intensity

The RM-2 residential multifamily, medium intensity district is designed for medium intensity multiple-family residences.

### Sec. 142-212. - Main permitted uses.

The main permitted uses in the RM-2 residential multifamily, medium intensity district are single-family detached dwellings; townhomes; apartments; apartment-hotels; and hotels; (b) Except that in the West Avenue corridor, defined in this subsection as that area bordered by Collins Canal to the north, Alton Road to the east, Biscayne Bay to the west, and 6th Street to the south, apartment-hotel or hotel uses are only permitted if issued a building permit or occupational license prior to May 28, 2013, or are approved by the design review board pursuant to a complete application filed and pending prior to May 28, 2013, in which event they shall be considered a "legal conforming use." A property that has a "legal conforming use" as used in this subsection prior to May 28, 2013, may retain all, and apply for new, expansions and modifications to, permitted, conditional and/or accessory uses permitted in the zoning category as of May 28, 2013, and apply for building permits to add, improve and/or expand existing structures, or construct new structures for permitted, conditional and/or accessory uses permitted in the zoning category, if FAR remains available.

### Sec. 142-214. - Accessory uses.

The accessory uses in the RM-2 residential multifamily, medium intensity district are as required in article IV, division 2 of this chapter and alcoholic beverage establishments pursuant to the regulations set forth in Chapter 6. RM-2 properties within the Palm View, or West Avenue corridors may not have accessory outdoor entertainment establishments. Notwithstanding the foregoing, a property that had a legal conforming use as of May 28, 2013, shall have the right to apply for and receive special event permits that contain entertainment uses.

### Sec. 142-215. - Prohibited uses.

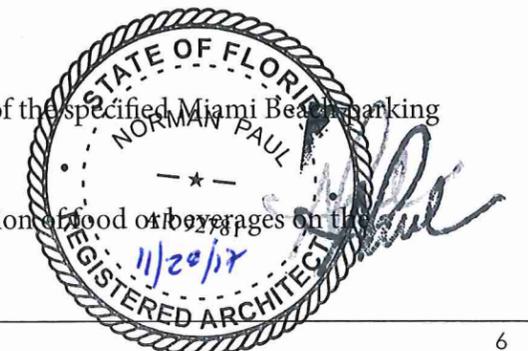
The prohibited uses in the RM-2 residential multifamily, medium intensity district are accessory outdoor entertainment establishment, accessory open air entertainment establishment, as set forth in article V, division 6 of this chapter; and accessory outdoor bar counter; and for properties located within the Palm View, and West Avenue corridors, hotels and apartment-hotels, except to the extent preempted by F.S. § 509.032(7), and unless they are a legal conforming use. Properties that voluntarily cease to operate as a hotel for a consecutive three-year period shall not be permitted to later resume such hotel operation. Without limitation, (a) involuntary hotel closures due to casualty, or (b) cessation of hotel use of individual units of a condo-hotel, shall not be deemed to be ceasing hotel operations pursuant to the preceding sentence.

### Parking (Sec 130-32):

This proposal (MCUP) PB1488 does not fall within any of the specified Miami Beach parking districts, however

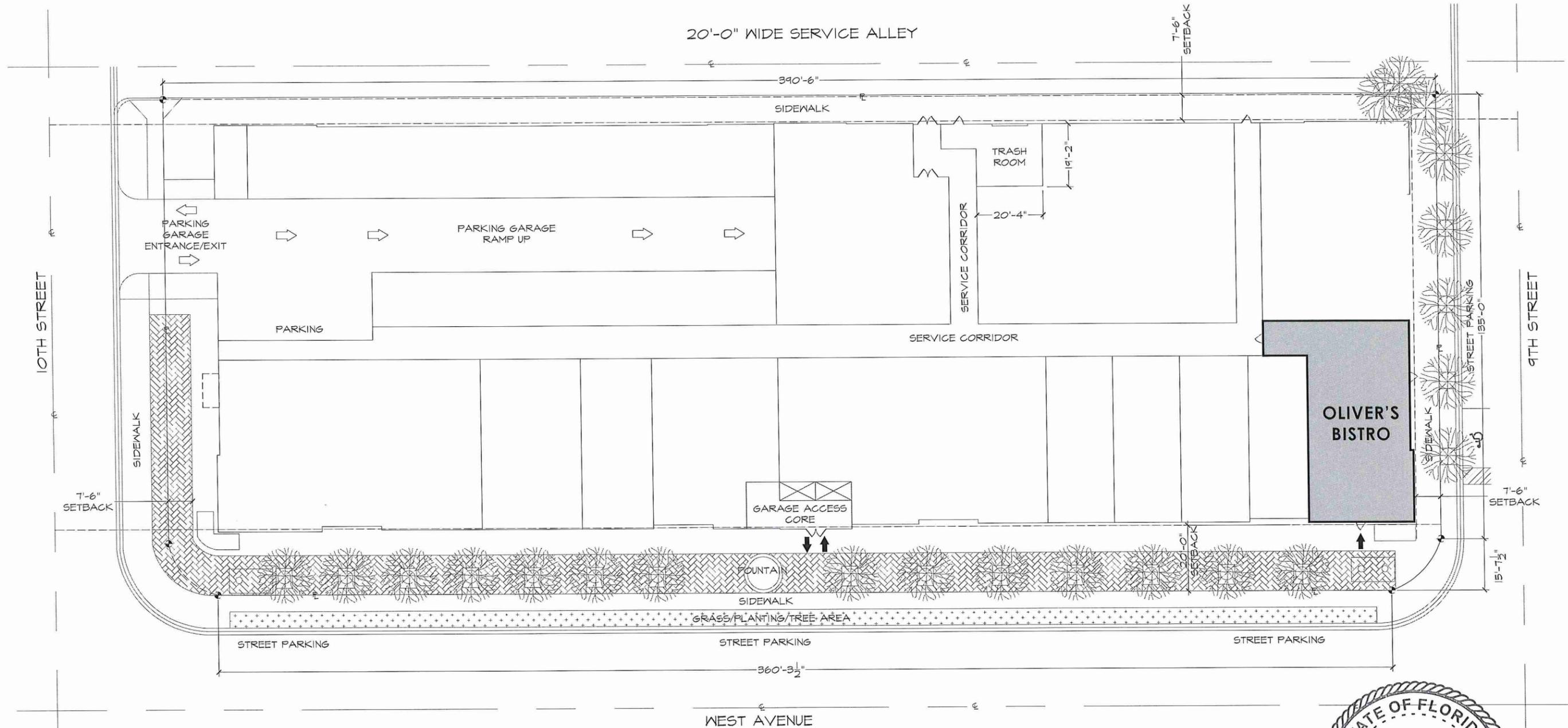
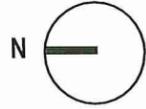
(13) Cafe, outdoor: One space per four seats.

(36) Restaurants or other establishment for consumption of food or beverages on the premises: 1 space per 4 seats

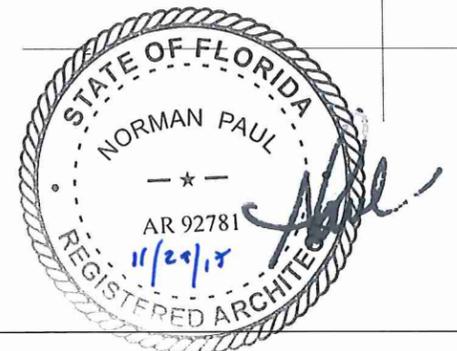


# SITE PLAN

DRAWINGS: 1/32" = 1'-0"



**6-STORY  
BUILDING**



# 1ST FLOOR PLAN

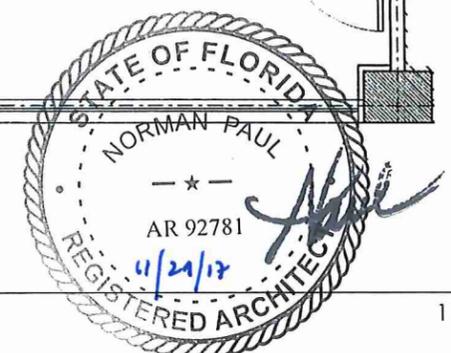
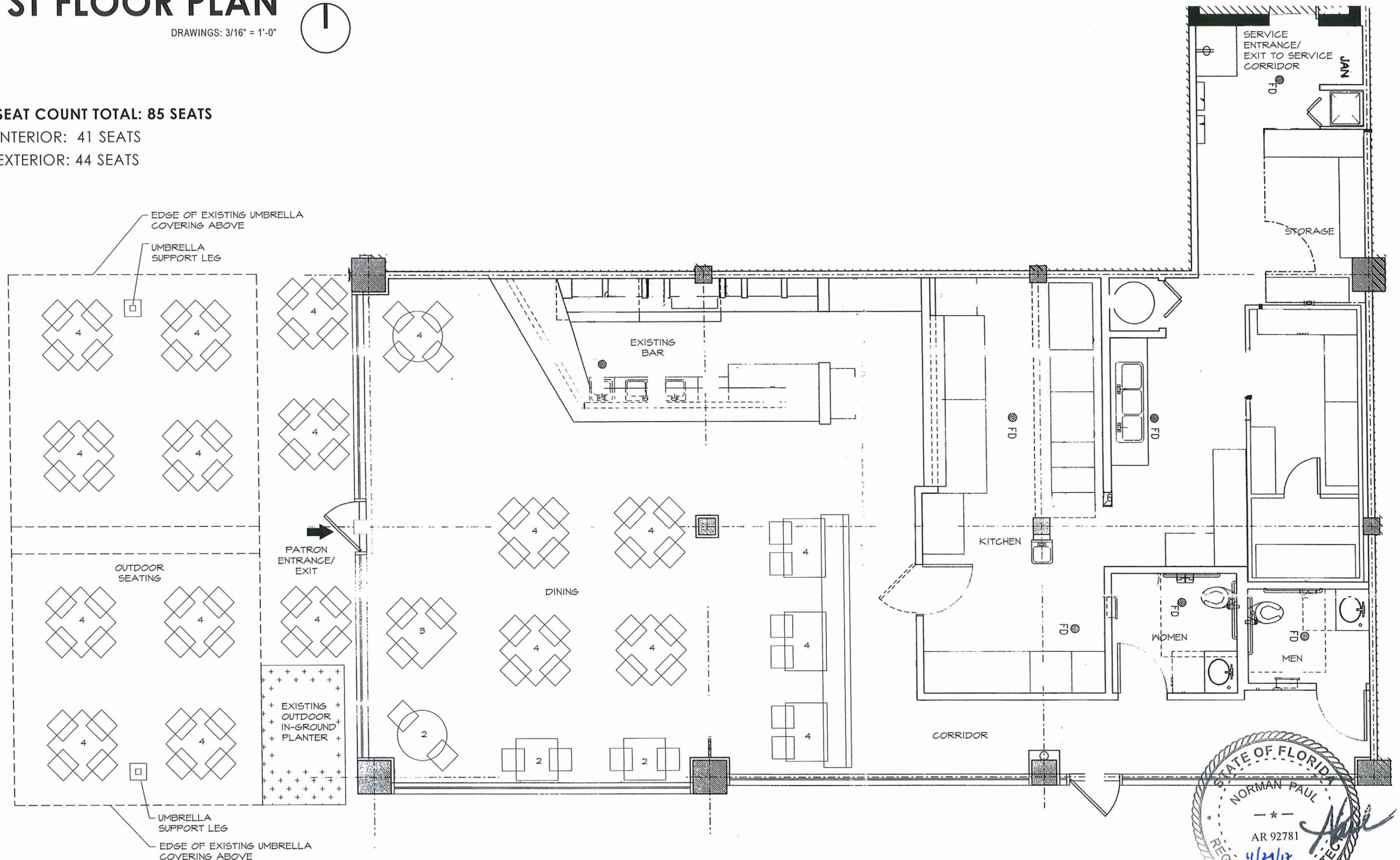
DRAWINGS: 3/16" = 1'-0"



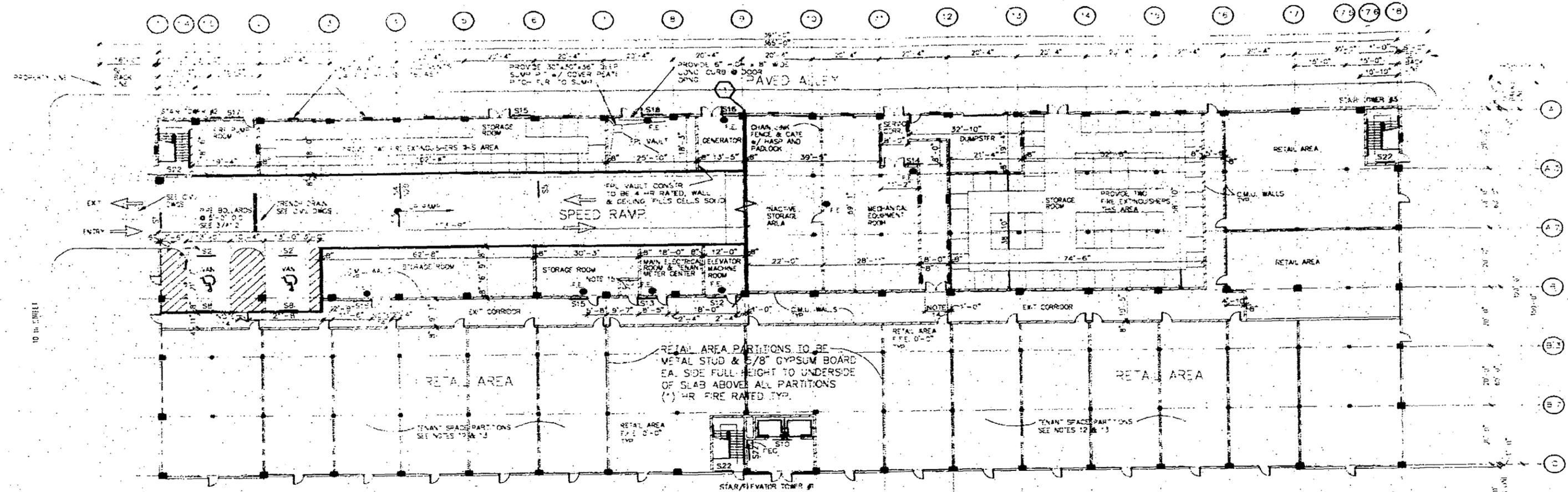
**SEAT COUNT TOTAL: 85 SEATS**

INTERIOR: 41 SEATS

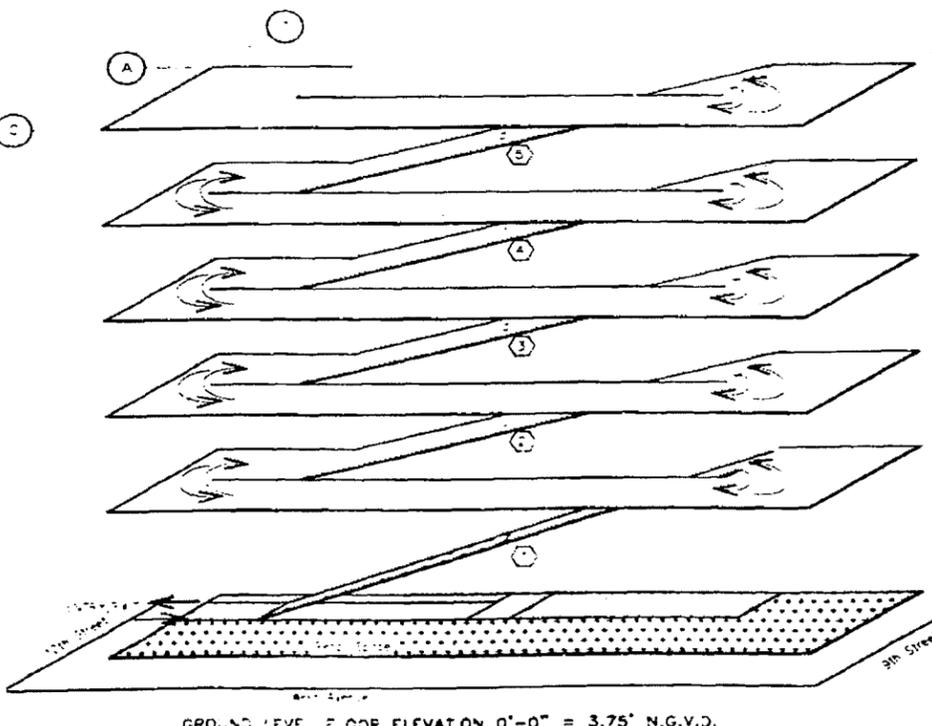
EXTERIOR: 44 SEATS



# EXISTING PARKING GARAGE PLANS



**GROUND LEVEL PLAN**



GROUND LEVEL F.COP. ELEVATION 0'-0" = 3.75' N.G.V.D.

ISOMETRIC

**SIGN KEY**

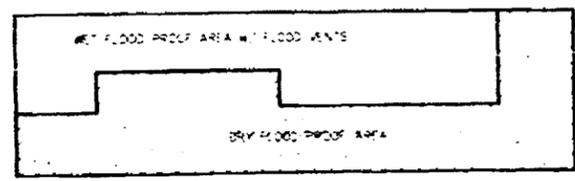
- (TYPICAL ALL TYPES)
- MARK (SEE SIGN SCHEDULE)
- FACE OF SIGN

NOTE: SEE SHEETS 011 & 012 FOR SIGN SCHEDULE & GRAPHIC DETAILS



*All Retail Locations, Mechanical Rooms, Equipment Rooms must be Flood Proof to Elevation 7'-0".*  
*See below for Walker 9/6/10-25-01*

APPROVED - SUBJECT TO ENGINEERING CRITIQUE



**FLOOD PROOFING PLAN - LEGEND**



**SHEET NOTES**

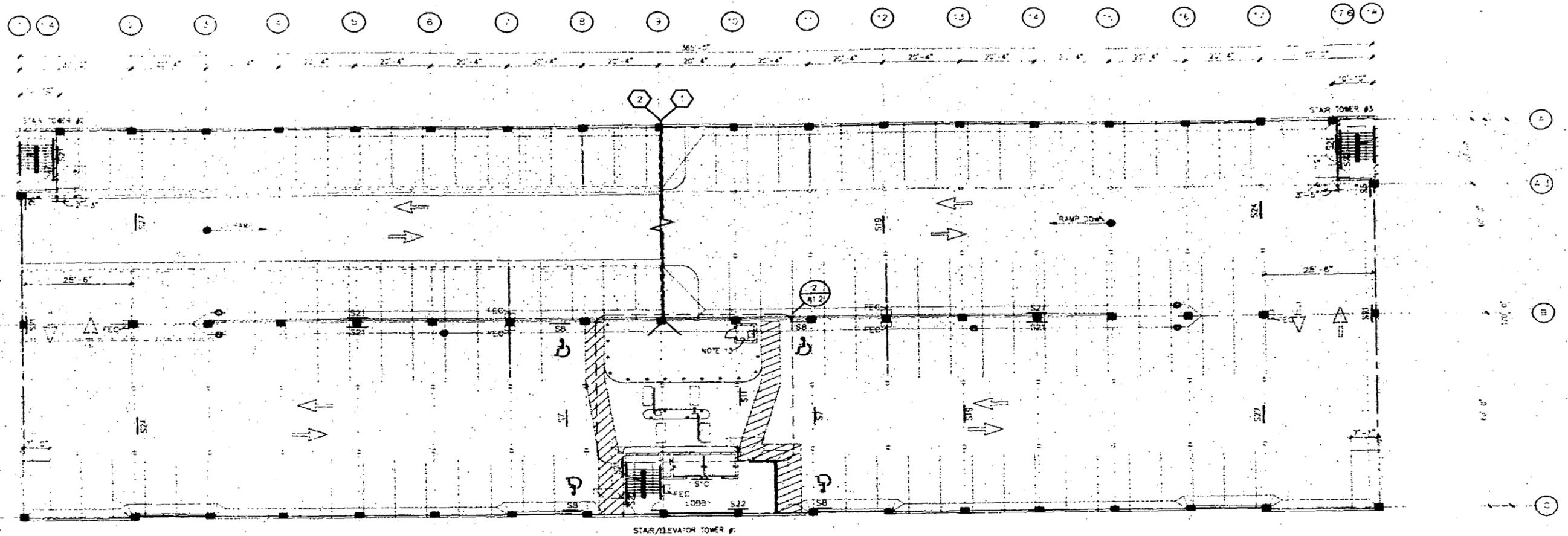
1. FOR SYMBOLS AND ABBREVIATIONS, SEE SHEET 001
2. FOR STAIRING DETAILS, SEE SHEET 001
3. FOR WALL SECTIONS, SEE SHEET 001
4. FOR STAIR/ELEVATOR TOWER, SEE SHEET 001 AND DETAILS SEE SHEETS 001, 002, 003
5. FOR BUILDING SECTIONS, SEE SHEET 001
6. FOR SPOT ELEVATIONS, SEE SHEETS 001, 002, 003
7. FOR GRAPHIC SYMBOLS, SEE SHEET 001
8. THE TERM "DRY FLOOD PROOF" SHALL MEAN THE GENERAL CONTRACTOR SHALL PROVIDE FLOOD PROOFING FOR GENERAL CODE REQUIREMENTS, EXCEPT FOR CAR COUNTS, SEE SHEET 001
9. PROVIDE FLOOD PROOFING FOR TENANT
10. PROVIDE FLOOD PROOFING FOR TENANT
11. PROVIDE FLOOD PROOFING FOR TENANT
12. PROVIDE FLOOD PROOFING FOR TENANT
13. TENANT SPACE PARTITION LOCATION TO BE REFERRED WITH OWNER
14. FOR ALL DOOR PARTITIONS AND PARTITIONS, SEE SHEET 001
15. JANITORS CLOSET, SEE SHEET 001
16. FOR FLOODING WITH FLOOD PROOFING AND ELECTRICAL INFORMATION, REFER TO SHEET 001
17. SEE SHEET 001 FOR FLOOD PROOFING HARDWARE

OFFICE COPY

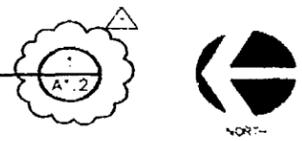
APPROVED - SUBJECT TO ENGINEERING CRITIQUE

PLANNING  
 ELECTRICAL  
 MECHANICAL  
 FIRE PREVENTION  
 ENGINEERING  
 PUBLIC WORKS  
 STRUCTURAL  
 ACCESSIBILITY  
 ETC.

# EXISTING PARKING GARAGE PLANS

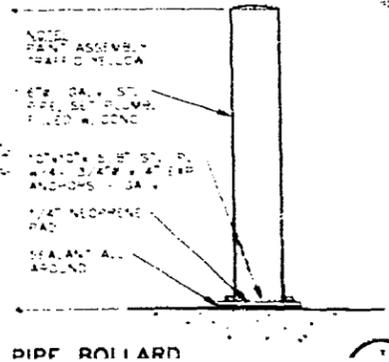
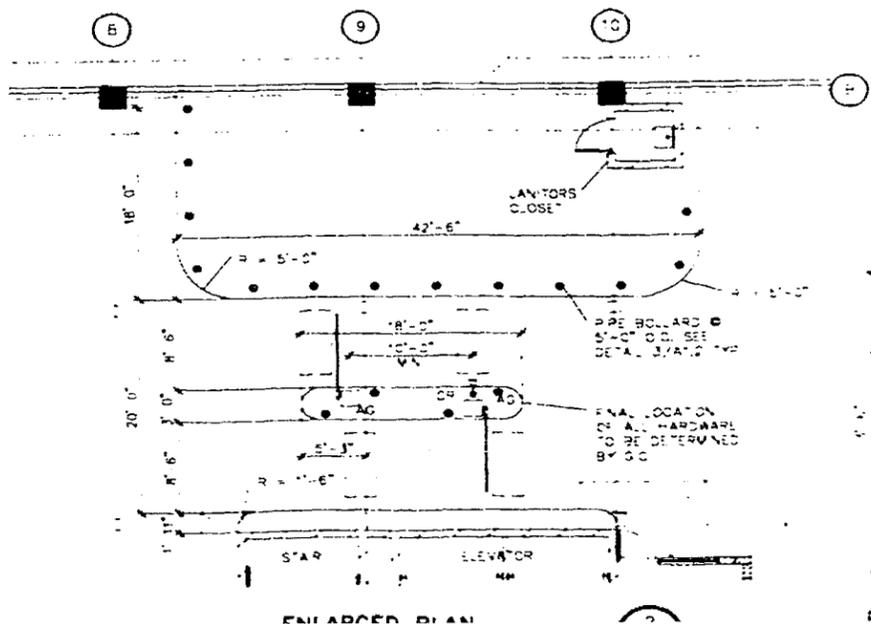
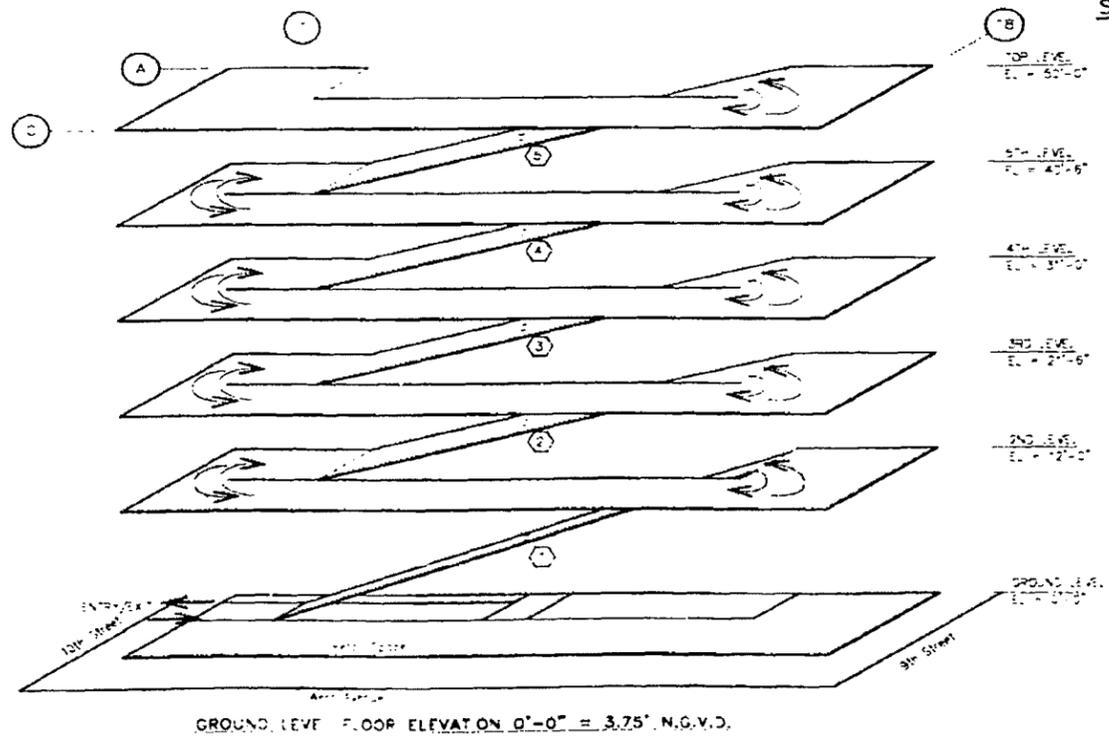


SECOND LEVEL PLAN



**SHEET NOTES**

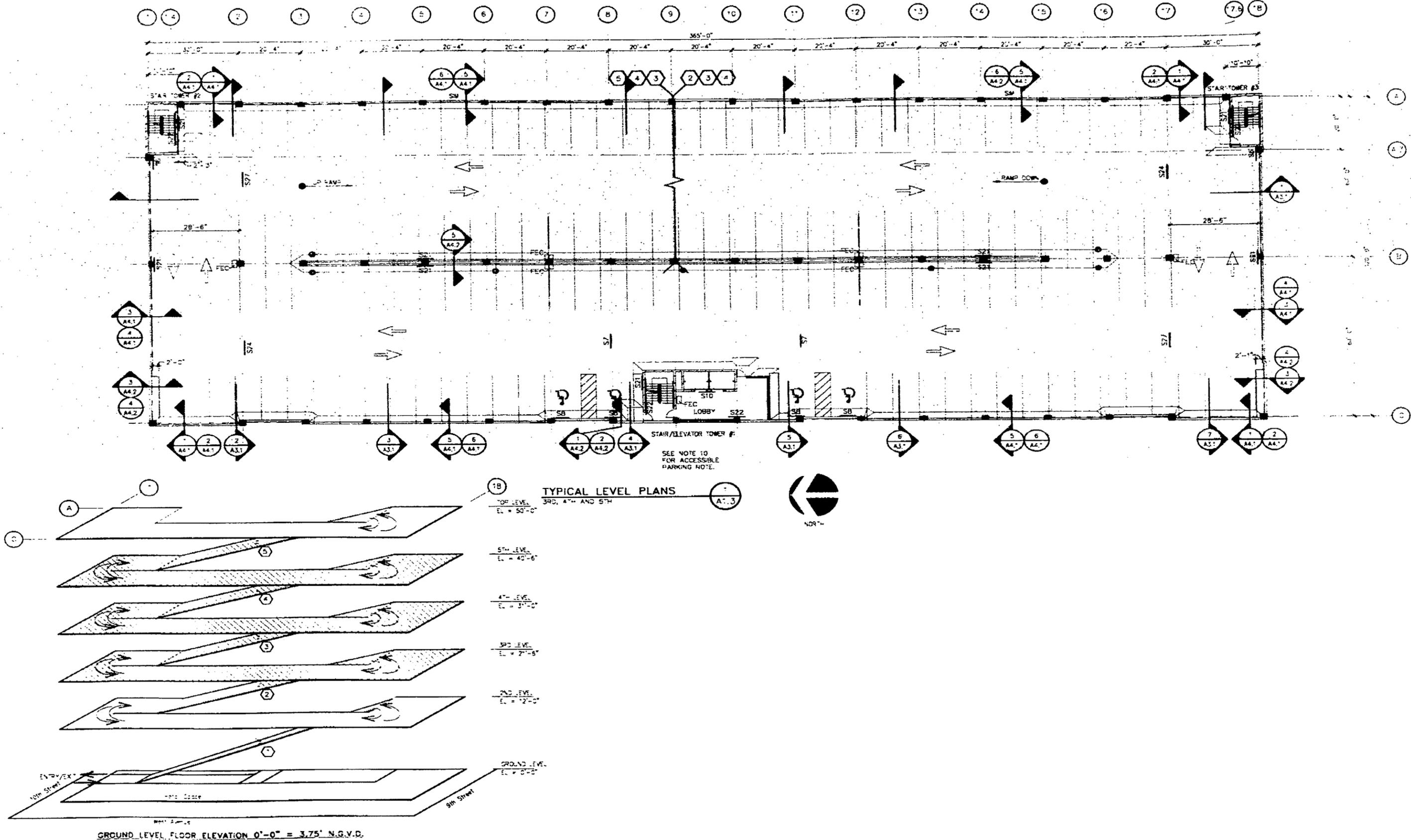
- 1 FOR SYMBOLS AND ABBREVIATIONS, SEE SHEET A01
- 2 FOR STRIPING DETAILS, SEE SHEET A01
- 3 FOR WALL SECTIONS, SEE SHEET A01
- 4 FOR STAR/ELEVATOR TOWER PLANS, ELEVATIONS AND DETAILS, SEE SHEETS A01 THROUGH A04
- 5 FOR BUILDING SECTIONS, SEE SHEET A01
- 6 FOR SPOT ELEVATIONS, SEE SHEETS A01 THROUGH A04
- 7 FOR DIMENSIONS INFORMATION, SEE A01
- 8 THE TERM "GC" THROUGHOUT THESE DOCUMENTS SHALL MEAN THE GENERAL CONTRACTOR OR HIS DESIGNATED SUB-CONTRACTOR
- 9 UNLESS NOTED OTHERWISE, FINISHES SHALL EXTEND TO THE WALLS BELOW FLOOR LEVELS AND WALLS SHALL PROVIDE LIGHT BROOM FINISH UNDER TRAFFIC TOPPING, SEE ARCHITECT'S SEE SHEET A01
- 10 FOR GENERAL, SEE DIMENSIONS, SQUARE FOOTAGE, BAR COUNTS, SEE SHEET A01
- 11 SEE FIRE EXTINGUISHER SCHEDULE IN A01
- 12 FOR ALL DOOR OPERATIONS, TRAVEL SCHEDULE IN A01
- 13 JANITERS CLOSET SHALL BE 5'0" WIDE, SEE PLUMBING DRAWING
- 14 FOR PLUMBING MECHANICAL, ELECTRICAL AND ELEVATOR INFORMATION, REFER TO THOSE TRADES



APPROVED-SUBJECT  
ENGINEERING CBT

PLUMBING  
ELECTRICAL  
MECHANICAL  
FIRE PREVENTION  
ENGINEERING  
PUBLIC WORKS  
STRUCTURAL

# EXISTING PARKING GARAGE PLANS





# PARKING GARAGE CALCULATIONS

901-963 West Avenue-Shoppes at West Avenue								
Project Information and Parking								
Use	Seats	SF	Req. spaces	PB file	PB cond.	Percentage	Unit #	COMB code
Retail and GF Office		14,484	48.28				5-7, 11-14, 16-17,	
<b>Restaurant seats:</b>								
Starbucks	52	1500	13	1488 V3	Cond. 8		1	
Giotto	30	1000	7.5	1488 V3	Cond. 8		2	
Coral Café	26	1375	6.5	1488 V3	Cond. 8		3	
The Daily*	105	4037.5	26.25	1488 V4	Cond. 8		8,9,10	!
Olivers	85	1800	22	1488 V2	Cond. 8		15	
<b>Total by onsite uses</b>			<b>123.53=124</b>					
<b>Total commercial sf</b>		24,197				<b>55% of 44,360**</b>		<b>55% &gt; 50% by code**</b>
<b>Total building sf</b>		44,360						
Parking Spaces in Garage								
			Spaces	Percentage		Permit no.		COMB code
<b>Garage Total Spaces</b>			<b>679</b>			BCO03110		
Required by onsite uses			124	<b>18% of 679</b>				
Required by uses at 900-910 West Ave			264	<b>39% of 679</b>				
Residential			291	<b>43% of 679*</b>				<b>43% &gt; 1/3 of 100%*</b>

\* At least one third of the parking spaces in any parking structures permitted under (2)b.2. and 3., shall be dedicated for residential uses at all times.

\*\* Additionally, in no instance shall the amount of floor area of the structure used for parking, exclusive of the required parking for the above described residential or commercial space, be less than 50 percent of the total floor area of the structure, so as to insure that the structure's main use is as a parking garage.

\* CHART ABOVE: ORIGINAL DATA PROVIDED BY COMB.

