

Nunez, Victor

From: Madan, Rogelio
Sent: Tuesday, January 19, 2021 4:16 PM
To: Nunez, Victor
Cc: Garavito, Alejandro; Gonzalez, Jessica
Subject: FW: Recommended Operational Conditions for Rooftop Restaurant, Terminal Island "ONE ISLAND PARK", Planning Board PB20-0352, Jan. 26, 2021
Attachments: Recommended Restaurant Operational Conditions.docx

Hi Victor,

Can you please add this public comment email and attachment to the file for file no. PB20-0352.

I just forwarded it to the two new board members, since they had not been appointed when it was initially forwarded.

Thanks,
Rogelio



Rogelio A. Madan, AICP

Chief of Community Planning & Sustainability

City of Miami Beach Planning Department

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From: Mooney, Thomas <ThomasMooney@miamibeachfl.gov>
Sent: Monday, January 11, 2021 08:07 AM
To: Belush, Michael <MichaelBelush@miamibeachfl.gov>; Madan, Rogelio <RogelioMadan@miamibeachfl.gov>
Subject: FW: Recommended Operational Conditions for Rooftop Restaurant, Terminal Island "ONE ISLAND PARK", Planning Board PB20-0352, Jan. 26, 2021

For the respective DRB and PB files.
Please forward to the respective board members.

From: Frank DelVecchio <hotcat301@gmail.com>
Sent: Monday, January 11, 2021 1:42 AM
To: Mooney, Thomas <ThomasMooney@miamibeachfl.gov>; Aguila, Raul <RaulAguila@miamibeachfl.gov>; Granado, Rafael <RafaelGranado@miamibeachfl.gov>; Hudak, Alina <AlinaHudak@miamibeachfl.gov>; Carpenter, Eric <EricCarpenter@miamibeachfl.gov>; Kallergis, Nick <NickKallergis@miamibeachfl.gov>; Paz, Rafael

<RafaelPaz@miamibeachfl.gov>

Cc: Marie Peter <mspoc619@hotmail.com>; Pamelal Brumer <yesisgomez@allstate.com>; Brian Harris (brian@bdharris.com) <brian@bdharris.com>; Dawn McCall <dmccall190@aol.com>; Kathleen Oneil-Holding <kellyoh@me.com>; Esther Overton <estherovertan@bellsouth.net>; SOUTH OF FIFTH NEIGHBORHOOD <sofna@sofna.org>; Gayle Durham <gayle@cfsystems.com>; Tim Carr <timparr@aol.com>; Shawn Bryant <shawnpatrickbryant@gmail.com>; Amy Litos <a_litos@icloud.com>; Bruce Backman <bruce.backman@yahoo.com>; Ronald Starkman <rpstarkman@gmail.com>; Tanya Katzoff Bhatt <tanya@launchbrand.net>; Raquel Pacheco <raquelowen74@gmail.com>; John Stimmel <stimmel.john@gmail.com>

Subject: Recommended Operational Conditions for Rooftop Restaurant, Terminal Island "ONE ISLAND PARK", Planning Board PB20-0352, Jan. 26, 2021

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

January 11, 2021

MEMO FOR: Planning Director Thomas Mooney

FROM: Frank Del Vecchio, 301 Ocean Drive, Apt. 604, Miami Beach, FL 33139

I submit the following Operational Conditions for Restaurant Uses, for inclusion by the planning director in recommended conditions of approval: Rooftop Restaurant, Terminal Island "ONE ISLAND PARK", Planning Board PB20-0352, Jan. 26, 2021

Prohibited uses: "[A]ccessory outdoor bar counters, bars, dance halls, or entertainment establishments . . . outdoor entertainment establishments, neighborhood impact establishments, open air entertainment establishments . . ." Reiterating Sec. 142-485. Prohibited uses. [In I-1.]

Outdoor speakers and television set prohibition:

"Except as may be required by any applicable fire prevention code or building code, outdoor speakers shall not be permitted."* [Sec. 142-488(a)(3) Applicable to alcoholic beverage establishments in I-1 Sunset Harbour.]

"Outdoor or open air television sets shall not be permitted." [Television set prohibition applies the South of Fifth standard, to obviate "sports bar" noise outdoors, that carries.* Unnecessary for restaurant service in the Terminal Island I-1 district.]

Prohibition on outdoor alcoholic beverage operations after 12:00 a.m. midnight and indoor alcoholic beverage operations after 2:00 a.m. [Applies the Sunset Harbour I-1 standard, Sec. 142-488(a)(1)].

Special events shall not be permitted in any alcoholic beverage establishment. [Applies the Sunset Harbour I-1 standard, Sec. 142-488(a)(4).]

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PURPOSE OF THE OPERATIONAL STANDARDS PROPOSED
HEREIN FOR RESTAURANT USE IN THE CONDITIONAL USE
APPROVAL FOR THE "ONE ISLAND PARK" TERMINAL
ISLAND OFFICE BUILDING. PB20-0352, January 26, 2021.

*The purpose of this memorandum is to tailor commercial restaurant uses in the proposed Terminal Island "One Island Park" development to support emerging standards in the configuration of Class A office space, so as to include necessary safeguards for residential neighborhoods that would be unduly impacted by noise from the proposed outdoor rooftop open-air restaurant.**

In the ordinance expected to be approved by the Miami Beach city commission January 13, 2021 "Commercial Height Limits for Office Uses – Terminal Island", the city commission is taking the facilitating step of increasing authorized building height from the current 40' maximum to 75' feet for Class A office space construction so as to accommodate higher ceilings; (expressed in the ordinance's six WHEREAS clauses).

The "REPEALER" section of the ordinance repeals ordinances that are in conflict with that objective.

This gives the planning director discretion under the applicable provisions of the Land Development Regulations to accept as "main permitted uses", uses on the site that are compatible with the district's purpose. [Sec. 142-482(13) - "*Commercial uses that provide support to the light industrial uses . . . including . . . coffee shops . . . restaurants, and alcoholic beverage establishments.*" Sec. 142-482(14) "*Marine-related uses.*" Sec. 142-482(16) - "*Any use similar and compatible to the uses described in this district and the district purpose as determined by the planning director.*"]

The other provisions of the Land Development Regulations applying to Terminal Island, including the Conditional Use requirements, remain intact.

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**The One Island Park rooftop outdoor/open air restaurant located at 90' height NGVD [Sheet AO-15], would be the highest point on Terminal Island.*

Experience has shown that outdoor loudspeakers from restaurants on Biscayne Bay islands, and from boomboxes on Flagler Memorial Island, as well as pleasure craft in the bay, carry across the waters to residential development.

Records retained by the "*Coalition Against Causeway Chaos, Inc.*" show continuous noise complaints from residents of the 1000 Venetian Causeway Condominium for outdoor restaurant noise from Jungle Island, .25 miles distant on Watson Island, (within Miami city limits).

Numerous City of Miami Beach noise complaints have been lodged against revelers with boom boxes on Flagler Memorial Island ("Monument Island"). .375 miles west of West Avenue.

The Terminal Island rooftop restaurant would be .375 miles from Icon and Murano Grande condominiums on Alton Road, and .5 miles from Murano at Portofino and Bentley Bay condominiums.

Memorandum attached.