

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING PURSUANT TO SECTION 142-425 OF THE CITY'S CODE, THE WAIVER OF CERTAIN REGULATIONS APPLICABLE TO THE RONALD W. SHANE WATERSPORTS CENTER, LOCATED AT 6550 INDIAN CREEK DR, MIAMI BEACH, FLORIDA; WAIVING BY A 5/7TH VOTE OF THE CITY COMMISSION, AFTER PUBLIC HEARING, THE DEVELOPMENT REGULATIONS IN A GU (GOVERNMENT USE) DISTRICT, WHICH REGULATIONS ARE FOUND AT SECTION 142-422 AND 142-423, ENTITLED "MAIN PERMITTED USES," AND "PRIVATE USES," IN ORDER TO WAIVE THE REQUIREMENTS RELATING TO A NEIGHBORHOOD IMPACT ESTABLISHMENT FOR THE CURRENT OPERATION OF THE A HALL FOR HIRE LOCATED AT THE CITY-OWNED RONALD W. SHANE WATERPORTS CENTER OWNED (LAND LEASE), AND OPERATED BY MIAMI BEACH WATERSPORTS INC.

WHEREAS, the Ronald W. Shane Watersports Center was built and constructed as boathouse in 1993; and

WHEREAS, in 2003 the a second floor to the facility was added by Miami Beach Watersports Center, Inc.; and

WHEREAS, the Miami Beach Watersports Center Inc. a not-for-profit organization which leases the land from the City of Miami Beach; and

WHEREAS, many of the Ronald W. Shane Watersports Center community events in the are free and open to the public; and

WHEREAS, one of the Ronald W. Shane Watersports Center funding sources is the rental of the facility as a hall for hire to host events including weddings, social events, fundraisers and meetings; and

WHEREAS, one of the key intended outcomes for the City of Miami Beach is to enhance cultural and recreational activities and improve alliance with key sectors, namely hospitality, arts, & international business with a focus on enhanced culture, entertainment, & tourism; and

WHEREAS, the Ronald W. Shane Watersports Center is located at 6500 Indian creek Drive within the Government Use (GU) zoning district and is subject to the City's Land Development Regulations; and

WHEREAS, as a result of the overall size of the Ronald W. Shane Watersports Center, the facility meets the threshold of a Neighborhood Impact Establishment (NIE), as the capacity of the facility exceeds 200 persons; and

WHEREAS, in the GU zoning district provides for a waiver of land development regulations under certain conditions; and

WHEREAS, pursuant to Section 142-425(d) of the Land Development Regulations, the City Commission may waive, by five sevenths (5/7ths) vote, following a public hearing, development regulations "pertaining to governmental owned or leased buildings, uses and sites which are wholly used by, open and accessible to the general public, or used by not-for-profit, educational, or cultural organizations, or for convention center hotels, or convention center hotel accessory garages, or city utilized parking lots, provided they are continually used for such purposes;" and

WHEREAS, on June 28, 2016, the Planning Board transmitted to the City Commission a favorable recommendation of the waiver for the Ronald W. Shane Watersports Center; and

WHEREAS, on November 9th, 2016, the Mayor and City Commission approved an ordinance that created a concurrency exemption for uses at the city-owned North Beach Bandshell, Ronald W. Shane Watersports Center, and the Miami Beach Botanical Garden (Ordinance No. 2016-4053); and

WHEREAS, the Mayor and City Commission desire to waive the development regulations.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission, pursuant to Section 142-425 (d) of the City's Code, authorize the waiver of certain regulations applicable to Ronald W. Shane Watersports Center, located at 6500 Indian Creek Drive, Miami Beach, Florida; waiving by a 5/7th vote of the City Commission, after public hearing, the development regulations in a GU (Government Use) Zoning District, which regulations are found at section 142-422 and 142-423, entitled "Main Permitted Uses," and "Private Uses," in order to waive the requirements relating to neighborhood impact establishments with the following conditions:

1. The Occupant Content of the second floor air-conditioned portion of the facility (hall for hire space) shall not exceed 495 persons or a lesser number as determined by the Fire Marshal.
2. No outdoor hall-for-hire uses shall be permitted; all hall-for-hire activities and events shall take place within the fully enclosed two-story building.
3. No outdoor speakers shall be permitted.
4. All hall-for-hire activities and events shall cease no later than 12:00 AM. Clean-up and disassembly may take place until 3:00 AM.


PASSED and ADOPTED this ____ day of _____, 2017.

PHILIP LEVINE, MAYOR

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/2/17

Date