MIAMIBEACH
LAND USE BOARDS

PLANNING BOARD AGENDA
1700 CONVENTION CENTER DRIVE 3RD FL.

Tuesday, November 19, 2019, 1:00 PM | City Commission Chambers

I. ATTENDANCE
II. APPROVAL OF MINUTES
III. CITY ATTORNEY UPDATES
IV. SWEARING IN OF PUBLIC
V. REQUESTS FOR CONTINUANCES/WITHDRAWALS
VI. REQUESTS FOR EXTENSIONS OF TIME
VII. DISCUSSION ITEMS
VIII. PROGRESS REPORT
IX. MODIFICATION OF PREVIOUSLY APPROVED BOARD ORDER
X. CONTINUED ITEMS
XI. OPEN AND CONTINUED ITEMS
XII. NEW APPLICATIONS
XIII. AMENDMENTS TO: COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS
XIV. APPEALS (BOA ONLY)
XV. OTHER BUSINESS
XVI. ADJOURNMENT

ATTENDANCE

APPROVAL OF MINUTES

1. After Action Report – September 24, 2019

REQUEST FOR CONTINUANCES/WITHDRAWALS

2. PB 18-0244. Telecommunications Ordinance

PROGRESS REPORT

3. PB 19-0309, aka File No 2151. 709, 721, 725 and 745 Alton Road – Baptist Health.

4. PB 19-0270. 1000 - 1030 Collins Avenue – Fairwind Hotel. Progress report due to code violations.

NEW APPLICATIONS

5. PB 19-0323. 6605 Collins Avenue – Parking Lot

CODE AMENDMENTS: (Filed pursuant to Chapter 118, Article III of the Land Development Regulations of the City Code.)

6. PB 19-0312. RM-2 Conditional Uses for 600 Block of Washington Avenue

7. PB 19-0326. MXE Hotel unit size for floor ground additions

8. PB 19-0327. Definition for Personal Service Establishment

9. PB 19-0328. Prohibited Uses Along 71st Street and Normandy Drive

10. PB 19-0329. Certificate of Use modifications

ADJOURNMENT

Applications listed herein have been filed with the Planning Department for review by the Planning Board, pursuant Section 118-51 of the City's Land Development Regulations. All persons are invited to attend this meeting or be represented by an agent, or to express their views in writing addressed to the Planning Board c/o the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Applications for items listed herein are available for public inspection at the following link: or during normal business hours at the Planning Department, 1700 Convention Center Drive, 2nd Floor, Miami Beach, Florida 33139. Inquiries may be directed to the Department at (305) 673-7550.

Any items listed in this agenda may be continued. Under such circumstances, additional legal notice would not be provided. Please contact the Planning Department at (305) 673-7550 for information on the status of continued items.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: Appeals of any decision made by this Board with respect to any matter considered at its meeting or hearing, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-business day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any city-sponsored proceedings, call 305.604.2489 and select 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

MIAMIBEACH

LAND USE BOARDS

FILE NO.

APPLICANT:

MEETING DATE:
11/19/2019

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Minutes	Memo

MIAMIBEACH
LAND USE BOARDS

PLANNING BOARD MINUTES
1700 CONVENTION CENTER DRIVE 3RD FL.

Tuesday, September 24, 2019, 9:00 AM | City Commission Chambers

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XIV. APPEALS (BOA ONLY)
XV. OTHER BUSINESS
XVI. ADJOURNMENT

ATTENDANCE

APPROVAL OF MINUTES

1. After Action Report – July 23, 2019

Motion

Motion to Approve
Moved By: Kareem Brantley
Supported By: Michael Barrineau

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

REQUEST FOR CONTINUANCES/WITHDRAWALS

VIDEO 2. PB 18-0244. Telecommunications Ordinance

Continued to October 22, 2019

Motion to Continue
Moved By: Nick Gelpi
Supported By: Kareem Brantley

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

DISCUSSION ITEMS

VIDEO 3. Transfer of Development Rights within the North Shore National Register Historic District. [Note: This discussion item has been deferred to December 17th, 2019.]

MODIFICATIONS TO PREVIOUSLY APPROVED BOARD ORDER

VIDEO 4. PB 19-0299, aka PB 17-0096. 1701 Washington Avenue – Montesory School

Motion

Motion to Approve
Moved By: Mark Meland
Supported By: Kareem Brantley

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 5. PB 19-0309, aka File No 2151. 709, 721, 725 and 745 Alton Road – Baptist Health

Motion

Motion to Approve
Moved By: Kareem Brantley
Supported By: Mark Meland

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 6. PB 19-0310, aka PB 18-0239. 723 North Lincoln Lane - Lincoln Eatery

Motion

Motion to Approve
Moved By: Daniel Veitia
Supported By: Michael Barrineau

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

NEW APPLICATIONS

VIDEO 7. PB 19-0304. 251 Washington Avenue. - Private School

Motion

Motion to Approve
Moved By: Mark Meland
Supported By: Michael Barrineau

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 8. PB 19-0285. 940 Ocean Drive - Havana 57

Motion

Motion to Approve
Moved By: Daniel Veitia
Supported By: Michael Barrineau

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

CODE AMENDMENTS: (Filed pursuant to Chapter 118, Article III of the Land Development Regulations of the City Code.)

VIDEO 9. PB 19-0311. RM-2 Conditional uses for Bayfront apartments in the West Avenue Overlay District

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Kareem Brantley
Supported By: Nick Gelpi

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 10. PB 19-0313. Adaptive Re-Use and Accessory Uses in North Shore and Tatum Waterway Areas

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Daniel Veitia
Supported By: Michael Barrineau

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 11. PB 19-0297. Rooftop Additions, setbacks (including mixed-use), room sizes

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Daniel Veitia
Supported By: Nick Gelpi

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 12. PB 19-0314. Allowable encroachments

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Daniel Veitia
Supported By: Nick Gelpi

Absent: Wieder

MOTION Passed

VIDEO 13. PB 19-0316. Public Notice Requirements

Transmit to City Commission with unfavorable recommendation.

Motion to Deny
Moved By: Nick Gelpi
Supported By: Kareem Brantley

Ayes: Brantley, Elias, Gelpi, Meland, Veitia

Absent: Barrineau, Wieder

MOTION Passed

VIDEO 14. PB 19-0317. Single Family Simplification, Modifications to Administrative Design Review Procedures, and modifications to home-based businesses

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Nick Gelpi
Supported By: Mark Meland

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 15. PB 19-0318. Pre-1942 Single Family Modifications

Transmit to City Commission with unfavorable recommendation.

Motion to Deny
Moved By: Michael Barrineau
Supported By: Kareem Brantley

Ayes: Barrineau, Brantley, Elias, Gelpi, Meland, Veitia

Absent: Wieder

MOTION Passed

VIDEO 16. PB 19-0315. Signage

Transmit to City Commission with favorable recommendation.

Motion to Approve
Moved By: Daniel Veitia
Supported By: Mark Meland

Ayes: Brantley, Elias, Gelpi, Meland, Veitia

Absent: Barrineau, Wieder

MOTION Passed

ADJOURNMENT

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MIAMIBEACH
LAND USE BOARDS

FILE NO.
PB 18-0244

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, CHAPTER 104, ENTITLED, "TELECOMMUNICATIONS," ARTICLE I, ENTITLED "COMMUNICATIONS RIGHTS OF WAY," BY AMENDING CHAPTER 104, TO BE CONSISTENT WITH STATE LAW, SECTION 337.401, FLORIDA STATUTES RELATING TO THE USE OF RIGHTS-OF-WAY FOR UTILITIES SUBJECT TO REGULATION; PERMITS; AND FEES; PROVIDING FOR REGULATIONS RELATING TO SMALL CELL COMMUNICATIONS CONSISTENT WITH STATE LAW; REQUIRING DESIGN AND APPROPRIATENESS REVIEW AND APPROVAL BY PLANNING STAFF; REMOVING REVIEW BY THE DESIGN REVIEW BOARD BY MODIFYING SECTION 118-71, ENTITLED, "POWERS AND DUTIES," AND SECTION 118-252, ENTITLED, "APPLICABILITY AND EXEMPTIONS"; AND CONTINUING HISTORIC PRESERVATION BOARD REVIEW UNDER THE CERTIFICATE OF APPROPRIATENESS CRITERIA FOUND AT SECTION 118-102, ENTITLED, "POWERS AND DUTIES," SECTION 118-251, ENTITLED "DESIGN REVIEW CRITERIA," AND SECTION 118-564, ENTITLED, "DECISIONS ON CERTIFICATES OF APPROPRIATENESS"; WHICH HISTORIC DISTRICT REVIEW IS CONSISTENT WITH STATE LAW; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY AND AN EFFECTIVE DATE. [Continued From 7-23-19 and 9-24-19.]

PRIOR ORDER NUMBER:

Applicable Area
Citywide

Is this a Resident Right to Know item?	**Does this item utilize G.O. Bond Funds?**
Yes	No

ATTACHMENTS:

Description	**Type**

No Attachments Available

MIAMIBEACH

LAND USE BOARDS

PROPERTY:
709, 721, 725 and 745 Alton Road – Baptist Health

FILE NO.
PB 19-0309, aka File No 2151

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
Required progress report.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0309 , aka File No 2151. 709, 721, 725 and 745 Alton Road – Baptist Health.**

BACKGROUND

February 25, 2014 A Conditional Use Permit was granted by the Board, for the construction of a commercial building including retail and/or restaurant uses on the ground floor, parking on the second and third levels, office space on the fourth level, and an amenity terrace on the roof level.

December 15,2014 A discussion item was heard by the Planning Board, at which time the applicant asserted that the Conditional Use Permit that was granted did not prevent the operation of the entire building as a medical office building and requested that the Board clarify the conditions by affirming this understanding. The Planning Board did not reach this conclusion and the applicant agreed to request a modification to the Conditional Use Permit to expressly allow a medical office use for most of the facility.

January 28, 2015 The Planning Board first considered a modification to expand the uses within the building to include medical offices, a diagnostic center, outpatient surgery facilities, an urgent care center, and a physical therapy facility. At this hearing, the board heard almost five hours of testimony relating to the application. The Planning Board had concerns over the possible impacts to the neighborhood and recommended additional studies to determine if there is likely to be an impact from the various proposed medical-type uses, identified as, amongst other things, an urgent care center, outpatient surgery center; diagnostic center. At the time of this review, the City Code did not define urgent care, outpatient surgery or a diagnostic center.

The Planning Board requested study of the impacts to the community, and specifically, the neighborhood, as it relates to these types of medical uses, and location. The Planning Board also requested that the consultant performing the studies address the impact of the uses, the operational plans for such uses and the intensity of the uses. The Board continued the item to a date certain of March 24, 2015

March 24, 2015 The matter was continued to a date certain of May 26, 2015, in order for the applicant to prepare and have peer reviewed a detailed operation report. On May 26, 2015, the item was continued to a date certain of June 23, 2015.

June 05, 2015	The Procurement Department issued a Request for Letter of Interest (RLI) No. 2015-198-JR, to procure the services of a firm to peer review an Operation Plan developed by Baptist Health South Florida for proposed services to be offered at 709 Alton Road for a healthcare facility. Only (1) one firm responded to the RLI, and it was determined that the respondent met all requirements of the solicitation.
June 23, 2015	The application was continued to a date certain of July 28, 2015.
July 28, 2015	The Planning Board approved a modification to the Conditional Use Permit in order to allow the use of the building for medical offices and related uses. The permit limited the site to an urgent care facility, ambulatory outpatient surgical center for gastroenterology procedures only, rehabilitation center and diagnostics. The subject building was subsequently permitted and is now operational.
July 13, 2018	A Business Tax Receipt (BTR) was issued (BTR004141- 05-2018.)
Sept. 24, 2019	After a lengthy discussion regarding the operation of the facility, the Board approved a modification to the Conditional Use Permit in order to expand medical related uses within the existing building.

PROGRESS REPORT

The applicant is before the Board pursuant to Condition #2 of the modified CUP (attached) as follows:

2. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the Planning Director, the applicant shall appear before the Planning Board for a progress report. The applicant shall appear before the Planning Board for a progress report within six (6) months from the issuance of the BTR. The progress report shall include, but not be limited to, updated information on traffic conditions surrounding the site. 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, including traffic mitigation measures, and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).

As of the writing of this report, staff did not find any open violations specific to the operation of the facility.

Transportation and Traffic

As required in Condition 2. of the CUP, the applicant has submitted a post-construction traffic impact evaluation of the facility, including the conduction of manual traffic counts over two days. As indicated by TrafTech Engineering, Inc., the subject facility has an actual traffic impact that is 35% to 65% of the impact assumed and evaluated for the project. As the facility is currently operating at 30% capacity, as indicated by the applicant, this is substantiated by the noted traffic counts. The applicant has indicated that they anticipate reaching full capacity in approximately ten (10) years.

The Transportation Department has indicated that the revised traffic study is sufficient and that

the driveway and parking are underutilized and below the trip generation figures in the original traffic impact study

However, the Transportation Department has noted some safety concerns with the existing on-street parking spaces on Alton Road south of 7th Street. Due to the landscaping and elevation difference between the street and sidewalk, any pedestrian that is dropped off from this location must walk in the street and on the vehicular path of travel to gain access to the sidewalk.

The applicant is aware of this concern and has proposed installing signage on the walls of the building in the ground floor garage entrance designating a drop-off area within the building at the ground level. This location also has an adjacent entrance from the garage to the reception lobby, allowing passengers that are dropped off or picked up direct access to the lobby without having to traverse through the garage entrance. Staff is supportive of this proposal, along with advising patients to be dropped-off and picked-up in the designated area within the building.

STAFF RECOMMENDATION

Staff recommends that the Board discuss the progress report and due to the current underutilization rate as noted above, schedule a progress report for January of 2021.

CFN: 20190627364 BOOK 31637 PAGE 3087
DATE:10/08/2019 09:34:40 AM
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA

PROPERTY: **709, 721, & 745 Alton Road**

FILE NO. PB 19-0309, aka File No 2151

IN RE: The applicant, Baptist Health South Florida, Inc., requested a modification of conditions for a previously issued Conditional Use Permit to expand medical related uses, pursuant to Section 118, Article IV of the City Code.

LEGAL DESCRIPTION: Lots 9, 10, 11, 12, 13, and 14, Block 106 of "OCEAN BEACH, FLA ADDITION NO. 3", according to the plat thereof as recorded in plat book 2, page 81 of the public records of Miami-Dade County, FL

MEETING DATE: September 24, 2019

MODIFIED CONDITIONAL USE PERMIT

The applicants, Baptist Health South Florida, Inc., requested a modification of conditions for a previously issued Conditional Use Permit for a modification of conditions to expand medical related uses, pursuant to Section 118, Article IV of the City Code. Notice of the request for a Conditional Use Permit modification 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 CD-2, Commercial Medium Intensity 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 Ordinance;

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

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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 the staff recommendation, that the modifications to the Conditional Use Permit as requested and set forth above be GRANTED, subject to the conditions below, which have been accepted by the applicants: Strikethrough denotes language stricken from the original Conditional Use Permit; underlining denotes new language:

1. This Modified Conditional Use Permit is issued to Alton Road Development, LLC to construct a 5-story building with retail/restaurant, office space, medical offices including an urgent care facility, a rooftop deck, and a self-park garage.

2. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. If deemed necessary, at the request of the Planning Director, the applicant shall appear before the Planning Board for a progress report. The applicant shall appear before the Planning Board for a progress report within six (6) months from the issuance of the BTR. The progress report shall include, but not be limited to, updated information on traffic conditions surrounding the site. 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, including traffic mitigation measures, and to determine the timing and need for future progress reports. This Conditional Use is also subject to modification or revocation under City Code Sec. 118-194 (c).

3. The conditions of approval for this Conditional Use Permit are binding on the applicant, the property applicants, operators, and all successors in interest and assigns. Any change of operator or 50% (fifty percent) or more stock ownership, partnership interest or equivalent, shall require review and approval by the Planning Board as a modification to this Conditional Use Permit. Subsequent owners and operators shall be required to appear before the Board, in advance, to affirm their understanding of the conditions listed herein.

4. The Planning Board shall retain the right to call the owner or operator back before them and make modifications to this Conditional Use Permit 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.

5. 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. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.

6. The maximum floor area shall be limited to 63,500 square feet.

7. In addition to retail and/or restaurant uses, the operation of medical office and medical uses shall be permitted at the ground level, including, but not limited to an urgent care facility, ambulatory outpatient surgical center for ~~gastroenterology procedures~~ <u>Class II medical uses as defined in Section 142-1253</u> only, rehabilitation center and diagnostics. Retail uses for the subject building exceeding 10,000 square feet per tenant shall require Conditional Use approval.

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8. Outdoor entertainment establishments, open air establishments, and neighborhood impact establishments shall be prohibited at the subject location.

9. All roof-top fixtures, air-conditioning units and mechanical devices shall be clearly noted on a revised roof plan and elevation drawings and shall be screened from view, and include sound baffling, in a manner to be reviewed and approved by staff.

   In the event Code Compliance receives complaints of unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff.

10. The following shall apply to the operation of any medical uses within the facility:

    a. The hours of operation shall be from 6:00 am until 11:00 pm, seven (7) days a week, or such lesser time as may be determined by the operator.

    b. No overnight stays or boarding shall be permitted.

    c. No emergency room, as defined by Florida Statutes, shall be allowed.

    d. Patients shall not be brought to the facility by emergency vehicles.

    e. ~~Gastroenterology shall be t~~The only ambulatory surgical services permitted in the facility shall be Class II medical uses as defined in Section 142-1253.

    f. A revised Operational Plan shall be submitted prior to the issuance of a building permit addressing the recommendations of the "Health Care Operational Plan Review for 709 Alton Road" report prepared by the Innova Group and dated July 17, 2015, subject to the review and approval of staff. At a minimum, such plan shall include the following:
       i. updated delivery schedules including café food and beverage deliveries;
       ii. more specific scheduling on frequency and timing for medical supplies and linen delivery and pick-up;
       iii. more specific space planning to optimize flexibility for waste storage in the support services areas;
       iv. scheduling for emergency generator testing;
       v. additional facility security monitoring, including additional CCTV coverage for the building perimeter, staircase entrances and exits, and the elevator lobby.

11. The following shall apply to the operation of the entire facility:

    a. Any change of use of the office space located above the ground floor to retail or restaurant use shall require the review and approval of the Planning Board as a modification to this Conditional Use Permit.

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b. Commercial use and events or activities open to the general public shall be prohibited on the rooftop areas. This shall not prohibit the passive use of the rooftop by employees or customers of the commercial uses within the building.

c. Special events shall not be permitted on the rooftop areas.

d. The applicant shall submit to staff for review and approval a final delivery plan and waste removal plan, including days and hours of operation, prior to the issuance of a TCO or CO.

e. 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.

f. 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. Doors shall remain closed and secured when not in active use.

g. Garbage pickups and service deliveries shall not take place earlier than 8:00 AM or later than 6:00 PM on weekdays.

h. Delivery trucks shall only be permitted to park within the loading area in the ground floor loading spaces or the designated loading zone for the Property.

i. Delivery trucks shall not be allowed to idle in the loading zone area adjacent to the alley or within the garage floor area.

j. The garage shall be monitored by an on-site security staff 24 hours/day, 7 days/ week.

k. No commercial use shall have music, whether live, recorded, amplified or non-amplified, which is played at a volume louder than ambient, background music (defined in the Code as volume that does not interfere with normal conversation).

l. The rooftop deck shall be closed between 8:00 PM and 8:00 AM seven days a week.

m. Except as may be required for fire or building code/Life Safety Code purposes, no speakers shall be affixed to or otherwise located on the exterior of the premises.

n. In the event the Code Compliance Department receives complaints about unreasonably loud noise from mechanical and/or electrical equipment, and determines the complaints to be valid, even if the equipment is operating pursuant to manufacturer specifications, the applicant shall take such steps to mitigate the noise with noise attenuating materials as reviewed and verified by an acoustic engineer, subject to the review and approval of staff based upon the design review or appropriateness criteria, and/or directions received from the Board.

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o. Signage for the retail and café uses shall be located on the exterior of the building in a manner to be reviewed and approved by staff.

p. No less than 3000 SF of ground floor shall consist of retail uses open to the public which are visible from the street, including the café,

12. The following shall apply to access, traffic, parking, and concurrency:

a. Access and configuration of the Alton road entrance to the garage shall be reviewed and approved by the Florida Department of Transportation (FDOT), in consultation with the Public Works Department, to ensure that access for traffic coming from the flyover satisfies FDOT driveway safety standards. This provision is subject to progress reports at the discretion of the Planning Board.

b. The vehicular exit along Lenox Court shall be modified to physically prevent vehicles from turning south in a manner to be reviewed and approved by staff.

c. Signage shall be required, subject to the review and approval of the Planning and Transportation Departments, to restrict vehicles from the following movements:

i. Turning left from the project driveway onto Alton Road.

ii. Turning right from the project driveway onto Lenox Court.

iii. Restricting left turns onto the site from Alton Road.

iv. Prohibiting southbound traffic along Lenox Court.

d. At least one additional exterior door shall be installed within the southern 150 feet of the Alton Road frontage.

e. As long as the majority of the building is utilized for medical purposes, the owner shall designate one hundred (100) spaces during weekdays, 9:00 AM to 5:00 PM, to be used solely by patients, customers and invitees of the businesses operating in the building. Such spaces shall be identified with appropriate signage. Employees of the facility shall be provided adequate parking either on site or by means of leased parking spaces adequate to meet the needs of such employees and staff in nearby parking facilities. Employees shall not be permitted to park in the designated spaces during such hours and days.

f. The headlights of cars in the garage shall not be visible to residents on the east side of Lenox Court from any parking level, in a manner to be reviewed and approved by staff.

g. Calculations for required parking and concurrency for the project shall be determined by the Planning Department prior to approval of a building permit.

h. The City's concurrency requirements can be achieved and satisfied through payment of mitigation fees or by entering into an enforceable development agreement with the

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City. The Transportation and Concurrency Management Division shall make the determination of the project's fair-share mitigation cost. A final concurrency determination shall be conducted prior to the issuance of a Building Permit. Mitigation fees and concurrency administrative costs shall be paid prior to the project receiving any Building Permit. Without exception, all concurrency fees shall be paid prior to the issuance of a Temporary Certificate of Occupancy or Certificate of Occupancy.

i. The applicant shall obtain final approval from the Public Works Department on the proposed traffic circulation onto Lenox Court from and to the project site before the issuance of a Building Permit. This shall include any input from the Parking Department on the proposed five loading spaces contiguous to the site on Lenox Court.

j. The applicant shall submit an MOT (Maintenance of Traffic) to the Public Works Department staff for review and approval prior to the issuance of a building permit. The MOT shall address any traffic flow disruption due to construction activity on the site.

13. The width of the sidewalk shall be expanded to the back side of curb in order to provide a total 10' wide sidewalk facing 7th Street. Small canopy shade trees shall be provided in tree pits with a maximum spacing of 18' o.c. which shall include the standard City of Miami Beach tree grate system. At a minimum, the tree grate system shall include: bound aggregate, landscape up-lighting (two fixtures per tree), and root wells with irrigation. The selected tree species shall be salt tolerant and preferably native subject to the review and approval of Planning staff, and Public Works Greenspace Division.

14. A solid plywood construction fence with an artistic graphic surrounding the entire property, subject to the review and approval of staff, shall be required prior to the issuance of a full Building Permit for the project.

15. The applicant shall comply with all the conditions in the HPB Final Order No. 7395.

16. 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.

17. The applicant shall obtain a full building permit within 18 months from the date of the meeting, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.

18. 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.

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19. The executed Modified Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County, Florida, at the expense of the applicant, and returned to the Planning Department. No building permit, certificate of occupancy, or certificate of completion shall be issued until this requirement has been satisfied.

20. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant 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.

21. 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 26th day of September, 2019.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, Chief of Planning and Zoning
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 26 day of September, 2019, by Michael Belush, Planning and Zoning Manager of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

_____
Notary:
Print Name: Victor Nuñez
Notary Public, State of Florida
My Commission Expires: July 30, 2021
Commission Number: GG129397

[NOTARIAL SEAL]

VICTOR NUNEZ
MY COMMISSION #GG129397
EXPIRES: JUL 30, 2021
Bonded through 1st State Insurance

Approved As To Form:
Legal Department (Nick Kallergis) 9/24/2019

Filed with the Clerk of the Planning Board on (9/27/19)

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MIAMIBEACH

LAND USE BOARDS

PROPERTY:
1000 - 1030 Collins Avenue – Fairwind Hotel

FILE NO.
PB 19-0270

APPLICANT:

MEETING DATE:
11/19/2019

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation | PLANNING BOARD

TO: Chairperson and Members
Plannin Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0270, 1000 – 1030 Collins Avenue – Fairwind Hotel.**

BACKGROUND

June 25, 2019 A Conditional Use Permit was granted by the Board, for a Neighborhood Impact Establishment and an Outdoor Entertainment Establishment with an occupant content in excess of 200 persons.

October 25, 2019 Field testing of the audio system was performed with the applicant, the applicant's sound consultant, as well as Planning and Code Compliance staff.

PROGRESS REPORT

The applicant is before the Board pursuant to the following conditions:

1. 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, including modification to the hours of operation, 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 City Code Sec. 118-194 (c).

11. The Planning Board shall retain the right to call the owner or operator back before the Board and modify the hours of operation or the occupant load 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.

12. 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 118-194, Code of the City of Miami Beach, Florida.

15. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant 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.

STAFF ANALYSIS

The Planning Department has scheduled this progress report for two reasons; first due to code violations that have been issued regarding unauthorized entertainment on the property, and second, in anticipation of the issuance of the BTR for the inclusion of entertainment as required by Condition 1. of the CUP. As of the writing of this report, the applicant has satisfied Condition 6(h). regarding the field testing of the sound system (see attached report from Edward Dugger and Associates, dated October 28th). However, the CUP also includes requirements for the submission of a Traffic Demand Management (TDM) plan, prior to the issuance of the BTR for entertainment, which have not been satisfied. The applicant has indicated that they are working towards satisfying these requirements and an update will be provided at the meeting.

It is important to note that as of the writing of this report, entertainment has not yet been authorized to operate on the site for the reasons noted above, and Code Compliance has issued several violations for unauthorized entertainment on the property as follows:

Case Number: ZV2019-02794.
Case Status: Notice of Violation
Open Date: 10/14/2019

While responding to complaint of loud music. I parked vehicle at the rear of property in the alleyway. I met with complainant and heard loud music playing. I then walked to the entrance of the patio by the restaurant and spoke with a lady and asked for the person in charge. I met with two gentleman and ended up talking to the person in charge, Luis Concepcion. I informed him the reason why I was there. There was no dj in the courtyard playing music. He stated on camera there was a dj at the rooftop which is not complying with CUP Section 6(i). The person in charge Luis and I walked back to the rear of the property and the music wasn't loud but within 10 minutes, the music went back up again. Luis was telling me about how we keep showing up and mentioned the complainant by name. He started recording our conversation and saying how unfair he's receiving another violation and that he's not going to sign it. I asked if I can go up to the rooftop and he denied access which is not complying with CUP Section 16. We then walked to the rear of CVS standing on the north side on 10th Street and the music was lowered and raised again. We then walked back to the rear of the building. I mentioned since there's a dj playing loud music on the rooftop, a noise violation will be given, NC2019-12480 which is not complying with CUP Section 12 and 17 and a conditional use permit is required. I asked if he has a permit and he wasn't aware. Luis then wanted to speak to my Supervisor. I contacted CCA Thomas and gave her his phone number. I also informed her a violation will be written. I asked if she would call the manager Luis Concepcion. He then left and I went back to the vehicle and entered my notes for the Noise Violation.
Met with Director of Operations Carlos Zumaeta. Explained and hand delivered violation.

Case Number: NC2019-121480
Case Status: Appeal
Open Date: 10/13/2019

Section 46-152: 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.
Ref: Loud music from dj on the rooftop.
5th Offense
Body Worn Camera used.
J. Rios (706)

Case Number: NC2019-12464
Case Status: Appeal
Open Date: 10/12/19

LOUD MUSIC
Arrival Time: 3:57 pm
Departure Time:5:08
Met with Complainant
Reference: Unreasonable Loud and excessive music.
4th Offense: $ 2,000.00
A.PEREZ736
BWC
LOUD MUSIC COMING FROM THE ROOF TOP OR THE COURT YARD COMPLAINT REQUESTING FOR A CALL BACK

Case Number: NC2019-12309
Case Status: Noise Complaint, no violation issued
Open Date: 09/23/2019

LOUD MUSIC AT THE ROOF TOP

Additional information from 739
Complainant on site
Arrival time@ 9:45 PM
Upon arrival complainant was on site to assist and inform me about the complaint. I walked the surrounding 4 corners of 10th and Collins Ave and music, car noise and unusual street noise was heard. None of the noises was loud and or excessive. I continued the inspection and went to the rooftop of the complainant's building and music was heard. THe music was not loud and or excessive. As a courtesy to the complainant I advised him that i will speak to Management at the 1000 Collins Ave Fairwind Hotel and educate Management the city of Miami Beach Noise Ordinance. I then spoke to the Manager on Duty Lyne Metry and advised her about the complaint and if there was an event at the rooftop. She advised me that no rooftop was taking place. We both walked to the rooftop for verification of the closing. Rooftop was closed. I again educated Lyne Metry the Noise Ordinance to the city

of Miami Beach. The complainant was on site to know of the findings of his complaint. Complainant was not pleased with the language of the ordinance.
No violation issued at this time.
Body camera in use
Departed @ 10:50 PM
J.Hernandez-739

Case Number: NC2019-12305
Case Status: Noise complaint – Appeal
Open Date: 09/22/2019

Violation of Section 46-152:
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.
You shall be subject to additional penalties if the violation continues. Repeat violations of Section 46-152 will result in the imposition of larger fines and may also result in revocation, suspension, or the imposition of restrictions on an occupational license and /or certificate of use, or accessory use, and/or injunctive and/or other legal proceedings as provided by law.
3rd Offense $2000
BWC used
CCO M. Jefferson 747

Arrival 6:18 PM
Responded to a noise complaint of music coming from the rooftop. I drove through Collins Ct on the 900 block and could hear the music from the car. The music could also be heard from the sidewalk on the south side of the property. Upon arrival I parked in front of the property an while exiting my vehicle I could hear the music. I met with the complainant Peter at his property 960 Collins Ave and while inside of the hotel I could not hear the music. While on the porch the music could be heard faintly and we had no issues hearing each other. He then proceeded to take a picture of my name from my shirt. He then request that a supervisor also come to the scene. I made CCA Varela aware. I then made contact with the manager Luis at the Fairwind property and we walked around to the rear. While in Collins Ct we both could hear the music from the rooftop. He immediately called and had the music lowered. To avoid further problems he instructed the staff to cut the music off and move the customers inside. While in Collins Ct I noticed the complainant Peter recording my interaction with the manager Luis from across the street. I then went back to my vehicle to being the noise case. Peter came by the vehicle twice while I was creating the case to request the violation number. The music playing from the property was loud and excessive upon arrival and was immediately turned off during my interaction with the manager Luis. Violation issued. The violation was signed and accepted by the manager Luis.

Case Number: NC2019-12282
Case Status: Noise complaint – Appeal
Open Date: 09/20/2019

Ref: LOUD MUSIC
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.
You shall be subject to additional penalties if the violation continues. Repeat violations of Section 46-152 will result in the imposition of larger fines and may also result in revocation, suspension, or the imposition of restrictions on an occupational license and /or certificate of use, or accessory use, and/or injunctive and/or other legal proceedings as provided by law.
2nd offense, $1,000.00 fine
Notice of violation issued
BWC: Used
L. Negron #740

Case Number: CC2019-07778
Case Status: City Code Violation – Notice of Violation
Open Date: 09/06/2019

Section 102-311. Failing to remit Resort Tax returns and/or payments to the City of Miami Beach as required.
Ref; Finance Resort Tax not paid RT 2098411
1s violation issued
Complaint inspection from finance dept
BWC in use
J Randolph 749

Case Number: NC2019-11858
Case Status: Written Warning Notice
Open Date: 07/25/19

loud music /1000 collins ave
Inspection revealed music was loud and excessive-
Written Warning issued
Body camera in use
J.Hernandez-739

Additional information from 739
Complainant on site
Arrival time@ 10:05 PM
Upon arrival the complainant was on site to assist me with the complaint. I stood at the corner of 10th and Collins Ave and could hear the loud and excessive music coming from the atrium of the Fairwinds Hotel. I followed the music to the middle of the building where the music was being played. I walked the surrounding area and ask to speak to the manager on duty. I then was approached by General Manager Luis Concepcion. I advised him about the complaint and where the music was heard. We both walked to the corner of 10th and Collins Ave and his music was plainly audible. The G.M immediately called the sound man to lower the music for compliance.
Complainant satisfied with the findings and the service of Code

I educated the G.M the city of Miami Beach Noise Ordinance and issued a Written Warning.
Body camera in use
J.Hernandez-739
Departed @ 11:10 PM

As indicated above, the property received violations for noise complaints regarding outdoor entertainment, including several violations for having a DJ playing music on the rooftop after 8:00 pm. This is of considerable concern, especially as the CUP does not allow any entertainment on the rooftop at any time, and also requires the pool deck to close at 8pm (Conditions 6(f) and 6(i)).

Lastly, during the on-site sound field test, planning staff noticed that the applicant had an outdoor bar display on the north terrace facing Collins Avenue. This furniture includes signs that are not permitted and a Certificate of Appropriateness for these items has not been issued.

STAFF RECOMMENDATION
Staff recommends that the Planning Board discuss the issue of non-compliance and continue the progress report to a date certain of December 17, 2019.

EDWARD DUGGER + ASSOCIATES, P.A.
Consultants in Architectural Acoustics

ACOUSTICAL MEASUREMENT REPORT

Date: 28 October 2019

To: Michael Belush, AICP
Chief of Planning and Zoning

Planning Department
1700 Convention Center Drive
Miami Beach, Florida 33139

Cc: Tal Alon

MLB Fairwinds LLC
1000 Collins Avenue
Miami Beach, FL 33139

From: Sam Shroyer, ASA INCE
Edward Dugger, FAIA ASA NCAC INCE

Re: **Fairwind Hotel (PB 19-0270)**
1000 – 1030 Collins Avenue
Miami Beach, FL 33139
ED+A 191096

Mr. Belush,

This report summarizes acoustical testing conducted at the Fairwind Hotel on October 25, 2019 to ensure compliance with its Conditional Use Permit and Miami Beach's noise ordinance. These tests enabled ED+A to suggest sound level limits for the courtyard to maintain compliance, though whether or not the sound is "plainly audible" at a given location or time is ultimately at the discretion of the responding Code Compliance officer.

Please contact ED+A with any questions or comments regarding this assessment.

Sam Shroyer and Irineo Jaimes of ED+A visited the Fairwind Hotel on October 25, 2019 to observe the effect of entertainment music in the courtyard on the surrounding area. ED+A were accompanied by hotel management and City of Miami Beach Code Compliance and Planning Department representatives.

Entertainment music was generated by the exterior audio system in Fairwind's courtyard and sound levels were measured in one-second intervals by an acoustical measurement system located near the center of the courtyard. The sound produced by the system was observed by the aforementioned parties at a distance of 100 ft from the property in each direction, as is standard for sound evaluation after 11:00 p.m. When Code Compliance determined that the sound was plainly audible, the sound level was reduced until an appropriate sound level was maintained. All parties agreed that the point of observation 100 ft east of the property (on the north side of 10th Street, south of the Essex Hotel) was most affected and should be the primary location at which sound generated on the Fairwind property is evaluated. However, when noise complaints are received from specific properties (such as the apartments to the north), Code Compliance will likely assess the sound at these locations if access is provided.

Sound level measurements taken off of the property were not useful in informing whether the sound was "plainly audible" due to a constant presence of more dominant noise sources (traffic, etc.) and the sound being noticeable at only certain frequencies (mostly bass). On the north side of 10th Street—where Code Compliance stated sound would be observed in the future—the music was determined to be "plainly audible" when sound levels exceeded 80 dBA in the courtyard. This is consistent with the limit recommended by ED+A previously. However, the measurement data suggest that 92 dBC is the maximum level that should be produced in the courtyard, but 88 to 90 dBC is more consistent with typical sound produced during normal operations.

Hotel management demonstrated that the sound levels can only be controlled by management. DJ's or guest entertainers do not have access to these controls. Additionally, the system installer could likely reduce the low-frequency output of the system to allow for increased levels in the courtyard without being plainly audible 100 ft away from the property. In any case, Fairwind has demonstrated that appropriate levels can be maintained.

CFN: 20190463910 BOOK 31540 PAGE 1150
DATE:07/25/2019 09:08:19 AM
HARVEY RUVIN, CLERK OF COURT, MIA-DADE CTY

PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA

PROPERTY:	1000 — 1030 Collins Avenue — Fairwind Hotel
FILE NO.	PB 19-0270
IN RE:	An application for Conditional Use Approval for a Neighborhood Impact Establishment and an Outdoor Entertainment Establishment with an occupant content in excess of 200 persons, pursuant to Chapter 118, Article IV, and Chapter 142, Article V, Division 6 of the City Code.
LEGAL DESCRIPTION:	Lots 5-8, Block 30 of Ocean Beach Addition No. 2, According to the Plat Thereof, as Recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County, Florida.
MEETING DATE:	June 25, 2019

CONDITIONAL USE PERMIT

The applicant, MLB Fairwinds LLC, filed an application with the Planning Director requesting a Conditional Use approval for a Neighborhood Impact Establishment and Outdoor Entertainment Establishment pursuant to Chapter 118, Article IV, and Chapter 142, Article V of the City Code. 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 MXE, Mixed-Use Entertainment 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

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record for this matter, and the staff report and analysis, which is adopted herein, including the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

1. 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, including modification to the hours of operation, 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 City Code Sec. 118-194 (c).

2. This Conditional Use Permit is issued to MLB Fairwinds LLC, any changes in ownership of 50% (fifty percent) or more stock ownership, or the equivalent, shall require the new owner to submit an affidavit, approved by City, to the City of Miami Beach Planning Department transferring approval to the new owner and acknowledging acceptance of all conditions established herein prior to the issuance of a new Business Tax Receipt.

3. 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.

4. 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.

5. The applicant, now and in the future, shall abide by all the documents and statements submitted with this application.

6. The Applicant agrees to the following operational conditions for the entire facility:

   a. The CUP shall have the following maximum occupant content (including within the interior and exterior portion located on private property) for the Courtyard, outdoor bar area, restaurant on 1020 Collins Avenue, and basement: Less than 300 persons, or any lesser such occupant content as determined by the Fire Marshal.

   b. The courtyard may remain open with outdoor entertainment:
   Monday through Sunday from 8:00 a.m. to 5:00 a.m.

   Audio from the subject property, including low-frequency vibrations, shall not be plainly audible or felt, within the interior of the apartment units (with the windows and doors closed) of the abutting building to the north, at any time.

   Audio from the subject property shall not be plainly audible at the southern balconies of the abutting apartment building to the north (1040 Collins Avenue) between 11pm and 8am Sunday through Thursday, and between midnight and 8am Fridays, Saturdays, holidays and special events.

   c. The outdoor bar may remain open:
   Monday through Sunday from 8:00 a.m. to 8:00 p.m.

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After 8:00 p.m. the roll down storefronts that face the courtyard shall be closed in order to continue to operate as an indoor bar counter.

d. The restaurant at 1020 Collins Avenue may remain open:

Monday through Sunday from 8:00 a.m. to 5:00 a.m. and indoor entertainment shall be allowed.

e. Indoor entertainment at the basement venue may operate:
Monday through Sunday from 8:00 a.m. to 5:00 a.m.

f. The roof top and pool deck may remain open:
Monday through Sunday from 10:00 a.m. to 8:00 p.m.

g. At all times that entertainment is operating anywhere on the subject property, a restaurant shall be open with food service, a full menu, and operating kitchen.

h. The house sound system shall be installed and set in such a manner as to limit the acoustical output of the system and have password protected security on all controls at all times. The equipment and installation plan for the sound system, including the location of all speakers and sound level controls shall be submitted for the review and approval of the Planning Department. Within 60 days of this approval, the sound system in the facility shall be tested by a qualified acoustic professional, and a report shall be submitted to the Planning Department for review, to verify that it is operating as designed. A sound field test shall be performed with staff present to demonstrate that the sound system will comply with the requirements of this CUP.

i. Entertainment shall be prohibited on the roof top at all times.

j. A maximum of 2 televisions may be permitted in the courtyard subject to a Certificate of Appropriateness and historic preservation board approval, if required. The volume level of the televisions in the courtyard shall comply with the audio volume limitations stated in this order.

k. Delivery trucks shall only be permitted to make deliveries from city authorized and designated commercial loading zones.

l. Delivery trucks shall not be allowed to idle in the loading zone.

m. Equipment and supplies shall not be stored in areas visible from streets, alleys or nearby buildings.

n. Deliveries and waste collections may occur daily between 7:00 AM and 10:00 AM.

o. Loading and deliveries from the alley shall at no time block the passage of any other vehicles along the alley.

p. 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.

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q. 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.

r. An air conditioned trash room(s)/garbage room(s) shall be large enough, or sufficient in number to accommodate enough dumpsters so that no more than one pick up of garbage per day will be necessary.

s. Garbage dumpster covers shall be closed at all times except when in active use.

t. 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.

u. No patrons shall be allowed to queue on public rights-of-way. Security staff shall monitor the crowds to ensure that they do not obstruct the sidewalk.

v. 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.

w. Street flyers and handouts shall not be permitted, including handbills from third-party promotions.

x. Special Events may occur on the premises, subject to City ordinances, rules or regulations existing at the time, and may exceed the hours of operation and occupancy loads specified herein, if permitted by the Fire Marshal, subject to the review and approval of staff.

y. The host/hostess stand, podium and menu board shall be prohibited in the public right of way, and shall be placed on private property, except as may be permitted under the sidewalk café permit to be reviewed and approved by the Public Works department.

7. 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.

8. A Traffic Demand Management (TDM) plan shall be submitted, reviewed and approved by the Transportation Department within 90 days, prior to the issuance of a BTR for the addition of entertainment and include the following:

a. The applicant shall identify locations, acceptable to the Transportation Department, for bicycle racks to be installed in the public right-of-way and within

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the proposed development. The applicant shall furnish and install the bicycle racks in accordance with the standards outlined in the City of Miami Beach Public Works Manual.

b. The applicant shall coordinate with the South Florida Commuter Services in participating in the transit subsidy program.

c. The applicant shall provide an analysis proposing for a drop-off and pick-up area shared with the valet drop-off and pick-up spaces.

d. The Developer shall conduct an updated valet utilization study incorporating the rideshare demand 60 days after opening of the proposed development with entertainment. The updated analysis shall include weekday peak hour and weekend peak hour analysis. Prior to commencement of the post-opening valet/ride-share analysis, the Developers' Traffic Engineer shall coordinate with the Transportation Department.

9. 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 with entertainment.

10. The applicant shall obtain a full building permit within 18 months from the date of the meeting, and the work shall proceed in accordance with the Florida Building Code. Extensions of time for good cause, not to exceed a total of one year for all extensions, may be granted by the Planning Board.

11. The Planning Board shall retain the right to call the owner or operator back before the Board and modify the hours of operation or the occupant load 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.

12. 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 118-194, Code of the City of Miami Beach, Florida.

13. 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.

14. The Final Order shall be recorded in the Public Records of Miami-Dade County, prior to the issuance of a Building Permit.

15. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant to comply with the conditions of this

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Order shall also constitute a basis for consideration by the Planning Board for a revocation of this Conditional Use.

16. 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.

17. 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 18th day of JULY, 2019.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: Michael Belush
Michael Belush, AICP
Chief of Planning and Zoning
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 18th day of July, 2019, by Michael Belush, Chief of Planning and Zoning of the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

WILLIAM BLACHAR
MY COMMISSION #GG308052
EXPIRES: MAR 05, 2023
Bonded through 1st State Insurance

William Blachar
Notary:
Print Name
Notary Public, State of Florida
My Commission Expires: March 5th, 2023
Commission Number: GG308052

{NOTARIAL SEAL]

Approved As To Form:
Legal Department Nick Gallegos 7/16/2019

Filed with the Clerk of the Planning Board on Jessica Jimenez (7/18/19)

MB

MIAMIBEACH
LAND USE BOARDS

PROPERTY:
6605 Collins Avenue – Parking Lot

FILE NO.
PB 19-0323

APPLICANT:

MEETING DATE:
11/19/2019

LEGAL DESCRIPTION:
11 53 42 PB 28-28
AMD PL OF 2ND OCEAN FRONT SUB
LOT 43 BLK 1
& PORT LYING EAST & ADJACENT
WEST OF EROSION LINE PER
PB 105-62
LOT SIZE 75 X 331
OR 9896-2613
OR 13242-0847 0487 4 &
OR 59R-25389 &
OR 10470-0608/19131-1687 679 4

IN RE:
An application has been filed requesting a conditional use approval for a surface parking lot in a residential zoning district pursuant to Chapter 118, Article IV and Chapter 130, Article III of the City Code, including 24-hour operations.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Application Documents	Memo
Existing Conditions	Memo

Landscape Plans	Memo
Proposed Project	Memo
Supplemental Documents	Memo
Staff Report	Memo
Recorded Order 11-19-19	Memo

MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the Property Appraiser Summary Report)

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations ☐ Appeal of an administrative decision	☐ Design review approval ☐ Variance
Planning Board	**Historic Preservation Board**
■ Conditional use permit ☐ Lot split approval ☐ Amendment to the Land Development Regulations or zoning map ☐ Amendment to the Comprehensive Plan or future land use map	☐ Certificate of Appropriateness for design ☐ Certificate of Appropriateness for demolition ☐ Historic district/site designation ☐ Variance

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
6605 Collins Ave.

FOLIO NUMBER(S)
02-3211-007-0410

Property Owner Information

PROPERTY OWNER NAME
S.F. Land, LLC

ADDRESS	CITY	STATE	ZIPCODE
6565 Collins Ave.	Miami Beach	FL	33141

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
305-866-8855	N/A	irasussman@the-beach.net

Applicant Information (if different than owner)

APPLICANT NAME
Same as above

ADDRESS	CITY	STATE	ZIPCODE
Same as above	Same as above	Same as above	Same as above

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
Same as above	Same as above	Same as above

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
The Applicant is desirous of obtaining a Conditional Use Permit, pursuant to Section 142-243 and 130-69.5 of the Code, to allow (1) the subject lots to be used as temporary parking lot and (2) the lots be used 24-hours a day. Refer to the plans and the letter of intent for further details.

Project Information		
Is there an existing building(s) on the site?	☐ Yes	■ No
Does the project include interior or exterior demolition?	☐ Yes	■ No
Provide the total floor area of the new construction.	N/A	SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).	N/A	SQ. FT.

Party responsible for project design			
NAME Jose Gomez, Beilinson Gomez, Architects	■ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS 8101 Biscayne Blvd., # 309	CITY Miami	STATE FL	ZIPCODE 33138
BUSINESS PHONE 305-559-1250 / CELL PHONE 305-778-7955	EMAIL ADDRESS jg@beilinsonarchitectspa.com		

Authorized Representative(s) Information (if applicable)			
NAME Monika H. Entin, Bercow Radell, Fernandez & Larkin	■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 850	CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE 305-374-5300 / CELL PHONE 305-542-3445	EMAIL ADDRESS mentin@brzoninglaw.com		
NAME Michael W. Larkin, Bercow Radell, Fernandez & Larkin	■ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS 200 S. Biscayne Blvd., Suite 850	CITY Miami	STATE FL	ZIPCODE 33131
BUSINESS PHONE 305-374-5300 / CELL PHONE N/A	EMAIL ADDRESS mlarkin@brzoninglaw.com		
NAME	☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS	CITY	STATE	ZIPCODE
BUSINESS PHONE / CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ☐ Authorized representative

SIGNATURE

Ira Sussman as the Manager of S.F. Land, LLC

PRINT NAME

July 30, 2019

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, N/A, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

_____
SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20_____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

_____
NOTARY PUBLIC

My Commission Expires: _____

_____
PRINT NAME

ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

STATE OF Florida

COUNTY OF Miami-Dade

I, Ira Sussman, being first duly sworn, depose and certify as follows: (1) I am the Manger (print title) of S.F. Land, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

_____
SIGNATURE

Sworn to and subscribed before me this 1ST day of August, 20 19. The foregoing instrument was acknowledged before me by Ira Sussman, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

BETTY LLERENA
MY COMMISSION # GG 175999
EXPIRES: March 5, 2022
Bonded Thru Notary Public Underwriters

_____
NOTARY PUBLIC

My Commission Expires: March 5, 2022

Betty Llerena

PRINT NAME

POWER OF ATTORNEY AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Ira Sussman, as the Manager of S.F. Land, LLC, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Bercow Radell Fernandez and Larkin to be my representative before the Planning Board Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Ira Sussman, as the Manager of S.F. Land, LLC

PRINT NAME (and Title, if applicable)

SIGNATURE

Sworn to and subscribed before me this 1st day of August, 2019. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: March 5, 2022

BETTY LLERENA
MY COMMISSION # GG 175999
EXPIRES: March 5, 2022
Bonded Thru Notary Public Underwriters

Betty Llerena

PRINT NAME

CONTRACT FOR PURCHASE

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

N/A

NAME

DATE OF CONTRACT

NAME, ADDRESS AND OFFICE	% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application if

filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST

CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

S.F. Land, LLC

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
S.F. Land Trust f/b/o Joel Sussman Family	40%
6565 Collins Ave., Miami Beach, Florida, 33141	
S.F. Land Trust f/b/o Ira Sussman Family	50%
6565 Collins Ave., Miami Beach, Florida, 33141	
S.F. Land Trust f/b/o Perri Stern Family	10%
6565 Collins Ave., Miami Beach, Florida, 33141	

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

See Disclosure attached as Exhibit "B"

TRUST NAME

NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Monika H. Entin, Bercow Radell, Fernandez & Larkin	200 S. Biscayne Blvd., Suite 850, Miami, FL 33131	305-374-5300
Michael W. Larkin, Bercow Radell, Fernandez & Larkin	200 S. Biscayne Blvd., Suite 850, Miami, FL 33131	305-374-5300
Jose Gomez, Beilinson Gomez, Architects	8101 Biscayne Blvd., # 309, Miami, FL 33138	305-559-1250

Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida

COUNTY OF Miami-Dade

I, Ira Sussman, as the Manager of S.F. Land, LLC, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

SIGNATURE

Sworn to and subscribed before me this 1st day of August, 2019. The foregoing instrument was acknowledged before me by Ira Sussman, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: March 5, 2022

Betty Llerena

PRINT NAME

BETTY LLERENA
MY COMMISSION # GG 175999
EXPIRES: March 5, 2022
Bonded Thru Notary Public Underwriters

EXHIBIT A

Legal Description
6605 Collins Avenue
Folio No. 02-3211-007-0410

Lot 43, Block 1, AMENDED PLAT OF SECOND FRONT SUBDIVISION, according to the Plat thereof as recorded in Plat Book 28, Page 28, of the Public Records of Miami-Dade County, Florida.

EXHIBIT B

S.F. Land Trust f/b/o Joel Sussman Family

TRUST NAME

NAME AND ADDRESS	% OF STOCK
Matthew Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Elizabeth Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Benjamin Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Stephanie Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	

S.F. Land Trust f/b/o Ira Sussman Family

TRUST NAME

NAME AND ADDRESS	% OF STOCK
Mollie Sussman Davis	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Paige Sussman Danowit	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Max Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Rachel Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	
Miriam Sussman	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	

S.F. Land Trust f/b/o Perri Stern Family

TRUST NAME

NAME AND ADDRESS	% OF STOCK
Meredith Rishty	*10%*
6565 Collins Avenue, Miami Beach, FL 33141	

BERCOW RADELL FERNANDEZ & LARKIN
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6237
E-Mail: MEntin@BRZoningLaw.com

VIA ON-LINE SUBMISSION

September 20, 2019

Thomas Mooney, Director
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: Updated Letter of Intent for Conditional Use Permit for a Temporary Parking Lot Operating 24-Hours Per Day for the Property Located at 6605 Collins Avenue, Miami Beach, Florida

Dear Tom:

As you are aware, this firm represents S.F. Land, LLC ("Applicant") in an application seeking a Conditional Use Permit (CUP) for to a temporary parking lot, operating 24-hours per day, for the property located at 6605 Collins Avenue ("Property"). This letter serves as the Applicant's letter of intent in connection with its request for CUP.

Description of the Property. The Property is a vacant, oceanfront parcel located on the eastern side of Collins Avenue between 65th and 67th Streets. It is approximately 24,825 square feet in size. Identified by Miami-Dade County Folio No. 02-3211-007-0410, the Property is located within the RM-3 Zoning District

Description of the Development Program. The Property is zoned Residential Multifamily High Intensity (RM-3), as are the adjacent properties to the north and south. The properties directly across the street, on the west side of Collins Avenue, are zoned Commercial Medium Intensity (CD-2). Directly to the South is the Historic Sherry Frontenac Hotel and to north is the Deauville Hotel. The properties to the west house commercial endeavors, including retail and restaurant uses, amongst others.

Development Program. The Applicant seeks to incorporate a temporary parking lot on the Property, which will operate 24-hours a day.

Requests. The Applicant seeks a CUP for a 24-hour temporary parking lot from the Planning Board ("PB"). Specifically, the Applicant seeks approval of a conditional use permit consistent with Section 142-213 and 130-69.5 of the City Code of Ordinances ("Code") to permit the aforementioned temporary parking lot, which the Applicant intends to utilize 24-hours a day. The Applicant is also seeking design review approval, along with associated setback and material variances, from the Design Review Board (DRB).

Satisfaction of Conditional Use Permit General Review Criteria. The Applicant's request also satisfies the general review criteria for conditional use permits, found in Code Section 118-192(a), as follows:

(1) **The use is consistent with the comprehensive plan or neighborhood plan if one exists for the area in which the property is located.**

CONSISTENT - The proposed temporary parking lot is consistent with the City's Comprehensive Plan as the Property is designated "RM-3 Residential Multifamily, High Intensity" on the Comprehensive Plan's Future Land Use Map, where conditional uses are permitted pursuant to the City Code. In addition, the proposal does not reduce the levels of service as set forth in the Comprehensive Plan.

(2) **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.**

CONSISTENT - The Applicant's temporary parking lot is not expected to reduce the levels of service as set forth in the City's Comprehensive Plan. Please refer to traffic study prepared by Traf Tech Engineering.

(3) **Structures and uses associated with the request are consistent with these land development regulations.**

CONSISTENT – The proposed temporary parking lot, which will operate after midnight, is consistent with the City's land development regulations (LDRs). The Code permits these uses through the conditional use process in order to ensure compatibility.

(4) The public health, safety, morals, and general welfare will not be adversely affected.

CONSISTENT – The Applicant's proposal is consistent with the surrounding area. The temporary parking lot use allows for reduced vehicular impact as it will alleviate the parking needs of the Sherry Frontenac Hotel and the neighborhood. As such, the proposed use is appropriate and will not adversely affect the public health, safety, morals or general welfare.

(5) Adequate off-street parking facilities will be provided.

CONSISTENT – The Applicant's proposal is providing parking for the Sherry Frontenac Hotel, as well as the neighborhood. As such, the proposal will alleviate the deficiency of off-street parking in the area.

(6) Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

CONSISTENT – The proposed traffic circulation protects pedestrians and ensures appropriate traffic flow. The proposal complies with the temporary parking lot requirements to ensure compatibility with the adjacent neighborhood.

(7) The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.

CONSISTENT – The project is consistent with the neighborhood and there are no other temporary parking lots in the direct vicinity. As a result, there will not be any adverse cumulative effect.

Sea Level Rise and Resiliency Criteria. The proposed renovations will make

for a more resilient building. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

(1) A recycling or salvage plan for partial or total demolition shall be provided.

CONSISTENT - The Applicant will provide a recycling or salvage plan during permitting.

(2) Windows that are proposed to be replaced shall be hurricane proof impact windows.

This requirement is inapplicable.

(3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.

This requirement is inapplicable.

(4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.

CONSISTENT - The proposed landscaping includes native and Florida-friendly species, which were previously approved.

(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.

CONSISTENT - The Applicant will look into ways to continue to protect the ground floor during potential flooding events.

(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.

CONSISTENT - An increase in the roadways may be accommodated.

(7) Where feasible and appropriate, all critical mechanical and electrical systems shall be located above base flood elevation.

CONSISTENT – Proper precautions will be taken to ensure the any critical mechanical and electrical systems are located above base flood elevation.

(8) Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.

This requirement is inapplicable.

(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.

This requirement is inapplicable.

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

CONSISTENT – The Applicant will take reasonable measures for water retention on the site.

Conclusion. The Applicant's proposal is consistent with the character of the neighborhood, as well as the intent of the Code. This project will help improve vehicle circulation and alleviate the parking deficit in the area. We respectfully request your recommendation of approval of the Applicant's requests. If you have any questions or comments with regard to the application, please give me a call at (305) 377-6237.

Sincerely,

Monika Entin

rdr miami | public hearing notification services
certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

May 23, 2019

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property Owners within 375 feet of:
SUBJECT: 6605 Collins Avenue, Miami Beach, FL 33141
FOLIO NUMBER: 02-3211-007-0410
LEGAL DESCRIPTION: 11 53 42 PB 28-28 AMD PL OF 2ND OCEAN FRONT SUB LOT 43 BLK 1 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on file in the Miami-Dade County Property Appraisers' Office.

Sincerely,

Diana B. Rio

Total number of property owners without repetition: **68, including 2 international**

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

rdr miami | public hearing notification services
certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

375' RADIUS MAP

N

SUBJECT: 6605 Collins Avenue, Miami Beach, FL 33141
FOLIO NUMBER: 02-3211-007-0410
LEGAL DESCRIPTION: 11 53 42 PB 28-28 AMD PL OF 2ND OCEAN FRONT SUB LOT 43 BLK 1 & PORT LYING EAST & ADJACENT WEST OF EROSION LINE PER PB 105-62

Name	Address	City	State	Zip	Country
HERBERT TRESSEL &W INGE	NECKARGASSE 16	72070 TUEBINGEN GERMANY			GERMANY
WALTER D SOUZA ASCENCAO AVE D SOUZA	4404 JENKINS CRESCENT	MISSISSAUGA ON L5R1V2			CANADA
3 LA ENTERPRISE LLC	2750 NE 183 ST 301	AVENTURA	FL	33160	USA
AAPT INC	7724 HAWTHORNE AVE	MIAMI BEACH	FL	33141	USA
ADELEINE FRANCOIS	6545 INDIAN CREEK DR APT 206	MIAMI BEACH	FL	33141	USA
AVNER A ARZ TRS THE REV LIV TRUST OF A ARZI	6545 INDIAN CREEK DR #401	MIAMI BEACH	FL	33141	USA
CANDIDA MENDIOLA	6545 INDIAN CREEK DR #405	MIAMI BEACH	FL	33141-5817	USA
COOKIES & CRACKERS CORP	15907 NW 52 AVE	HIALEAH	FL	33014	USA
D & Y COLLINS LC	500 W CYPRESS CREEK RD STE 350	FORT LAUDERDALE	FL	33309	USA
DAISY LAZO	6545 INDIAN CREEK DR #305	MIAMI BEACH	FL	33141-5816	USA
DALILA M RODRIGUEZ	8130 SW 10 TERR	MIAMI	FL	33144-4256	USA
DANIEL CRUZ	6545 INDIAN CREEK DR UNIT 201	MIAMI BEACH	FL	33141-5815	USA
DAVID QUINTANA	6545 INDIAN CREEK DR #203	MIAMI BEACH	FL	33141-5815	USA
DEAUVILLE ASSOCIATES LLC	6701 COLLINS AVE	MIAMI BEACH	FL	33141	USA
DEAUVILLE ASSOCIATES LLC	6701 COLLINS AVE ST JULIEN ROOM	MIAMI BEACH	FL	33141	USA
DOLORES T HERNANDEZ	6525 COLLINS AVE #200	MIAMI BEACH	FL	33139	USA
EDDIE HIGUERA	6525 COLLINS AVE # 319	MIAMI BEACH	FL	33141-4618	USA
EDGAR J RENJIFO	6545 INDIAN CREEK DR	MIAMI BEACH	FL	33141	USA
EXCLUSIVACATIONS AT MIAMI BCH LLC	6525 COLLINS AVE	MIAMI BEACH	FL	33141	USA
FIDEL ALVAREZ &W MERCEDES ZAYAS	15019 SW 90 TERR	MIAMI	FL	33196-1413	USA
FRANCISCO ADELQUIS FERRER CRUZ &W MIMI BUYCO	12869 SW 64 LN	MIAMI	FL	33183-5416	USA
FRANK ALFARONE TRS FRANK ALFARONE 2015 REV TR CHRISTANE SHEEHAN TRS	6545 INDIAN CREEK DR	MIAMI BEACH	FL	33141	USA
GLADYS T COSTALES TRS GLADYS T COSTALES REVOCABLE TRUST	1623 COLLINS AVE #714	MIAMI BEACH	FL	33139	USA
GREENBERG ASSOCIATES	PO BOX 1159	DEERFIELD	IL	60015	USA
HENLY ROJAS	5055 NW 7 ST 709	MIAMI	FL	33126	USA
KEY MONTE CARLO LLC	407 LINCOLN RD PH-N	MIAMI BEACH	FL	33139	USA
LIZZETTE MENDEZ	5131 SW 93 CT	MIAMI	FL	33165	USA
LUIS ANDRES SALAS TRS LAURA SALAS TRS	1715 SW 88 AVE	MIAMI	FL	33165	USA
LUIS GUARDIA TRS GUARDIA FAMILY REVOCABLE TRUST HILDA GUARDIA TRS	6545 INDIAN CREEK DR #309	MIAMI BEACH	FL	33141	USA
LUIS MARTIN AGUERREBERE TRS LUIS MARTIN AGUERREBERE REV LIVING TRUST	10441 SW 52 ST	MIAMI	FL	33165	USA
MARCELLE DAUSSY JONES	4025 INDIAN CREEK DR 301	MIAMI BEACH	FL	33140	USA
MARIA PEREZ	6545 INDIAN CREEK DR UNIT 403	MIAMI BEACH	FL	33141-5817	USA
MARILYN BARLOW	8124 NW 66 TER	TAMARAC	FL	33321	USA
MB 6525 LLC	6525 COLLINS AVE	MIAMI BEACH	FL	33141	USA
MB 6525 LLC	6525 COLLINS AVE # 220	MIAMI BEACH	FL	33141	USA
MB 6525 LLC	6525 COLLINS AVE #300	MIAMI BEACH	FL	33141	USA
MB 6525 LLC	6525 COLLINS AVE #304	MIAMI BEACH	FL	33141	USA
MB 6525 LLC	6525 COLLINS AVE 302	MIAMI BEACH	FL	33141	USA
MB 6525 LLC	6525 COLLINS AVE 311	MIAMI BEACH	FL	33141	USA

MB 6525 LLC	6525 COLLINS AVE 315	MIAMI BEACH	FL	33141	USA
MB MIAMI CLUB INC	6525 COLLINS AVE #201	MIAMI BEACH	FL	33141	USA
MIMOSA LLC	6525 COLLINS AVE	MIAMI BEACH	FL	33147	USA
NICOLE M SWIERINGA	6545 INDIAN CREEK DR 202	MIAMI BEACH	FL	33141	USA
NORTH BEACH RETAIL PLAZA LLC	45 NW 21ST ST	MIAMI	FL	33127-4928	USA
OSCAR B ALVAREDA	6545 INDIAN CREEK DR #503	MIAMI BEACH	FL	33141-5818	USA
OSCAR I VALLADARES PANDO	6545 INDIAN CREEK DR #507	MIAMI BEACH	FL	33141	USA
PADRIAC A BERGIN TR % R F JONAS	20185 E COUNTRY CLUB DR	AVENTURA	FL	33180-3048	USA
PAULA C BENITEZ	6545 INDIAN CREEK DR 501	MIAMI BEACH	FL	33141-5818	USA
RAIMUNDO DEL CASTILLO &W ALBA	8095 SW 89 CT	MIAMI	FL	33173-4185	USA
RAJESH H CHATTOO & PREMETESH CHATTOO	58-06 SEABURY ST	FLUSHING	NY	11373	USA
RIST PROPERTIES LLC	6600 COLLINS AVE	MIAMI BEACH	FL	33141	USA
ROBERT MCANIFF	6545 INDIAN CREEK DR # 205	MIAMI BEACH	FL	33141	USA
ROBERT TSE	69 BAY AVE UNIT C	HUNTINGTON	NY	11743	USA
ROBERTO ROSENFELD ERNA G ROSENFELD	6545 INDIAN CREEK DR #304	MIAMI BEACH	FL	33141-5816	USA
RODOLFO GONZALEZ &W LOURDES	8262 NW 164 ST	HIALEAH	FL	33016-3482	USA
ROSE GREENBERG SONIA D GALLO	6545 INDIAN CREEK DR 480	MIAMI BEACH	FL	33141	USA
S F LAND LLC	6565 COLLINS AVE	MIAMI BEACH	FL	33141	USA
SARA RIVERA	6545 INDIAN CREEK DR #208	MIAMI BEACH	FL	33141-5815	USA
SEAN P REDDY PREMETESH CHATTOO	5807 VAN HORN ST	ELMHURST	NY	11373	USA
THE MIMOSA LLC	6525 COLLINS AVE	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE #115	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE #202	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE #209	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE #215	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE 212	MIAMI BEACH	FL	33141	USA
THE MIMOSA LLC	6525 COLLINS AVE UNIT 207	MIAMI BEACH	FL	33141	USA
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VERONICA FERNANDEZ	6545 INDIAN CREEK DR #508	MIAMI BEACH	FL	33141	USA

HERBERT TRESSEL &W INGE
NECKARGASSE 16
72070 TUEBINGEN GERMANY
GERMANY

WALTER D SOUZA
ASCENCAO AVE D SOUZA
4404 JENKINS CRESCENT
MISSISSAUGA ON L5R1V2
CANADA

3 LA ENTERPRISE LLC
2750 NE 183 ST 301
AVENTURA, FL 33160

AAPT INC
7724 HAWTHORNE AVE
MIAMI BEACH, FL 33141

ADELEINE FRANCOIS
6545 INDIAN CREEK DR APT 206
MIAMI BEACH, FL 33141

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THE REV LIV TRUST OF A ARZI
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LUIS MARTIN AGUERREBERE TRS
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TAMARAC, FL 33321

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MB 6525 LLC
6525 COLLINS AVE #300
MIAMI BEACH, FL 33141

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MIAMI BEACH, FL 33141

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HUNTINGTON, NY 11743

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VERONICA FERNANDEZ
6545 INDIAN CREEK DR #508
MIAMI BEACH, FL 33141

PLAN CORRECTIONS REPORT (PB19-0323)

PLAN ADDRESS: 6605 Collins Ave
Miami Beach, FL 33141

PARCEL: 0232110070410

APPLICATION DATE: 08/29/2019

SQUARE FEET: 0

EXPIRATION DATE:

VALUATION: $1.00

DESCRIPTION: The Applicant is desirous of obtaining a Conditional Use Permit, pursuant to Section 142-243 and 130-69.5 of the Code, to allow (1) the subject property to be used as temporary parking lot, 24-hours a day. Refer to the plans and the letter of intent for further details.

CONTACTS	Name	Company	Address
Applicant	Jose Gomez	Beilinson Gomez Arch. AR0015	8101 Biscayne Blvd #309 Miami, FL 33138
	MONIKA ENTIN		200 S. Biscayne Blvd. Suite 850 Miami, FL 33131

Plan Review **Version: 1** **Date Received: 09/04/2019** **Date Completed: 09/13/2019**

1. Planning Department Review - Fail — Michael Belush Ph: email: MichaelBelush@miamibeachfl.gov

Comments: Staff First Submittal Review Comments:

Comments Issued: September 13, 2019 | AG - MB

1. Provide Checklist – See Checklist provided along with final submission.
2. Plans: Please Increase the text font size, it is difficult to review this if printed on 11x17 format. Drawings should be set up to this paper size. Please refer to the final submission plan set, with increased font size.
3. Code Requirements. Please review the Ordinance pertaining to Temporary parking lots and demonstrate compliance or indicate if non-compliant and it a variance(s) will be sought at the DRB. (Ordinance 2019-4258, May 8, 2019). Preliminary reviews indicates non-compliance with Hardscape Materials and Landscape requirements. Variances are being sought from the DRB, refer to the LOI and final submission plans.
4. The paved area to the south of the entrance drive should be removed and replaced with landscaping. A variance will be required as shown, which staff cannot recommend for approval. – Please refer to the final submission plan set A-100 and A-101.
5. The existing concrete at the rear of the property that does not comply with the required rear setback for parking should be removed and replaced with landscaping. A variance will be required as shown, which staff cannot recommend for approval. Variances are being sought from the DRB.
6. Context Location map: It should be bigger and comply with all requirements from Checklist Item 9d, if necessary put this on a separate page. Refer to page A-002 of the final submission plan set.
7. Zoning Data Sheet: Please use Planning Department zoning data sheet format for commercial-multifamily Checklist Item 9c. Please refer to the updated zoning data legend contained on page A-002 of the final submission plan set.
8. Proposed fence should comply with sec 142-1132 (h) (5). Proposed fence complies with zoning regulations. Please refer to page A-101 and A102 of of the final submission plan set.
9. Site Plan: enlarge and provide a separate site plan, with all requirements from checklist Item 9h and 40a-j. Please refer to page A-101 and A102 of the final submission plan set.
10. Site Plan, there are dashed lines running parallel to the aluminum fence on both sides please clarify or delete them. Please refer to page A-101 and A102 of the final submission plan set.
11. Survey. Please note the elevation of the sidewalk abutting the property on Collins Avenue. Please refer to the updated survey provided as part of the final submission.
12. Photos: please provide color photographs per Checklist items 9i and k, no google images. Please refer to page A-005 of the final submission plan set.
13. The proposed aluminum fence must comply with all zoning regulations, please revise. Proposed fence complies with zoning regulations. Please refer to page A-101 and A-102 of the final submission plan set
14. Please provide a narrative response to these comments. Contained herein.

For the Planning Board November 19, 2019 meeting, please provide the above information for Final submittal (CSS and Paper) by September 20, 2019 before 12:00 pm. Provide a narrative and label electronic files as: 'MM-DD-YYYY Document Name'.

The official application is what is submitted in CSS and is the responsibility of the applicant to upload accurate information and the electronic files coordinates with the paper submittal.

Paper submittal: submit original set (original application, letter of intent, survey, plans, color photographs and any other applicable items); 14 copies (collated sets) and the CD with the proper format (please see attached), attention to: Victor Nunez.

Please do not provide the checklist, comments, or comment replies, or copy the mailing labels for the 14 paper copies but provide a separate response sheet with the originals and in the CSS at final submittal.

Staff will review this Final submission and issue a notice to proceed on September 30, 2019. The final fees will be due by September 30, 2019.

These comments have been provided as a preliminary review of the documents and plans submitted and are subject to additions and/or deletions pending further review.

2. Planning Admin Review - Fail — Victor Nunez Ph: email: VictorNunez@miamibeachfl.gov

Comments: FINAL SUBMITTAL:

Comments Issued: September 13, 2019

The following fees are outstanding (tentative) and will be invoiced by September 30th.

1. Advertisement - $1,500
2. Board Order Recording - $100
3. Posting - $100
4. Courier - $70
5. Mail Label Fee ($4 per mailing label) $ 272

Total Outstanding Balance = $ 2,042
NOTE: All fees MUST BE PAID by October 2 or the application will not move forward.

In addition to the fees, the following shall be provided to the Department no later than September 20th 12:00pm Final Paper submittal deadline:

- One (1) original application (Proper signed and notarized affidavits and Disclosures must be provided).
- One (1) original Letter of Intent.
- One (1) original set of architectural plans signed, sealed and dated.
- One (1) original signed, sealed and dated Survey.
- Any additional information/documents provided
- 14 collated sets including copies of all the above: application form, letter of intent, plans, and any additional information/documents provided (plans and survey should be 11x17).
- Mailing labels must be provided including Letter certificating the labels, radius map, gummed labels, and Labels CD done with the proper Excel format specified by the Planning Department.
- A CD/DVD containing a digital version of the documents and plans submitted. The CD must be in the proper format specified by the Planning Department (each document must be less than 15MB).

NOTE: Please make sure you identify the final submittal by the file number -when dropping it.

3. Transportation - LUB Review - Fail Firat Akcay Ph: email: Firatakcay@miamibeachfl.gov

Comments: General Correction

BOUNDARY SURVEY

CERTIFIEY TO:

BankUnited, N.A., its successors and/or assigns
S.F. Land LLC, a Florida limited liability Company
S.F.R LTD
Siegfried, Rivera, Hyman, Lerner, De La Torre, Mars & Sobel, P.A.
Gray Robinson, PA
Old Republic National Title Insurance Company

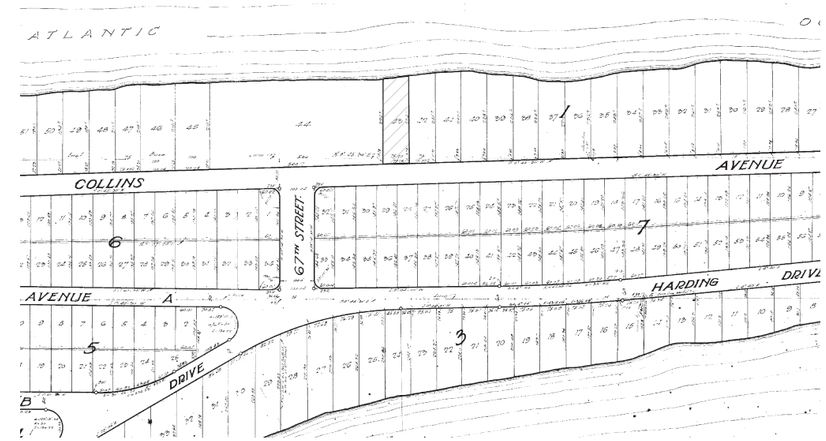
ENCROACHMENTS:

1) COOLING TOWER ENCROACHES ONTO NE PORTION OF PROPERTY 4.4 FEET.
2) CONCRETE ENCROACHES ONTO NE PORTION OF PROPERTY 5.7 FEET.
3) PAVERS ENCROACH ONTO CENTER OF NORTH PROPERTY LINE 2.75 FEET.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.



LOCATION SKETCH
N.T.S.

VERTICAL CONTROL

BENCHMARK: MIAMI-DADE COUNTY NATIONAL
GEODETIC VERTICAL DATUM 1929

BM NO-1
LOCATOR 3222 NE
NAME A-33
ELEVATION 8.19'

63 ST (M. BEACH) ---- 40.5' NORTH OF C/L
PINE TREE DRIVE ---- 193.7' EAST OF C/L

BRASS DISC IN WINGWALL AT NW CORNER OF
BRIDGE OVER INDIAN CREEK.

BM NO-2
LOCATOR 3222
NAME J-313
ELEVATION 7.35'

58 ST ---- INDIAN CREEK F.P.L. SUBSTATION
HWY A-1-A (COLLINS AVE) ---- 101' WEST OF WEST CURB
ADDRESS #5838 COLLINS ---- 150'+/- S OF S SIDE OF
REGENCY TOWER BLDG

US C&G BRASS DISC ON TOP OF EAST END OF CONC
FOUNDATION OF THE NORTH DOOR AT ENTRANCE OF
SUBSTATION, 0.7' W OF E DOOR OF TOWER.

SURVEYOR'S NOTE

THE ELEVATIONS SHOWN IN THIS BOUNDARY SURVEY BASE UPON CORPSCON
VERSION 6.0.1
US ARMY CORPS OF ENGINEERS
ENGINEER RESEARCH AND DEVELOPMENT CENTER
TOPOGRAPHIC ENGINEERING CENTER, ALEXANDRIA, VIRGINIA.

CONVERSION FROM:

HORIZONTAL CONTROL
STATE PLANE CO-ORDINATE 1929-NAD27

VERTICAL CONTROL
1929, NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929

CONVERTED TO:
HORIZONTAL CONTROL: 1983-NAD 83-90
VERTICAL CONTROL: 1988-NAVD 88
ALL UNITS 1-US SURVEY FOOT

CRUCIAL INFORMATION

MIAMI-DADE COUNTY AUTHORITIES AT PUBLIC WORK SECTION, 111 N.W. 1ST STREET,
SUITE 1610 CITY OF MIAMI
FOR VERTICAL CONTROL REQUIRED ELEVATIONS FOR CONSTRUCTION PURPOSE BASE
UPON NATIONAL GEODETIC VERTICAL DATUM (NGVD 1929), AS SHOWN IN MIAMI-DADE
COUNTY, SURVEY SECTION
BENCHMARK BOOK:
ARCHITECT, ENGINEER, DESIGNER OR BUILDER MUST VERIFY WITH COUNTY
AUTHORITIES THE DATUM THAT SHOULD BE USED FOR CONSTRUCTION PURPOSES,
PRIOR TO ANY KIND OF DESIGN OR CONSTRUCTION.

PLEASE NOTIFY SURVEYOR OF RECORD FOR INFORMATION ON ELEVATION CONVERSION
TO NGVD 1929.

ALL ELEVATIONS SHOWN ARE RELATIVE TO THE NAVD 1988 DATUM.

POINT	STATE PLANE CO-ORDINATE		VERTICAL	NORTH AMERICAN DATUM		GEOGRAPHIC		VERTICAL
	SYSTEM, FLORIDA EAST ZONE		CONTROL	NAD 1983		NAD 83		CONTROL
	NATIONAL GEODETIC SURVEY		NGVD 1929					NAVD 1988
	1974 ADJUSTMENT		U.S. FEET					U.S. FEET
	NORTHING	EASTING	ELEVATION	NORTHING	EASTING	LATITUDE	LONGITUDE	ELEVATION
A	551649.645	789274.640	6.57	551810.195	945511.781	25 30 19.69060	80 21 14.63989	5.021
B	551949.934	789266.190	6.02	552110.486	945503.330	25 30 39.43214	80 21 14.09579	4.471
C	551950.503	789599.189	7.97	552111.055	945836.334	25 30 39.43070	80 21 13.35741	6.421
D	551650.208	789607.123	7.52	551810.758	945844.268	25 30 38.35974	80 21 13.33006	5.971
E	551679.873	789409.425	–	551810.423	945646.567	25 30 38.36082	80 21 14.10912	–
F	551950.183	789411.839	–	552110.735	945648.981	25 31 19.15062	80 21 14.09556	–
G	551922.618	789412.954	–	552083.170	945650.096	25 30 39.33315	80 21 14.09183	–
H	551889.797	789599.093	–	552050.348	945836.238	25 30 39.21435	80 21 13.35885	–
I	552815.805	789376.779	–	552976.362	945613.921	25 30 42.51831	80 21 14.22357	–
J	552785.586	789548.135	–	552946.143	945785.279	25 30 42.40887	80 21 13.54856	–
K	550930.643	789400.118	–	551091.189	945637.260	25 30 21.39678	80 21 14.15458	–
L	550930.643	789469.118	–	551091.189	945706.261	25 30 21.39606	80 21 13.88277	–

SURVEYOR'S CERTIFICATE

This Certificate and attatched survey (captioned above) are made for the benefit of BankUnited, N.A., its successors and/or assigns, ATIMA and Title Company, I hereby certify:

1) That the survey was made on the ground and is correct.
2) That the survey shows the location of the perimeter of the land by courses and distances.
3) That the survey shows the location of all easements and rights-of-way, including all easements and rights-of-way shown as exceptions on the Mortgagee Title Insurance Commitment No. 2131475 dated December 17, 2013 @ 11:00PM, written on Old Republic National Title Insurance Company. No easements of record shown.
4) That the survey shown established building lines and setback restrictions.
5) That the survey shows lines of streets abutting the land and the width thereof, and that ingress and egress to the subject property is provided by Collins Avenue the same being a dedicated public right-of-way maintained by the City of Miami Beach and the State of Florida.
6) That the survey shows encroachments and the extent thereof upon the land. That the survey shows the improvements to the extent constructed, if applicable, and the relation of the improvements by distances to the perimeter of the land, the established building lines and the street lines.
7) That if the land is described as being on a filed map or plat, a legend relating the survey to sald map or plat is on the survey.
8) That the survey shown any coastal body of water or navigable waterway within 150 feet of the land, if applicable.
9) The subject property does not serve any adjoining property for drainage, ingress or egress or any other purpose, except as shown on the survey.
10) That the property is within special flood hazard area AE & X as shown in the most recent Flood Hazard Boundary Maps prepared by the Department of Housing and Urban Development.
11) That the survey presented hereon meets the Minimum Technical Standards for Land Surveying in the State of Florida, as adopted by the Department of Professional Regulation, Board of Land Surveyors in Chapter 5J-17 Florida Administrative Code. Pursuant to Section 472.027, Florida Statutes. This instrument is not valid unless it bears an original signature and an embossed surveyor's seal.

DELTA MAPPING AND SURVEYING, INC.

DELTA MAPPING AND SURVEYING, INC.
13301 SW 132ND AVE., SUITE 117
MIAMI, FLORIDA 33186

WALDO F. PAEZ DATE SIGNED:_____
PROFESSIONAL SURVEYOR AND MAPPER
NO. 3284
STATE OF FLORIDA

CERTIFICATE OF AUTHORIZATION
L.B. NO. 7950
STATE OF FLORIDA

786-429-1024
FAX: 786-592-1152

LEGAL DESCRIPTION: Lot 43, Block 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, according to the Plat thereof as recorded in Plat Book 28, Page 28, of the Public Records of Miami-Dade County, Florida.

Lots containing 25072 square feet more or less, or 0.576 acres more or less

SURVEY FOR: 6605 COLLINS AVENUE
MIAMI BEACH, FLORIDA 33141

1)FLOOD ZONE: AE & X BASE: +8.0' PANEL NO. 12086C0326L
COMMUNITY NO. 120651 DATE OF MAP: 9-11-09
2)THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY
3)EXAMINATION OF ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING PROPERTY
4) THIS CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED, IT IS NOT A CERTIFICATION OF TITLE, ZONING, EASEMENTS, OR FREEEDOM OF ENCUMBRANCES. ABSTRACT NOT REVIEWED
5)LOCATION AND IDENTIFICATION OF UTILITILIES, IF ANY ARE SHOWN IN ACCORDANCE WITH RECORDED PLAT
6)OWNERSHIP IS SUBJECT TO OPINION OF TITLE
7)TYPE OF SURVEY: BOUNDARY SURVEY
8)THE HEREIN CAPTIONED PROPERTY WAS SURVEYED AND DESCRIBED BASED ON THE SHOWN LEGAL DESCRIPTION: PROVIDED BY CLIENT
9)SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID AND FOR REFERENCE ONLY, UNLESS SIGNED AND SEALED WITH THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
10)THIS PLAN OF SURVEY, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTIES
11)UNDERGROUND UTILITIES ARE NOT DEPICTED HEREON, CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK OR CONSTRUCTION ON THE PROPERTY HEREIN DESCRIBED. SURVEYOR SHALL BE NOTIFIED AS TO ANY DEVIATION FROM UTILITIES SHOWN HEREON.
12)THE SURVEYOR OF RECORD DOES NOT DETERMINE OWNERSHIP OF FENCES. MEASUREMENTS SHOWN HEREON DEPICT PHYSICAL LOCATION OF FENCE
13)ACCURACY: THE EXPECTED USE OF LAND AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (5J-17 FAC), IS "SURBURBAN" . THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THE TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 7500 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT
14)IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHOWN SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS.
15)NO ATTEMPT HAS BEEN MADE TO LOCATE ANY FOUNDATION BENEATH THE SURFACE OF THE GROUND.
16)CONTACT THE APPROPRIATE AUTHORITY PRIOR TO ANY DESIGN WORK ON THE HEREIN DESCRIBED PARCEL FOR BUILDING AND ZONING INFORMATION.
17) ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES

IF ELEVATIONS ARE SHOWN, THEY ARE BASED ON A CLOSED LEVEL LOOP USING THIRD ORDER PROCEDURE AND ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF MEAN SEA LEVEL OF 1988
O.O DENOTES EXISTING ELEVATION NORTH AMERICAN VERTICAL DATUM OF MEAN SEA LEVEL OF 1988

ALL ELEVATIONS SHOWN IN THIS BOUNDARY SURVEY BASES UPON NAVD 1988 DATUM

THE ELEVATIONS SHOWN IN THIS BOUNDARY SURVEY BASE UPON CORPSCON VERSION 6.0.1
US ARMY CORPS OF ENGINEERS
ENGINEER RESEARCH AND DEVELOPMENT CENTER
TOPOGRAPHIC ENGINEERING CENTER, ALEXANDRIA, VIRGINIA

HORIZONTAL CONTROL
STATE PLANE CO-ORDINATE 1927-NAD27

BEARINGS HEREON ARE REFERRED TO AN ASSUMED VALUE OF N 1 53'07"W FOR THE EAST RIGHT OF WAY LINE OF COLLINS AVENUE

FIELD SURVEY DATE: 02-25-16 SCALE: 1' = 20' DRAWN BY: S.A.B.
DRAWING DATE: 02-26-16 FB: SKETCH DRAWING NO.: 16-0090
DRAWING DATE: 06-05-19 DRAWING NO.: 19-0248

DATUM PLANE
RELATIONSHIP

BM

0.00 NAVD 1988

0.00 USC & GS 1929 MEAN SEA LEVEL (NGVD)

0.00 USCE MLW BAY (MIAMI BEACH)

NOTE:
ALL ELEVATIONS SHOWN IN THIS BOUNDARY
SURVEY BASES UPON NAVD 1988 DATUM.

SEAL

Delta Mapping and Surveying, Inc
EST. 2012
13301 SW 132ND AVENUE, SUITE 117 MIAMI FL 33186
PHONE:(786) 429-1024 E-MAIL:DELTAMAPPING@GMAIL.COM
Surveyors, Land Planners & Mappers

BOUNDARY SURVEY

REVISIONS
11-29-2018 ADD VERTICAL CONTROL LINE & MEAN HIGH WATER LINE
10-22-2018 ADD ELEVATIONS
10-8-2018 UPDATE SURVEY
10-5-2018 SHOW ELEVATION ON SIDEWALK & BEACH WALK

DATE: 08-13-2018
SCALE: 1" = 20'
DRAWN BY: M.P.R.
DRAWING NO: 18-0343
SHEET NO. 1 OF 2

BOUNDARY SURVEY

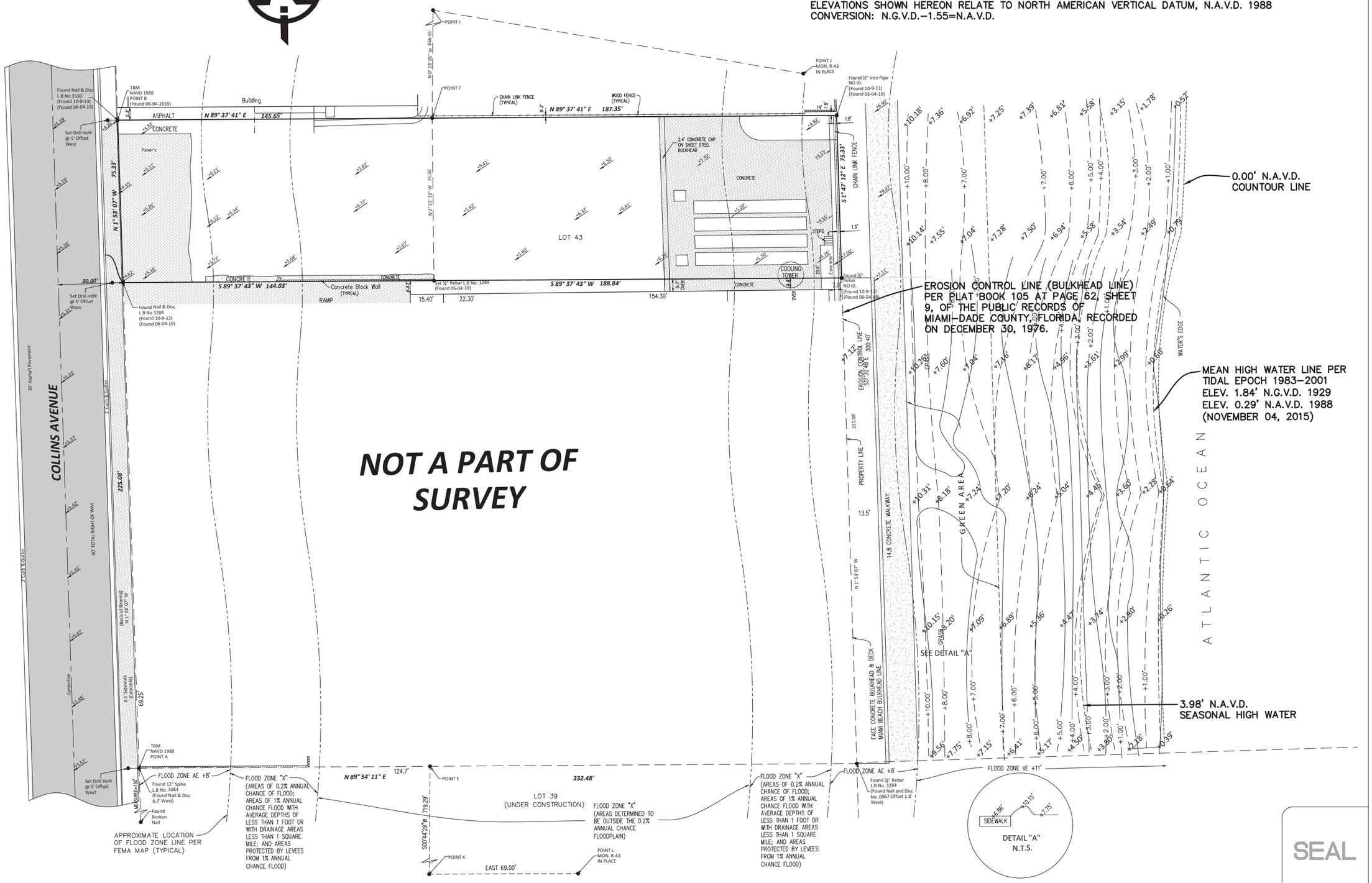
GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

NOTE:
THE COASTAL CONSTRUCTION LINE WAS RELATED TO THE SITE BY THE USE OF GLOBAL POSITIONING SYSTEM EQUIPMENT. THE MONUMENTS THAT WERE USED ESTABLISHING THE PORTION OF THE BASELINE ACROSS THE SUBJECT PROPERTY WERE D.N.R. MONUMENT NUMBER "87–91–DA–16" (NAD 83/90 DATUM, NORTHING 552101.57 EASTING 945880.71) AND D.N.R. MONUMENT NUMBER "87–91–DA–17" (NAD 83/90 DATUM, NORTHING 550787.32 EASTING 945926.00). THE EQUIPMENT USED IN THE SURVEYING WORK RELATED TO THE COASTAL CONSTRUCTION CONTROL LINE WAS LEICA CS–14 (SUB–CENTIMETER ACCURACY).

ELEVATIONS SHOWN HEREON RELATE TO NORTH AMERICAN VERTICAL DATUM, N.A.V.D. 1988
CONVERSION: N.G.V.D.–1.55=N.A.V.D.



Delta Mapping and Surveying, Inc
13230 SW 112ND AVENUE, SUITE 111/7 MIAMI FL. 33176
PHONE:(786) 4223-1120 FX: 305-441-1181 EMAIL:DELTAMAPPING@GMAIL.COM
EST. 2010

Surveyors, Land Planners & Mappers

BOUNDARY SURVEY

REVISIONS
1 18-07-18 0.00' COASTAL CONTROL LINE & MEAN HIGHWATER LINE
2 18-08-18 08-06-2018 UPDATE SURVEY
3 18-08-18 08-18-18 SHOW ELEVATION ON SIDEWALK & BEACHWALK

DATE: 08-13-2018
SCALE: 1" = 20'
DRAWN BY: M.P.R.
DRAWING NO: 18-0343
SHEET NO. 2 OF 2

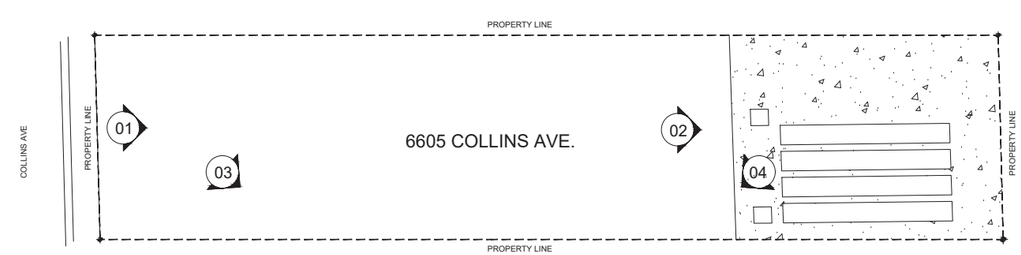
SEAL

PHOTO 01 (09-18-19)

PHOTO 02 (09-18-19)

PHOTO 03 (09-18-19)

PHOTO 04 (09-18-19)



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6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

DATE	REVISION

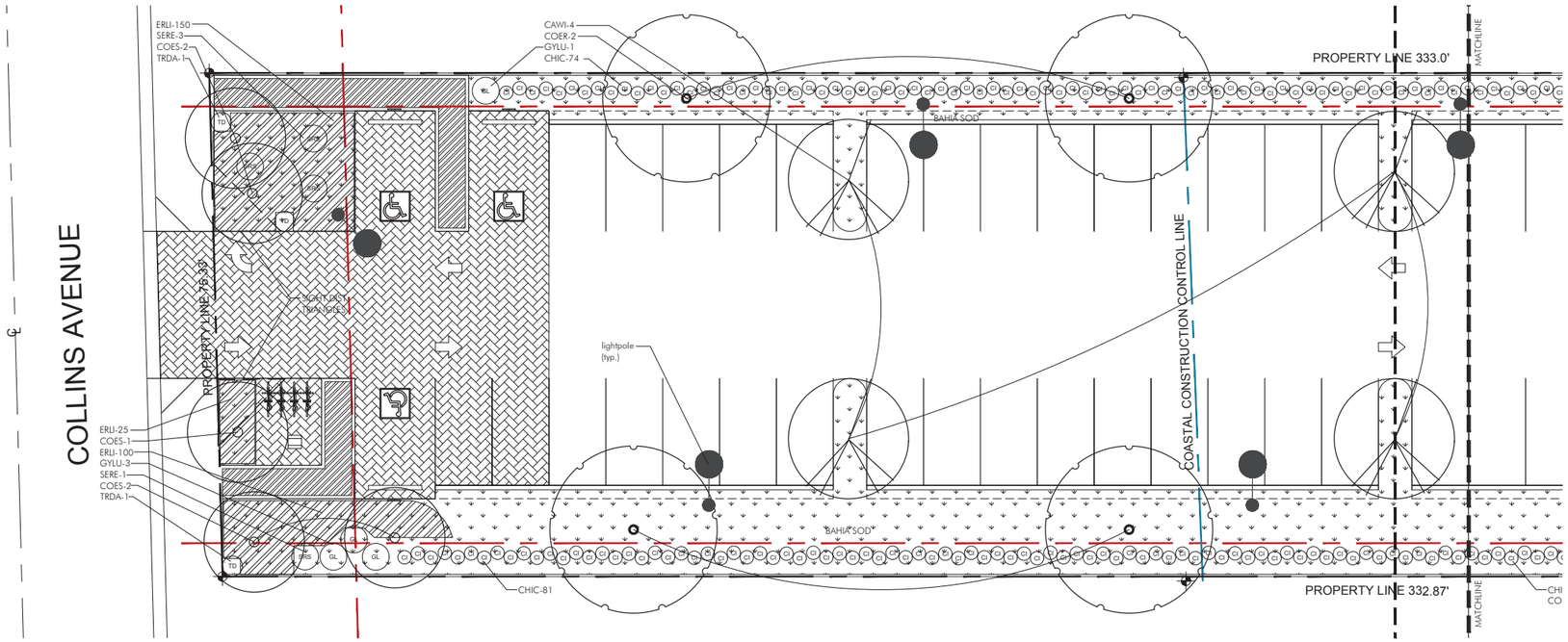
DWG. TITLE
SITE PHOTOGRAPHS

SCALE
N.T.S.

PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-005



NOTE: THERE ARE NO EXISTING TREES ON THIS SITE

PLANTING PLAN 1 LA-101

SCALE: 1" = 10'

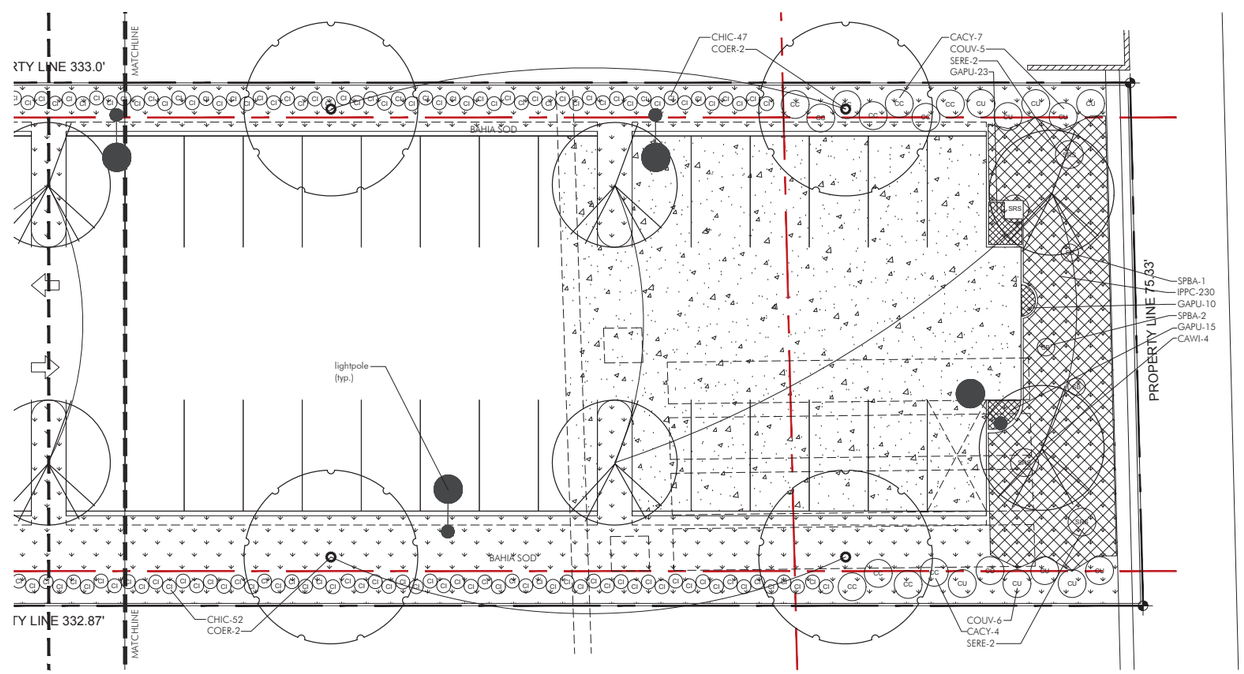
PLANT LIST				
TREES				
KEY	PLANT NAME	QTY.	UT.	SIZE
CAWI	Canella winterana ...Wild Cinnamon	8	ea.	12' tall x 5' spread, 2" DBH min.
COER	Conocarpus erectus ...Green Buttonwood	8	ea.	12' tall x 5' spread, 2" DBH min.
COES	Conocarpus erectus 'Sericeus' ...Silver Buttonwood	5	ea.	12' tall x 5' spread, 2" DBH min., 4' CT single leader
SHRUBS AND GROUNDCOVERS				
KEY	PLANT NAME	QTY.	UT.	SIZE
CACY	Capparis cynophallophora ...Jamaica Caper	11	ea.	6' tall OA, full to ground
CHIC	Chrysobalanus icaco ...Cocoplum	254	ea.	18'x18", install 24" o.c.
COUV	Coccoloba uvifera ...Seagrape	11	ea.	6' tall OA, full to ground
ERLI	Ernodea littoralis ...Golden Creeper	275	ea.	3 gal cans, full, install 18" o.c.
GAPU	Gaillardia pulchella ...Blanket Flower	48	ea.	1 gal cans, full, install 12" o.c.
GYLU	Gymnanthes lucida ...Crabwood	4	ea.	6' tall OA, full to ground
IPPC	Ipomea pes-caprae ...Railroad Vine	230	ea.	1 gal cans, full, install 24" o.c.
SERE	Serenoa repens 'Silver Form' ...Saw Palmetto	8	ea.	24'x24', silver color
SPBA	Spartina bakerii ...Sand Cordgrass	3	ea.	3 gal cans, full
TRDA	Tripsacum dactyloides ...Fakahatchee Grass	3	ea.	3 gal cans, full
MISCELLANEOUS				
sod	Bahia Sod	as req.	s.f.	solid sod
	Planting Soil 70% Silica Sand 30% Everglades Muck	as req.	c.y.	
	Amerigrow Pinebark Mulch	as req.	c.y.	2" layer in all shrub beds

CITY OF MIAMI BEACH
LANDSCAPE LEGEND

INFORMATION REQUIRED TO BE PERMANENTLY AFFIXED TO PLANS

Zoning District__RM-3___ Lot Area _25,071 s.f._ Acres___0.58_____ __

	REQUIRED/ ALLOWED	PROVIDED
OPEN SPACE		
A. Square feet of required Open Space as indicated on site plan: Lot Area = ___25,071___ s.f.x _____ % = _____ s.f.	_____	7,176
B. Square feet of parking lot open space required as indicated on site Number of parking spaces __61___ x 10 s.f. parking space =	610	610
C. Total square feet of landscaped open space required: A+B=	_____	7,786 [31.05%]
LAWN AREA CALCULATION		
A. Square feet of landscaped open space required	_____	
B. Maximum lawn area (sod) permitted= ___30____ % x _7,574_ s.f.	2272	0 (BAHIA)
TREES		
A. Number of trees required per lot or net lot acre, less existing number of trees meeting minimum requirements= ___28___ trees x ___0.58__ net lot acres - number of existing trees=	17	17
B. % Natives required: Number of trees provided x 30% =	6	17
C. % Low maintenance / drought and salt tolerant required: Number of trees provided x 50%=	9	17
D. Street Trees (maximum average spacing of 20' o.c.) ____75___ linear feet along street divided by 20'=	4	4
E. Street tree species allowed directly beneath power lines: (maximum average spacing of 20' o.c.): _____ linear feet along street divided by 20'=	0	0
SHRUBS		
A. Number of shrubs required: Sum of lot and street trees required x 12=	252	294
B. % Native shrubs required: Number of shrubs provided x 50%=	126	294
LARGE SHRUBS OR SMALL TREES		
A. Number of large shrubs or small trees required: Number of required shrubs x 10%=	26	26
B. % Native large shrubs or small trees required: Number of large shrubs or small trees provided x 50%=	13	26



PLANTING PLAN 2 LA-101

SCALE: 1" = 10'

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GSLA DESIGN
GARDNER + SEMLER
LANDSCAPE ARCHITECTURE
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17670 NW 78th AVE., SUITE 214
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6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

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DATE	REVISION

DWG. TITLE: *PLANTING PLAN*

SCALE: *AS SHOWN*

PROJECT NO.: *2018-24*

DATE: *08-07-19*

SHEET NUMBER: *LA-101*

LANDSCAPE SPECIFICATIONS
PART 1 - GENERAL

1.1 SCOPE
A. Contractor shall provide all labor, materials, equipment, supervision, and related work necessary to complete the landscape work in accordance with the intent of the landscape plans, schedules and these specifications. The extent of work is shown on the drawings which are a part of this document.

1.2 CONTRACTOR QUALIFICATIONS
A. Landscape installation work to be performed by a Contractor Certified by the Florida Nurserymen, Growers and Landscape Association (FNGLA) as a Certified Landscape Contractor. Any pruning to be supervised by an Arborist, certified by the International Society of Arboriculture (ISA) and licensed in Miami-Dade County.

1.3 INVESTIGATION OF UTILITIES
A. Prior to beginning work, the Contractor shall be responsible to locate existing underground utilities. Check with all utility companies and Sunshine State, call (811).

1.4 SUBSTITUTIONS
A. Only materials specified will be accepted, unless approved in writing by the Landscape Architect in advance.

1.5 PLANT SIZES
A. All plant sizes shall equal or exceed the minimum sizes as specified in the plant list. When plant sizes are specified as a range of size, installed materials shall average the mean of the range specified. Plants shall be measured following pruning, with branches in normal position. All necessary pruning shall be done at the time of planting.

1.6 PLANT QUALITY
A. All plant material shall be equal to or better than Florida No. 1 as classified by "Grades and Standards for Nursery Plants" by the Division of Plant Industry, Florida Department of Agriculture. They shall have a growth habit that is normal for the species; healthy, vigorous, free from insects, disease and injury.

B. The Owner or Landscape Architect reserves the right to refuse any plant material which does not conform to the intent of the written specifications or design.

C. CIRCLING ROOTS FOUND ON CONTAINER-GROWN MATERIAL WILL NOT BE ACCEPTED UNLESS REMEDIAL ROOT PRUNING, APPROVED BY THE LANDSCAPE ARCHITECT IS DONE BEFORE PLANTING.

1.7 PLANT QUANTITY
A. The plant quantities shown on the plant list are to be used only as an aid to bidders. In the case of discrepancy between the plant list and the plan, the quantity on the plan shall override the plant list.

1.8 UNIT PRICES
A. The successful bidder shall furnish to the Owner and the Landscape Architect, a unit price breakdown for all materials. The Owner may, at his discretion, add to or delete from the materials utilizing the unit price breakdown submitted to and accepted by the Owner.

1.9 SUBMITTALS
A. Fertilizer: The Contractor shall submit to the Owner and Landscape Architect documentation that all the fertilizer used for the project is of the analysis specified and placed at the rates specified in section 2.2 FERTILIZER.

B. Planting soil: The Contractor shall submit a sample of the planting soil (approximately 1 cu. Ft.) for approval by the Landscape Architect prior to delivery to the site.

1.10 CLEAN-UP & MAINTENANCE OF TRAFFIC
A. Follow procedures in FDOT Index 600 for maintenance of traffic during construction.

B. At the end of each work day, the Contractor shall remove debris and shall barricade the un-filled holes in a manner appropriate in the path of pedestrians and motorists.

C. Upon completion of the work or any major portion of the work or as directed by the Landscape Architect, all debris and surplus material from his work shall be removed from the job site.

1.11 MAINTENANCE PRIOR TO ACCEPTANCE
A. The Contractor is responsible to maintain the plantings until they are accepted under the provisions of 1.12 "ACCEPTANCE OF INSTALLATION".

1. Plants: Begin maintenance immediately following the final plant installation operation for each plant and continue until all plant installation is complete and accepted. Maintenance shall include watering all plants, weeding, mulching, pest and disease control, tightening and repairing of guys, repair of braces, removal of dead growth, resetting of plants to proper grade or up-right position, restoration of plant saucer, litter pick-up in plant beds and other necessary operations to assure specified minimum grade of Florida No. 1.

2. Turf Areas: Begin maintenance of turf immediately following the placement of sod and continue until sod installation is complete and accepted. Maintenance shall include but not be limited to, watering, leveling, mowing, weed and pest control, fungus and disease control and other necessary operations as determined by the Landscape Architect and good nursery practice.

3. Re-setting or straightening trees and palms:
The Contractor shall re-set and/or straighten trees and palms as required at no additional cost to the Owner unless caused by sustained winds of 75 mph or more. Then, the costs of the operations may be charged to the owner. Re-set trees within 48 hours.

1.12 ACCEPTANCE OF INSTALLATION
A. Inspection: Inspection of the work, to determine completion of contract work, exclusive of the possible replacement of plants and turf, will be made by the Landscape Architect at the conclusion of the maintenance period. Written notice requesting such an inspection and submitted by the Contractor at least ten (10) days prior to the anticipated date.

1.13 GUARANTEE
A. Guarantee all plants for a period of one year (CCD). Guarantee shall commence from the date of written acceptance. Plant material which is on the site and scheduled to be relocated is not covered by the guarantee except in the case of Contractor's negligence or work that has been done in an unworkman-like manner. The Contractor is not responsible for loss due to acts of god, (i.e.) sustained winds of 75 mph or more, floods, frost, lightning, vandalism or theft.

1.14 REPLACEMENT
A. Replacement shall be made during the guarantee period as directed by the Landscape Architect within ten (10) days from time of notification. For all replacement plant material, the guarantee period shall extend for an additional forty-five (45) days beyond the original guarantee period. The Contractor shall be responsible to provide water to the replacement plants in sufficient quantity to aid in their establishment. At the end of the guarantee period, inspection will be made by the Landscape Architect, upon written notice requesting such inspection and submitted by the Contractor at least five (5) days before the anticipated date. Replacement plants must meet the requirements of Florida No. 1 at time of inspection. Remove from the site all plants that are dead or in a state of unsatisfactory growth, as determined by the Landscape Architect. Replace these and any plants missing due to the Contractor's negligence as soon as conditions permit.

1. Materials and Operations: All replacement plants shall be of the same kind and size as indicated on the plant list. The Contractor shall supply and plant the plants as specified under planting operations.

2. Cost of Replacements: A sum sufficient to cover the estimated cost of possible replacements, including material and labor will be retained by the Owner and paid to the Contractor after all replacements have been satisfactorily made and approved by the Landscape Architect.

PART 2 - MATERIALS

2.1 PLANTING SOIL
A. Planting soil for trees, shrubs and ground covers shall be of the composition noted on the plans, measured by volume.

B. Soil for Sodded Areas: shall be coarse lawn sand.

2.2 FERTILIZER
A. Fertilizer for trees, palms, shrubs, and groundcovers shall be as follows: LESCO Palm Special 13-3-13 or equal, Sulfur coated with iron and other minor elements and maximum of 2% chlorine, or brand with equal analysis. The fertilizer shall be uniform in composition, dry and free flowing and shall be delivered to the site in the original unopened containers, bearing the manufacturer's guaranteed analysis. Fertilizer for sod and seeded areas shall be 8-6-8, 50% organically derived nitrogen, or equal.

2.3 WATER
A. The Contractor shall provide potable water on site, available from the start of planting. The Contractor is responsible to ascertain the location and accessibility of the water source. The Contractor is responsible to provide the means of distribution (i.e. water truck, hoses, etc.) for distribution of water to the planting areas.

2.4 MULCH
A. Mulch shall be shredded Melaleuca mulch (Florimulch) as manufactured by Forestry Resources, Inc., or equal.

2.5 ROOT BARRIER MATERIAL
A. Root barrier material shall be 24" deep polypropolylene panels by DeepRoot or approved equal.

B. Install per details in the plans.

PART 3 - INSTALLATION PROCEDURES

3.1 LAYOUT
A. Verify location of all underground utilities and obstructions prior to excavation.

3.2 HERBICIDE TREATMENT
A. In all areas infected with weed and/or grass growth, a systemic herbicide shall be applied per manufacturer's rates. When it has been established where work will be done, the systemic herbicide shall be applied in accordance with manufacturer's labeling to kill all noxious growth. Contractor shall schedule his work to allow more than one application to obtain at least 95% kill of undesirable growth. If necessary, Contractor shall conduct a test to establish suitability of product and applicator to be used on this project, prior to execution of the full application.

3.3 PLANT PIT EXCAVATION AND BACKFILLING
A. Trees: See the Planting and Bracing Details and notes.

B. All planting holes shall be hand dug where machine dug holes may adversely affect utilities or improvements.

C. Shrubs and Groundcover: Shrubs and groundcover shall be planted in a soil bed as described in the notes and details. Space shrubs and provide setback from curb and pavements as shown in the plans.

D. Watering of field-grown plants: Thoroughly puddle in water to remove any air pockets in the plant hole.

3.4 WATERING
A. The Contractor is responsible to provide the water for all new plants and transplants and means of distribution (i.e. hand watering or water truck) during the maintenance period and extending into the period after acceptance until the full schedule as listed below is complete. Water for trees and other large field grown plants shall be supplemented by hand or water truck, in addition to the irrigation system, (if one is provided). Contractor can adjust watering schedule during heavy rain season upon approval of the Landscape Architect.

AMOUNT OF WATER PER APPLICATION
For trees up to 5 inch caliper - 5 gallons
From 5 to 8 inch caliper - 25 gallons
9 inch and up caliper - 50 gallons

FREQUENCY OF WATER
Daily for the first week
3 times per week for weeks 2 - 5
2 times per week for weeks 6 - 8
1 time per week for weeks 9 - 12

B. Water in plants by thoroughly soaking of the entire root ball immediately after planting. For large trees and shrubs, add water while backfilling hole to eliminate any air pockets in the soil around the root ball.

C. Water shrubs, sod and groundcover a minimum of once daily for a week or until an irrigation system is fully operational. If no irrigation system is to be installed, the Contractor shall be responsible for watering the shrub, sod, and groundcover for the time specified above, after installation of each section of the planting installed.

3.5 FERTILIZING
A. Add fertilizer on top of the surface of shrubs beds and tree and palms root balls two (2) months after installation. Fertilize sod within two (2) days after installing after planting of each segment of the job. Fertilizer shall be applied after soil has been well moistened. Fertilizer shall be washed off of plant leaves and stems immediately after application. Apply at the following rates:

1. Trees and Large Shrubs: One (1) pound per inch of trunk diameter, spread evenly over the root ball area.

2. Shrubs: One half (1/2) handful per shrub, spread evenly over the root ball area.

3. Groundcover: Twelve (12) pounds per 100 sq. ft. of bed area.

4. Sod: Twelve (12) pounds per 1,000 sq. ft. Wash fertilizer off blades immediately after spreading.

3.6 MULCHING
A. Spread mulch two (2) inches thick uniformly over the entire surface of shrubs and groundcover beds, depth measured after settling, unless otherwise specified in the plans. Provide 36" diameter bed of mulch, measured from outer edge of the trunk, for all trees and palms planted in sod areas. Keep mulch away from contact with the trunk. Create a 6" high ring of mulch at the outer edge of tree and palm holes.

3.7 GUYING AND BRACING
A. See the details bound herewith or made part of the plans.

3.8 SODDING
A. Provide a blanket of lawn sand as described in the notes in these plans. Prior to planting, remove stones, sticks, etc. from the sub-soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

B. Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes. The sod shall be rolled with a 500 pound hand roller immediately after placing.

C. Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" from trees, measured from the edge of plant or tree trunk.

D. Sod shall be watered immediately after installation to uniformly wet the soil to at least two inches below the bottom of sod strips.

E. Apply fertilizer to the sod as specified in Section 3.5.

F. Excavate and remove excess soil so top of sod is flush w/top of curb or adjacent pavement, or adjacent existing sod.

PLANT BED PREPARATION NOTES

1. In all areas where new sod and shrub and groundcover masses are to be planted, kill all existing weeds by treating with Round-up prior to beginning soil preparation.

2. In all shrub and groundcover beds, prepare soil as described for either condition, over the entire area to be planted:

Condition A:
If any compacted road base or asphalt or rocky soil is encountered, remove compacted material entirely to allow an 18" depth of planting soil per plant list unless otherwise stated. Backfill the entire area of the shrub and groundcover beds with 18" planting soil (as specified in Plans) to within 2 inches of the adjacent pavement or top of curb. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before planting.

Condition B:
Where no compacted soil is encountered, thoroughly mix 6 inches of planting soil per plant list into the existing soil to a depth of 18 inches unless otherwise stated. If required, excavate and remove the existing soil to lower the grade, so that the prepared mix is finished to a minimum of 2 inches below top of curb or adjacent walkway. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before planting.

For all sod areas, spread a 2" deep layer of lawn sand prior to sodding. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before sodding. Remove, if required, existing soil so that top of sod is flush with and adjacent top of curb or pavement.

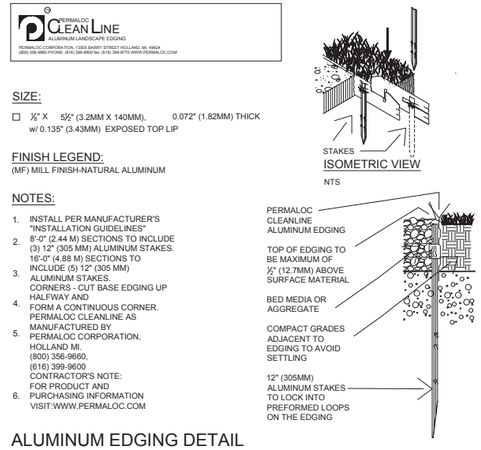
For Trees and shrubs larger than 7 gallon, Add Diehard" transplant innoculant supplied by Horticultural Alliance, Inc. (800-628-6373) or equal. Mix into top 8-10 inches of planting hole, making sure it is contact with the root ball. Add at a rate specified by manufacturer (typically 4oz. per 1 inches of trunk caliper or 7 gallon can).

SPACING OF PLANTS (SEE PLANT SPACING DETAIL)

1. Plants shall be planted sufficiently away from edges of pavements or curbs, to allow for growth toward the edges of the bed.

PROTECTION OF PLANTS

1. The Contractor shall be responsible to protect existing trees and shrubs in and adjacent to the area of work. Erect barriers as necessary to keep equipment and materials, any toxic material, away from the canopy drip line of trees and shrubs. DO NOT PILE SOIL OR DEBRIS AGAINST TREE TRUNKS OR DEPOSIT NOXIOUS BUILDING SUPPLIES OR CHEMICALS WITHIN THE DRIP LINE.



ALUMINUM EDGING DETAIL

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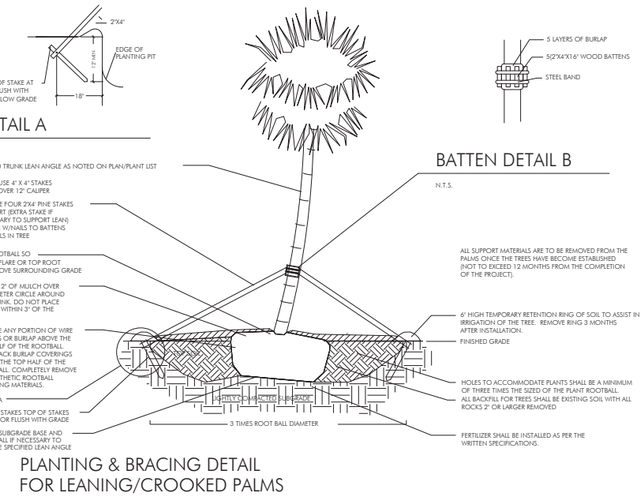

PLANTING & BRACING DETAIL FOR LEANING/CROOKED PALMS

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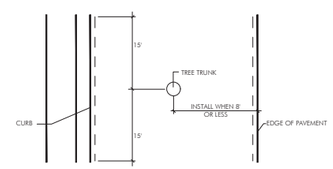
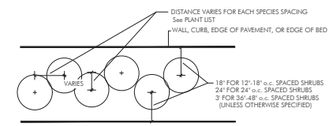
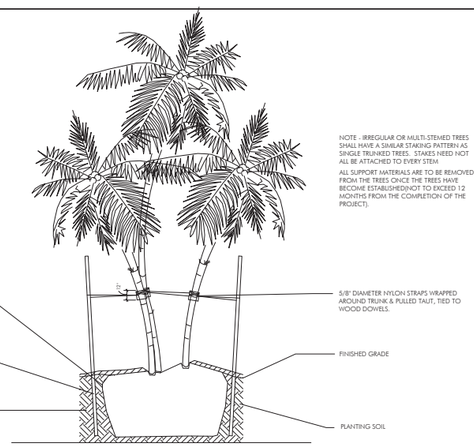


PLAN VIEW



SHRUB SPACING DIAGRAM

N.T.S.



MULTI-TRUNKED TREE/PALM BRACING DETAIL

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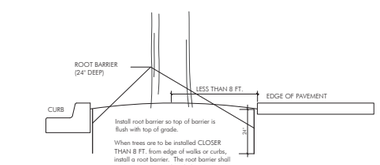

ROOT BARRIER INSTALLATION DETAIL

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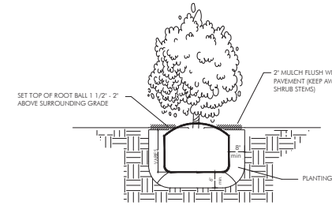

SHRUB INSTALLATION DETAIL

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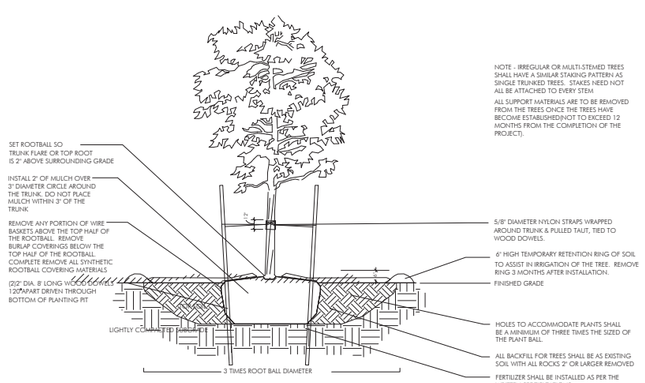
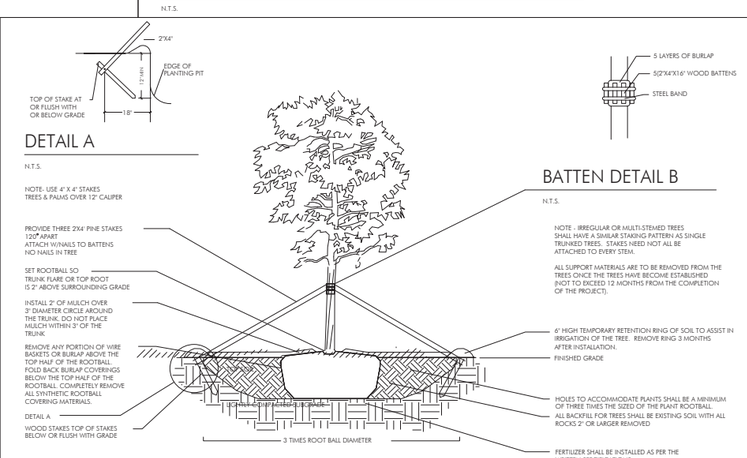


PLANTING & BRACING DETAIL UNDER 3 1/2" CALIPER

N.T.S.



PLANTING & BRACING DETAIL OVER 3 1/2" CALIPER

N.T.S.

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6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

△	DATE	REVISION

DWG. TITLE
PLANTING NOTES SPECIFICATIONS, AND DETAILS

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
08-07-19

SHEET NUMBER
LA-102

IRRIGATION MATERIALS LIST

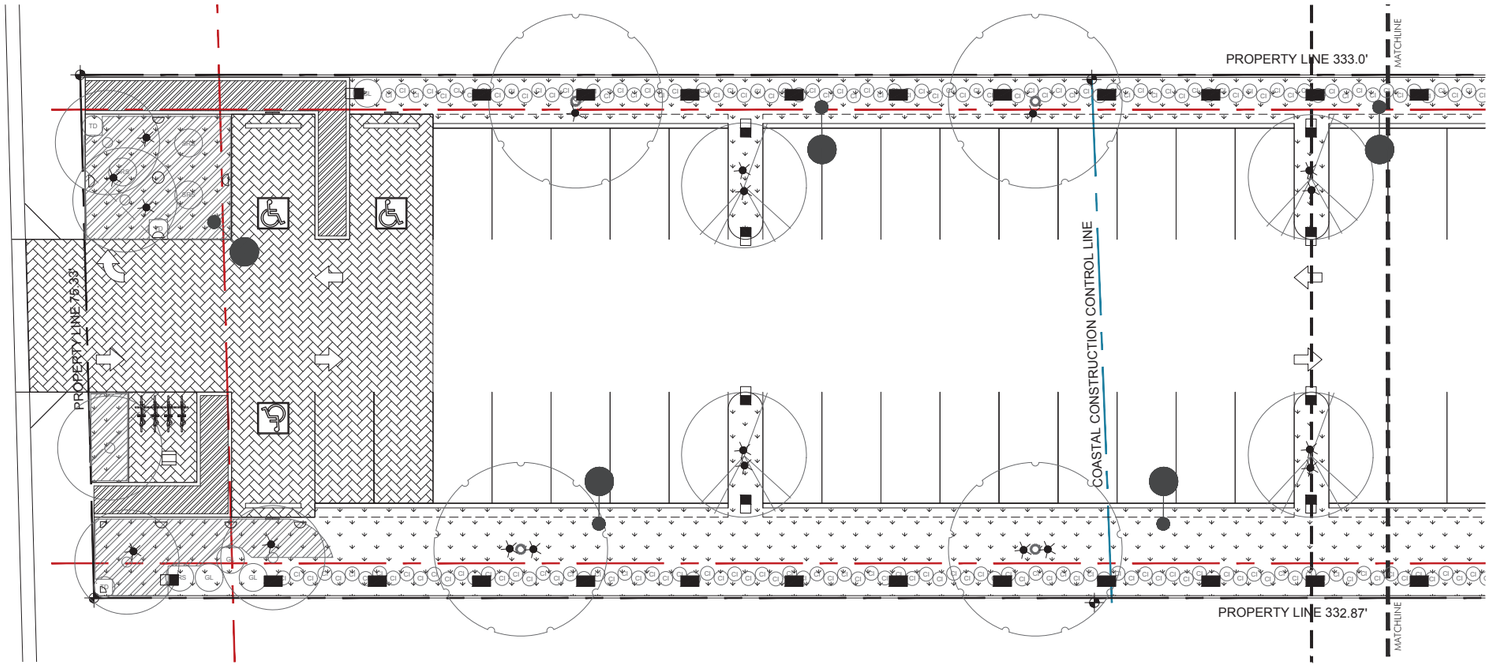
KEY	ITEM	QTY.
	PVC laterals & mains shall be schedule 40 PVC (sized as shown on plans)	as required
	MAIN	as required
	PVC sleeves shall be Schedule 40 PVC (sized 2 sizes larger than the pipe running through it)	as required
	Flexible PVC or Polypipe (for swing joints)	as required
WM	WATER METER (See Civil Plans)	1
EC	Electric Controller RAINBIRD ESP-Me Series Controller	1
	Rainbird RSD Series Rain Sensor (locate in area of free rainfall)	1
	RAINBIRD 200-PESB 2" Electromechanical Solenoid Control Valve	as required
	Irrigation Control Wire	as required
	RAINBIRD Spray Heads 1800 @ 30 PSI Series w/MPR nozzles 6" pop-up in grass areas 12" pop-up on risers in shrub beds	as required
	15-sst (1.21 gpm)	
	15-cst (1.21 gpm)	
	15-est (.61 gpm)	
	9-sst (1.73 gpm)	
	10-F (1.58 gpm)	
	10-TQ (1.18 gpm)	
	10-H (.79 gpm)	
	10-T (.53 gpm)	
	10-Q (.39 gpm)	
	5-F (.41 gpm)	
	5-TQ (.33 gpm)	
	5-H (.20 gpm)	
	5-T (.13 gpm)	
	5-Q (.10 gpm)	
	RAINBIRD 1300A-F Adjustable Flood Bubbler 1300A-F (1.5 gpm)	as required

LATERAL PIPE SIZING

The Contractor is responsible to properly size all laterals. All laterals shall be sized according to the following schedule. Total gallonage per pipe section shall be calculated be adding the GPM per head for every head downstream of the pipe.

PIPE SIZING CHART

SIZE	GPM
½"	0-4 GPM
¾"	4-6 GPM
1"	6-10 GPM
1¼"	10-18 GPM
1½"	18-25 GPM
2"	25-40 GPM
2½"	40-60 GPM
3"	60-90 GPM



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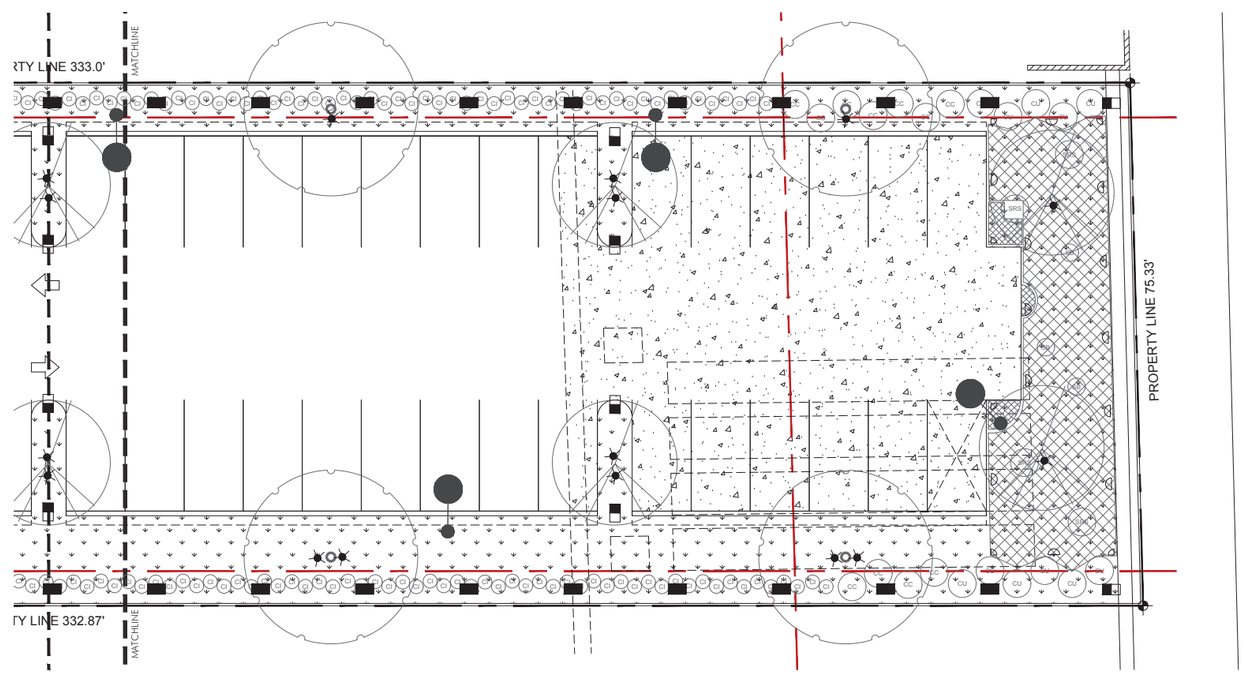
IRRIGATION HEAD LAYOUT PLAN (3 / LA-201)

40' 20' 10' 0

SCALE: 1" = 10'



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IRRIGATION HEAD LAYOUT PLAN (4 / LA-201)

40' 20' 10' 0

SCALE: 1" = 10'

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DATE	REVISION

DWG. TITLE
IRRIGATION PLAN

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
08-07-19

SHEET NUMBER
LA-201

GENERAL NOTES:

1. SCOPE OF WORK: The Contractor shall furnish all labor, machinery, tools, supplies, and equipment as necessary to construct and provide an operating system, as indicated in the Plans. The work shall include, but not be limited to, furnishing materials (pipe, valves, sprinkler heads, fittings, controllers, electrical, wire and fittings, primer, glue, etc.), layout, protection to the public, excavation, assembly, installation, backfilling, compaction, repair of road or pavement surfaces, controller and low voltage feed to the valves, clean-up, maintenance and guarantee, and as-built plans.

2. Contractor shall coordinate with General Contractor or other pertinent Contractors on the job to insure that sleeves are provided and installed under hard surfaces to allow access to all areas to be irrigated. All sleeves shall be constructed of Schedule 40 PVC. Bury all sleeves a minimum of 24" below the surface. Sleeve to be 2 times the size if the pipe running through it. Sleeve shall extend 24" past the edge of pavement into the area to be irrigated.

3. GUARANTEE: The irrigation system shall be guaranteed for a minimum of one calendar year from the time of final acceptance.

4. REPAIR UTILITIES: The Contractor shall be responsible to verify the location of all utilities by hand excavation or other appropriate measures before performing any work that may result in damage to utilities structures, or property. The Contractor shall take immediate steps to repair, replace, or restore all services to any utilities which are disrupted due to his operations. All costs involved in disruption of service and repairs due to negligence on part of the Contractor shall be his responsibility.

5. AS-BUILT DRAWINGS: Prints of the plans will be supplied to the Contractor for recording 'as-built' information. Immediately upon installation of any work which deviates from what is shown on the Plans, the Contractor shall clearly indicate such changes in red pencil on the prints. Such changes shall include, but not be limited to, changes in (1) materials; (2) sizes of material; (3) location; and (4) quantities.

6. The entire installation shall fully comply with all applicable local and state codes and ordinances. The Contractor shall take out all required plumbing and electrical applications and permits, arrange for all necessary inspections and shall pay all fees and expenses in connection with same as part of work under the contract.

7. UNIT PRICES: The successful bidder shall furnish, to the Owner, a unit price breakdown for all materials. The Owner may at his own discretion, add to or delete from the materials, using the unit price breakdown submitted to and accepted by the Owner.

8. MAINTENANCE PERIOD: The irrigation system shall be maintained for a period of 90 days after final acceptance of installation. Maintenance shall include checking of the system 2 times per week. Contractor shall be responsible to replace/repair any broken or malfunctioning parts of the system including those damaged by accidents or vandalism. Repairs shall be made immediately at the time of inspection or when notified by the Landscape Architect.

9. The irrigation system shall provide 100% coverage with a minimum of 90% overlap of water spray.

10. The system is design to provide sprinkler precipitation rates that are nearly equal in each zone. Mixing of sprinklers with widely varying precipitation rates in a zone will not be accepted.

11. All pipe shall be made of Schedule 40 PVC, except flexible PVC (or Toro funny pipe) for flexible swing joint and Schedule 80 galvanized steel pipe for all above ground fittings. Pipe locations shall be adjusted in the field. When laying out mains and laterals, locate pipe near edges of pavement or against buildings wherever possible, to allow space for plant rootballs. Coordinate pipe locations with plantings. Bury all mains 18" below surface and laterals 12". Depth shall be measured to top of pipe.

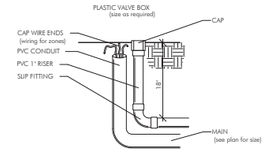
12. Keep pop-up sprinkler heads a minimum of 8" from edges of pavement and curbing, and heads on risers a minimum of 18", or as indicated in the pans.

13. All heads located in shrub or groundcover beds shall be installed on a riser as per details in the plans. All other heads shall be installed on a swing joint as per details in the plans.

14. Place irrigation control wire in conduit in the same trench as mains and under the main. ASI wire shall be #14 or larger solid copper U.L. approved underground direct burial cable and shall be continuous with no splices from controller to solenoid valve.

15. Valve locations are schematic and shall be adjusted in the field. Each valve shall be in a separate valve box (10" x 16") min.). When grouping valve boxes in grass or groundcover areas, set boxes a minimum of 12" apart to allow grass or groundcover to grow between them. When possible, hide valve boxes in shrub beds, a minimum of 12" from edge of beds. Set all valve boxes, concrete or plastic, in ground with cover flush with finish grade, and level, with a minimum of 6" of pea gravel at the bottom of the box, with at least 2" of clearance from the bottom of the valve to the top of the gravel.

16. TESTING: Notify the Landscape Architect in writing when testing will be conducted. Conduct test in the presence of the Landscape Architect. After all PVC assembly is completed the lines shall be flushed to insure that no rocks, sand, or other foreign debris remains in the lines. The mains shall be filled with water and all outlets shall be capped and plugged. The main shall be pressurized to 100 PSI for a minimum of one hour. No section of the main will be approved if the pressure drops more than 5 PSI at the end of the one hour period. Leaks shall be repaired immediately and the system shall be re-tested until found satisfactory by the Landscape Architect.



DETAIL OF STUB-OUT FOR FUTURE USE

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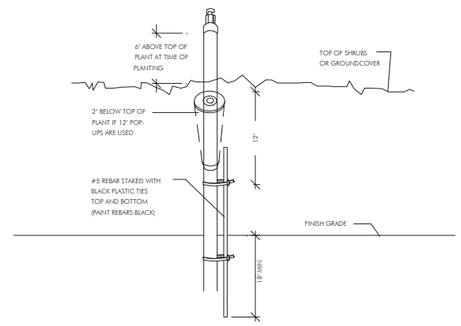

SPRINKLER ON RISER DETAIL FOR SHRUB AREAS

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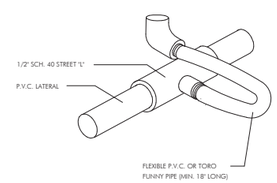
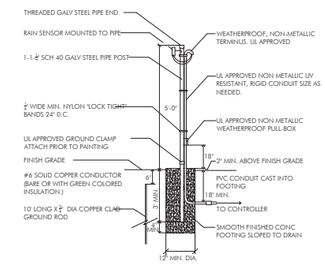


FLEXIBLE SWING JOINT DETAIL

N.T.S.

NOTE:
ALL WIRE CONNECTIONS SHALL BE APPROVED WATERTIGHT CONNECTIONS.
FINISH ENTIRE ASSEMBLY, EXCEPT FOR EQUIPMENT, WITH FLAT BLACK ACRYLIC ENAMEL PAINT.
PRIME METALLIC SURFACES WITH ZINC CHROMATE PRIOR TO FINISHING.



RAIN SENSOR DETAIL

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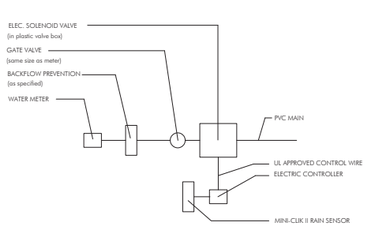

CONNECTION TO METER DETAIL

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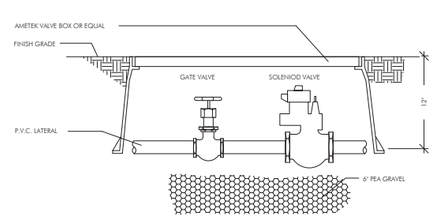

TYPICAL SOLENOID VALVE ASSEMBLY

N.T.S.

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DATE	REVISION

DWG. TITLE
IRRIGATION NOTES SPECIFICATIONS, AND DETAILS

SCALE
AS SHOWN

PROJECT NO.
2018-24

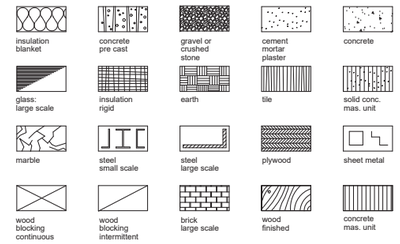
DATE
08-07-19

SHEET NUMBER
LA-202

ABBREVIATIONS

A	
ACOUS.	ACOUSTICAL
A.C	AIR CONDITIONING
A.D.	AREA DRAIN
ADJ.	ADJUSTABLE
AGGR.	AGGREGATE
AL.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
ASB.	ASBESTOS
ASPH.	ASPHALT
B	
BD.	BOARD
BITUM.	BITUMINOUS
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BLKHD.	BULKHEAD
BM.	BEAM
BOT.	BOTTOM
C	
CAB.	CABINET
CARP.	CARPET
C.B.	CATCH BASIN
CEM.	CEMENT
CER.	CERAMIC
C.I.	CAST IRON
C.G.	CORNER GUARD
CLG.	CEILING
CLKG.	CAULKING
CLO.	CLOSET
CLR.	CLEAR
C.M.U.	CONCRETE MASONRY UNIT
C.O.	CASED OPENING
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONSTR.	CONSTRUCTION
CONT.	CONTINUOUS
CORR.	CORRIDOR
CTSK.	COUNTERSUNK
CNTR.	COUNTER
C.T.	CERAMIC TILE
CTR.	CENTER
D	
DBL.	DOUBLE
DEPT.	DEPARTMENT
D.F.	DRINKING FOUNTAIN
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DISP.	DISPENSER
DN.	DOWN
D.O.	DOOR OPENING
DR.	DOOR
DWR.	DRAWER
DS.	DOWN SPOUT
D.S.P.	DRY STANDPIPE
DWG.	DRAWING
E	
E.	EAST
EA.	EACH
E.J.	EXPANSION JOINT
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EMER.	EMERGENCY
ENCL.	ENCLOSURE
E.P.	ELECTRICAL PANEL BOARD
EQ.	EQUAL
EQPT.	EQUIPMENT
E.S	EMERGENCY OVERFLOW SCUPPER
E.W.C.	ELECTRIC WATER COOLER
EXST.	EXISTING
EXP0.	EXPOSED
EXP.	EXPANSION
EXT.	EXTERIOR
F	
F.A.	FIRE ALARM
F.B.	FLAT BAR
F.D.	FLOOR DRAIN
FDN.	FOUNDATION
F.E.	FIRE EXTINGUISHER
F.E.C.	FIRE EXTINGUISHER CAB.
F.H.C.	FIRE HOSE CABINET
FIN.	FINISH
FL.	FLOOR
FLASH.	FLASHING
FLUOR.	FLUORESCENT
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUDS
FPRF.	FIREPROOF
F.S.	FULL SIZE
FT.	FOOT OR FEET
FTG.	FOOTING
FURR.	FURRING
FUT.	FUTURE
F.V.	FIELD VERIFY
F.V.C.	FIRE VALVE CABINET
G	
GA.	GAUGE
GALV.	GALVANIZED
G.B.	GRAB BAR
G.C.	GENERAL CONTRACTOR
GL.	GLASS
GND.	GROUND
GR.	GRADE
GYP.	GYPSUM
G.W.B.	GYPSUM WALLBOARD
H	
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HDWD.	HARD WOOD
HDWE.	HARDWARE
H.M.	HOLLOW METAL
HORIZ.	HORIZONTAL
HR.	HOUR
HGT.	HEIGHT
I	
I.D.	INSIDE DIAMETER (DIM.)
IN.	INCH
INSUL.	INSULATION
INT.	INTERIOR
INV.	INVERT
J	
JAN.	JANITOR
JST.	JOIST
JT.	JOINT
K	
KIT.	KITCHEN
L	
LAB.	LABORATORY
LAM.	LAMINATE
LAV.	LAVATORY
L.F.	LINEAR FEET
LKR.	LOCKER
LT.	LIGHT
LTG.	LIGHTING
LTWT.	LIGHT WEIGHT
M	
MAX.	MAXIMUM
M.C.	MEDICINE CABINET
MACH.	MACHINE
MECH.	MECHANICAL
MEMB.	MEMBRANE
MET.	METAL
MFR.	MANUFACTURER
MH.	MANHOLE
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
M.L.	MATCH LINE
M.O.	MASONRY OPENING
MTD.	MOUNTED
MUL.	MULLION
N	
N.	NORTH
N.I.C.	NOT IN CONTRACT
NO. OR #	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O	
O.A.	OVERALL
OBS.	OBSCURE
O.C.	ON CENTER
O.D.	OUTSIDE DIMENSION
OFF.	OFFICE
OPNG.	OPENING
OP. HD.	OPPOSITE HAND
OPP.	OPPOSITE
P	
PRCST.	PRE-CAST
P.L.	PROPERTY LINE
P.T.	PRESSURE TREATED
PL.	PLATE
P.LAM.	PLASTIC LAMINATE
PLAS.	PLASTER
PLYWD.	PLYWOOD
POL.	POLISHED
PR.	PAIR
PT.	POINT
P.T.D.	PAPER TOWEL DISPENSER
PTN.	PARTITION
PTR.	PAPER TOWEL RECEPTACLE
Q	
Q.T.	QUARRY TILE
R	
R.	RISER
RAD.	RADIUS
R.D.	ROOF DRAIN
REF.	REFERENCE
REFL.	REFLECTED
REFR.	REFRIGERATOR
RF.	ROOF
RGTR.	REGISTER
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
RM.	ROOM
R.O.	ROUGH OPENING
RWD.	REDWOOD
R.W.L.	RAIN WATER LEADER
S	
S.	SOUTH
SABF	SOUND ATTENUATION FIRE BLANKETS
S.C.	SOLID CORE
S.C.D.	SEAT COVER DISPENSER
SCHED.	SCHEDULE
S.D.	SOAP DISPENSER
SECT.	SECTION
SH.	SHELF
SHR.	SHOWER
SHT.	SHEET
SIM.	SIMILAR
S.N.D.	SANITARY NAPKIN DISPENSER
S.N.R.	SANITARY NAPKIN RECEPTACLE
SPEC.	SPECIFICATION
SQ.	SQUARE
S.ST.	STAINLESS STEEL
S.SK.	SERVICE SINK
STA.	STATION
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SUSP.	SUSPEND
SYM.	SYMMETRICAL
T	
TRD.	TREAD
T.B.	TOWEL BAR
T.C.	TOP OF CURB
TEL.	TELEPHONE
TEMP.	TEMPERED
T. & G.	TONGUE AND GROOVE
THK.	THICK
TOIL.	TOILET
T.P.	TOP OF PAVEMENT
T.P.D.	TOILET PAPER DISPENSER
T.V.	TELEVISION
T.W.	TOP OF WALL
TYP.	TYPICAL
T.O.B.	TOP OF BEAM
T.O.C.	TOP OF CONCRETE
T.O.S.	TOP OF SLAB
U	
UNF.	UNFINISHED
U.O.N.	UNLESS OTHERWISE NOTED
UR.	URINAL
	UNDERWRITERS LAB
V	
V.I.F.	VERIFY IN FIELD
VERT.	VERTICAL
V.T.	VINYL TILE
VEST.	VESTIBULE
V.B.	VAPOR BARRIER
W	
W.	WEST
WT.	WEIGHT
W/	WITH
W.C.	WATER CLOSET
WD.	WOOD
W/O	WITHOUT
WP.	WATERPROOF
WSCT.	WAINSCOT

MATERIAL LEGEND



PROJECT TEAM

OWNER:	S F LAND LLC 6565 COLLINS AVE MIAMI BEACH, FL 33141 TEL 305 666 2122
DESIGN/PROJECT ARCHITECT:	BEILINSON GOMEZ ARCHITECTS PA JOSE L. GOMEZ AR0015416 8101 BISCAYNE BLVD., SUITE 309-310 MIAMI, FL 33138-4664 TEL. (305) 559.1250 FAX. (305) 551.1740
LANDSCAPE ARCHITECT:	GARDNER + SEMLER DESIGN LANDSCAPE ARCHITECTURE CORP. ID # 0000266 17670 NW 78th AVE., SUITE 214 MIAMI, FL 33015 TEL. (305) 392.1016

DRAWING INDEX

ARCHITECTURAL

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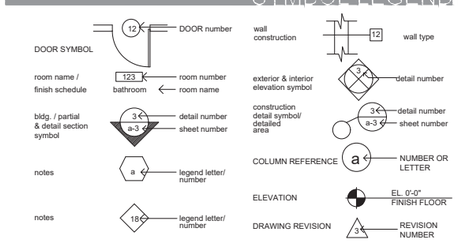
SYMBOL LEGEND



APPLICABLE CODES

GOVERNING ZONING CODE:	MIAMI BEACH, FLORIDA CODE ORDINANCE
BUILDING CODE:	FLORIDA BUILDING CODE 2017
EXISTING BUILDING:	FLORIDA BUILDING CODE: EXISTING BUILDING CODE 2017
STRUCTURAL:	FLORIDA BUILDING CODE 2017
PLUMBING:	FLORIDA BUILDING CODE 2017 - PLUMBING
MECHANICAL:	FLORIDA BUILDING CODE 2017 - MECHANICAL
ELECTRICAL:	FLORIDA BUILDING CODE - 2017 EDITION
ACCESSIBILITY:	FLORIDA BUILDING CODE 2017 - CHAPTER 11 FACBC
FIRE PROTECTION:	FLORIDA FIRE PREVENTION CODE - 2017 EDITION

PROJECT INFORMATION

SCOPE OF WORK

THE SCOPE OF THIS PROJECT IS AN OPEN PARKING LOT ON GRADE FOR A TOTAL OF 61 PARKING SPACES.

LEGAL DESCRIPTION

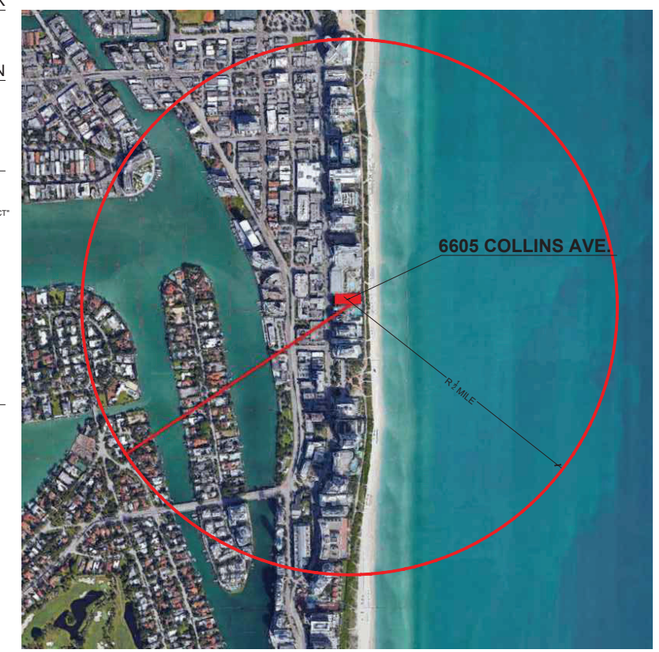
LOT 43, BLOCK 1, AMENDED PLAT OF SECOND FRONT SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 28, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ZONING SUMMARY

PROJECT ADDRESS:	6605 COLLINS AVE	
HISTORIC DISTRICT:	NORTH BEACH RESORT HISTORIC DISTRICT "6605 COLLINS AVE." PROPERTY IS EXCLUDED FROM THE HISTORIC DISTRICT"	
ZONING DISTRICT:	RM-3 (RESIDENTIAL MULTIFAMILY, HIGH INTENSITY)	
PRESENT / PROPOSED OCCUPANCY:	OPEN PARKING LOT	
	REQUIRED	PROVIDED
LOT AREA	MIN. 7,000 S.F.	MIN. 25,072 S.F. / 0.576 ac
LOT WIDTH	MIN. 50 F.	75.33 F.
HEIGHT	MAX. 200 F. (OCEAN FRONT)	N/A
SETBACK REQUIREMENTS AT GRADE PARKING LOT		
FRONT	20 F.	20'-0"
SIDE INTERIOR	5 F.	North 7'-0" / South 13'-0"
REAR	50 F. (OCEAN FRONT)	16'-8" (EXISTING CONCRETE)

REQUEST FROM D.R.B. VARIANCES FROM

1. A VARIANCE OF SECTION 142-247 TO ALLOW THE AT GRADE PARKING LOT TO BE LOCATED SIXTEEN FEET-EIGHT INCHES (16'-8") FROM THE BULKHEAD LINE WHEN FIFTY FEET (50') ARE REQUIRED.
2. A VARIANCE OF SECTION 130-70, ALLOWING PORTIONS OF THE TEMPORARY PARKING LOT TO CONSIST OF CONCRETE, ASPHALT, AND PAVERS, WHEN PAVERS ARE REQUIRED FOR ALL SURFACES ON THE TEMPORARY PARKING LOT.



PLANNING BOARD - FINAL SUBMITTAL 09-20-19

Conditional Use Permit Application for a Temporary Parking Lot Operating 24-Hours Per Day

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DATE	REVISION

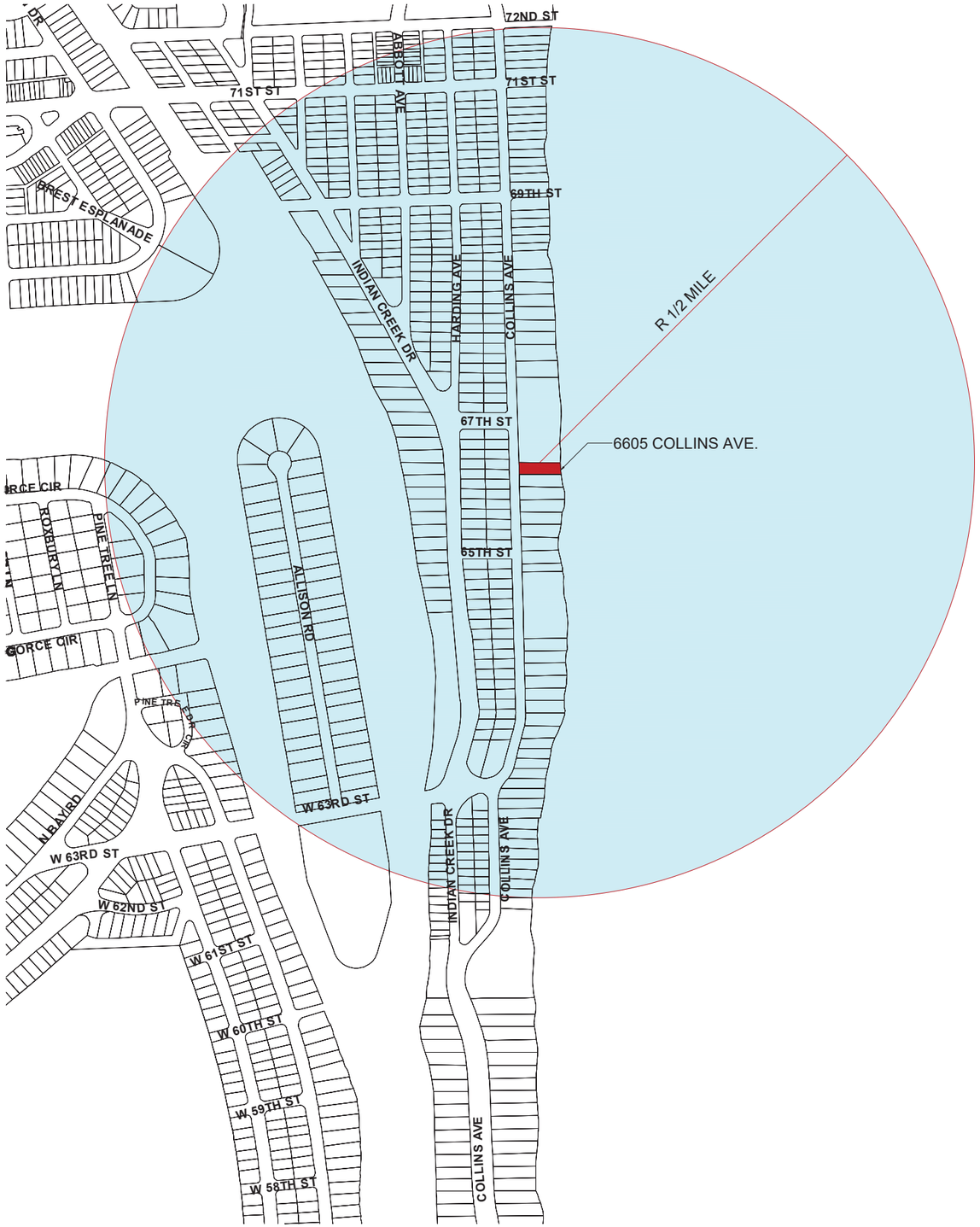
DWG. TITLE
PROJECT INFORMATION INDEX

SCALE
N.T.S.

PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-001



SITE LOCATION

SCALE: N.T.S

RM3 - ZONING DATA SHEET

ITEM #	Zoning Information			
1	Address:	6605 COLLINS AVENUE. MIAMI BEACH, FL. 33141		
2	Board and file numbers:			
3	Folio number(s):	02-3211-007-0410		
4	Year constructed:	N/A	Zoning District:	RM-3
5	Base Flood Elevation:	8.0' NGVD	Grade value in NGVD:	4.55'
6	Adjusted grade (Flood+Grade/2):	6.275'	Lot Area (SF):	25,072 S.F.
7	Lot width (FT):	75.33'	Lot Depth (FT):	333.0'
8	Minimum Unit Size(SF):	N/A	Average Unit Size:	N/A
9	Existing use:	VACANT	Proposed use:	TEMPORARY PARKING LOT

		Maximum	Existing	Proposed	Deficiencies
10	Height:	200'-0" Oceanfronts	N/A		
11	Number of Stories:		N/A		
12	**FAR:**	**2.25** / 56,412 S.F.	N/A	NONE	
13	Gross square footage:		N/A	16,774 S.F.	
14	Square Footage by use:		N/A	16,774 S.F. PARKING SURFACE	
15	Number of units Residential:		N/A		
16	Number of units Hotel:		N/A		
17	Number of seats:		N/A		
18	Occupancy load:	**F.B.C** TABLE 1004.1.2 MAX. 84 OCC	N/A	MAX. 84	

	Setbacks	Required	Existing	Proposed	Deficiencies
	Subterranean:	N/A			
19	Front Setback:	N/A			
20	Side Setback:	N/A			
21	Side Setback:	N/A			
22	Side Setback facing street:	N/A			
23	Rear Setback:	N/A			
	At Grade Parking:	N/A			
24	Front Setback:	20'-0"		20'-0"	
25	Side Setback:	5'-0" or 5% lot width		5'-8" North	
26	Side Setback:	5'-0" or 5% lot width		11'-8" South	
27	Side Setback facing street:	N/A			
28	Rear Setback:	50'-0" Oceanfronts	16'-8"	16'-8"	33'-4"
	Pedestal:	N/A			
29	Front Setback:	N/A			
30	Side / Interior Setback:	N/A			
31	Side Setback:	N/A			
32	Side Setback facing street:	N/A			
33	Rear Setback:	N/A			
	Tower:	N/A			
34	Front Setback:	N/A			
35	Side Setback:	N/A			
36	Side Setback:	N/A			
37	Side Setback facing street:	N/A			
38	Rear Setback:	N/A			

	Parking	Required	Existing	Proposed	Deficiencies
39	Parking District: No. 1				
40	Total # of parking spaces:	N/A		61	
41	# of parking hotel rooms	N/A			
	# of parking bar at lobby	N/A			
	# of parking bar at rooftop	N/A			
42	# of parking spaces per level (Provide a separate chart for a breakdown calculation)	N/A			
43	Parking Space Dimensions:	8'-6" x 18'-0"		8'-6" x 18'-0"	
44	Parking Space configuration (45o,60o,90o,Parallel)			90 degree	
45	ADA Spaces	3		3	
46	Tandem Spaces	N/A			
47	Drive aisle width	22'-0"		22'-0"	
48	Valet drop off and pick up	N/A			
49	Loading zones and Trash collection areas	N/A			
50	Racks	N/A		1	

	Restaurants, Cafes, Bars, Lounges, Nightclubs	Required	Existing	Proposed	Deficiencies
51	Type of use:	N/A			
52	Total # of seats:	N/A			
53	Total # of seats per venue (Provide a separate chart for a breakdown calculation)	N/A			
54	Total occupant load:	N/A			
55	Occupant load per venue (Provide a separate chart for a breakdown calculation)	N/A			

56	Is this a contributing building?	Yes or **NO**
57	Located within a Local Historic District?	Yes or **NO**

01 ZONING CHART

SCALE: N.T.S

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6605 COLLINS AVENUE

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DATE	REVISION

DWG. TITLE

SITE LOCATION AND ZONING CHART

SCALE

N.T.S.

PROJECT NO.

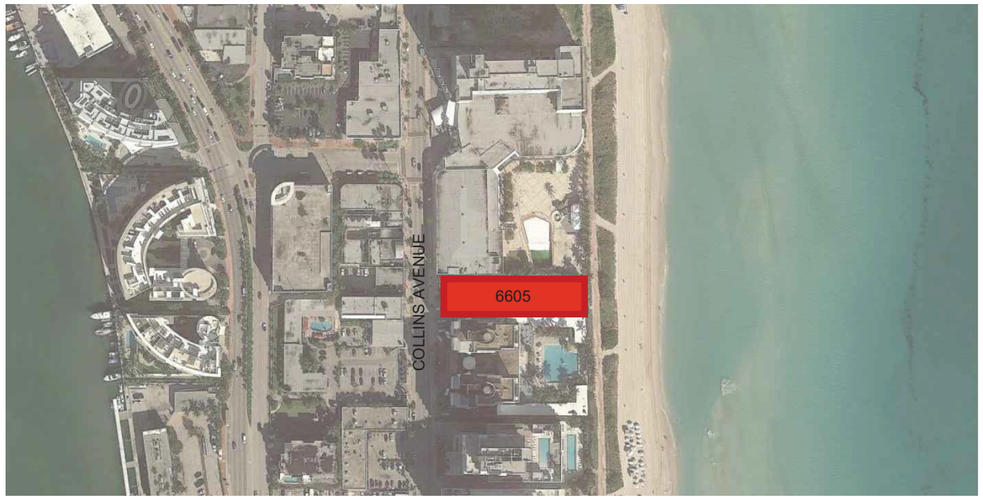
2018-24

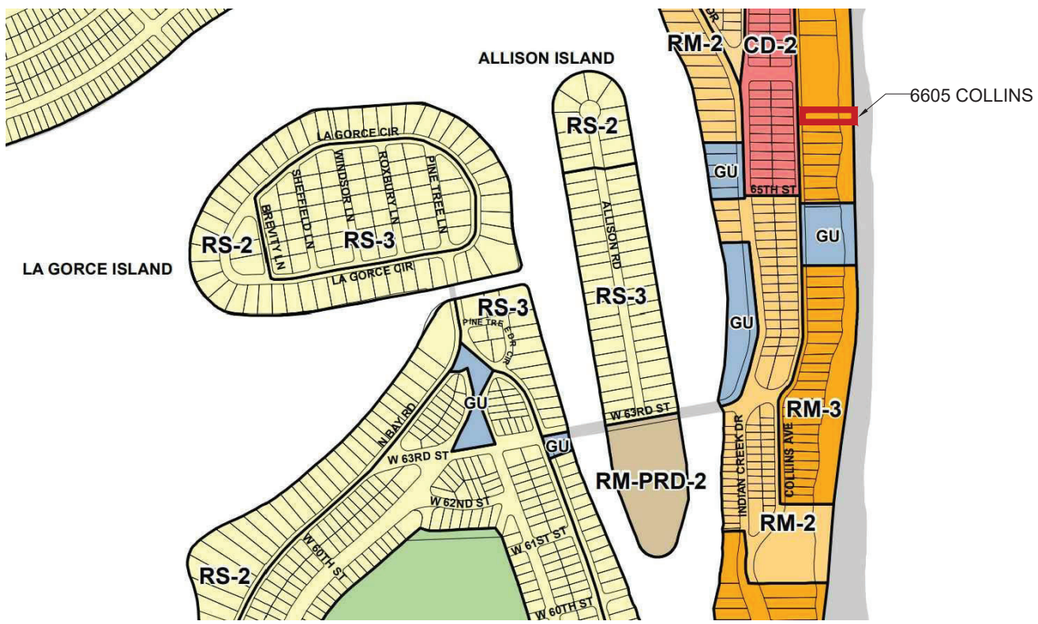
DATE

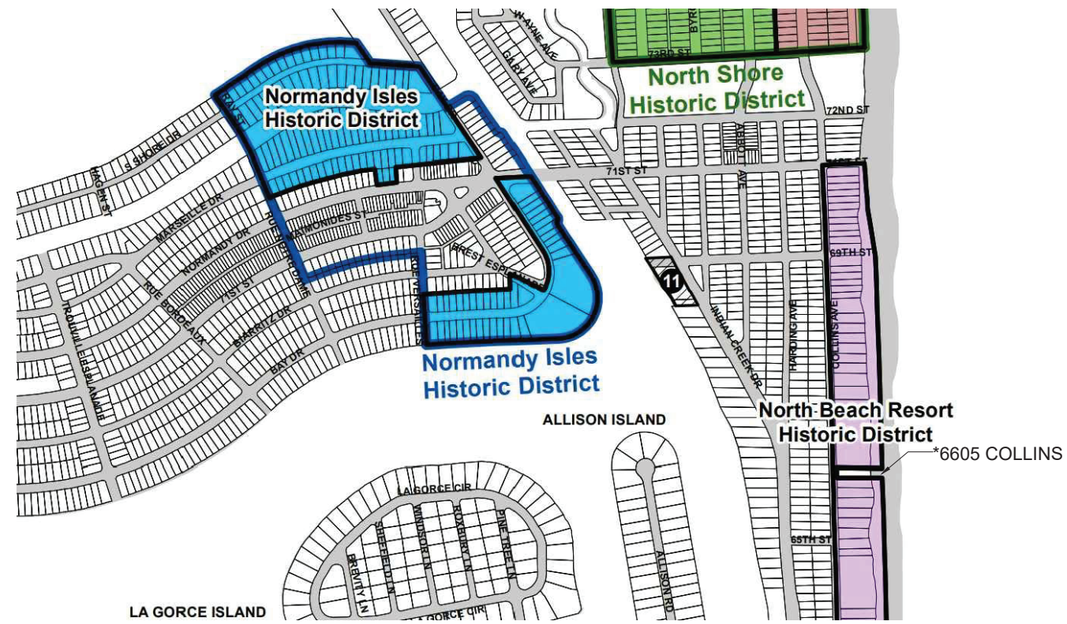
09-20-19

SHEET NUMBER

A-002







ZONING DISTRICTS

- RS-1 Single family residential
- RS-2 Single family residential
- RS-3 Single family residential
- RS-4 Single family residential
- TH Townhome residential
- RM-1 Residential multifamily, low intensity
- RM-2 Residential multifamily, medium intensity
- RM-3 Residential multifamily, high intensity
- CD-1 Commercial, low intensity
- CD-2 Commercial, medium intensity
- CD-3 Commercial, high intensity
- I-1 Urban light industrial
- MXE Mixed use entertainment
- HD Hospital district
- MR Marine recreational
- GU Civic and government use
- CCC Convention center district
- RM-PRD Multifamily, planned residential development district
- RM-PRD-2 Multifamily, planned residential development district
- WD-1 Waterway district
- WD-2 Waterway district
- RO Residential office
- GC Golf course
- RPS-1 Residential performance standard, medium-low density
- RPS-2 Residential performance standard, medium density
- RPS-3 Residential performance standard, medium-high density
- RPS-4 Residential performance standard, high denisty
- CPS-1 Commercial performance standard, limited mixed use
- CPS-2 Commercial performance standard, general mixed use
- CPS-3 Commercial performance standard, intensive mixed use
- CPS-4 Commercial performance standard, intensive phased bayside
- RMPS-1 Residental mixed use performance standard
- SPE Special public facilites educational district
- TC-1 North Beach Town Center core
- TC-2 North Beach Town Center mixed use
- TC-3 North Beach Town Center residential/office
- TC-3(c) North Beach Town Center residential/office with conditional neighborhood commercial

FOR AN OFFICIAL ZONING DETERMINATION PLEASE CONTACT THE PLANNING DEPARTMENT.

LOCAL HISTORIC DISTRICTS

- Espanola Way Historic District
- Altos del Mar Historic District
- Flamingo Park Historic District
- Ocean Drive/Collins Avenue Historic District
- Museum Historic District
- Ocean Beach Historic District
- Harding Townsite Historic District
- Palm View Historic District
- Collins Waterfront Historic District
- North Beach Resort Historic District
- Flamingo Waterway Historic District
- Morris Lapidus/Mid 20th Century Historic District
- North Shore Historic District
- Normandy Isles Historic District

NATIONAL REGISTER HISTORIC DISTRICTS

- Miami Beach Architectural District
- Normandy Isles Historic District
- North Shore Historic District
- Collins Waterfront Architectural District

LOCAL HISTORIC SITES

1. Old City Hall Historic Site
2. 21st St Recreation Center Historic Site
3. Congregation Beth Jacob Historic Site
4. Venetian Causeway Historic Site
5. Miami Beach Woman's Club Historic Site
6. Sunset Island Bridges Historic Structures
7. The Bath Club Historic Site
8. Dade Blvd Fire Station Historic Site
9. PineTree Dr Historic Roadway
10. Flagler Memorial and Monument Island Historic Site
11. 69th St Fire Station Historic Site
12. 28th St Obelisk and Pumping Station Historic Structure
13. 1600 Lenox Ave Historic Site
14. 36 Ocean Dr Historic Site
15. 1700 Alton Rd Historic Site

*6605 COLLINS AVENUE PROPERTY IS EXCLUDED FROM THE NORTH BEACH RESORT HISTORIC DISTRICT
*6605 COLLINS AVENUE IS NOT A HISTORIC PROPERTY

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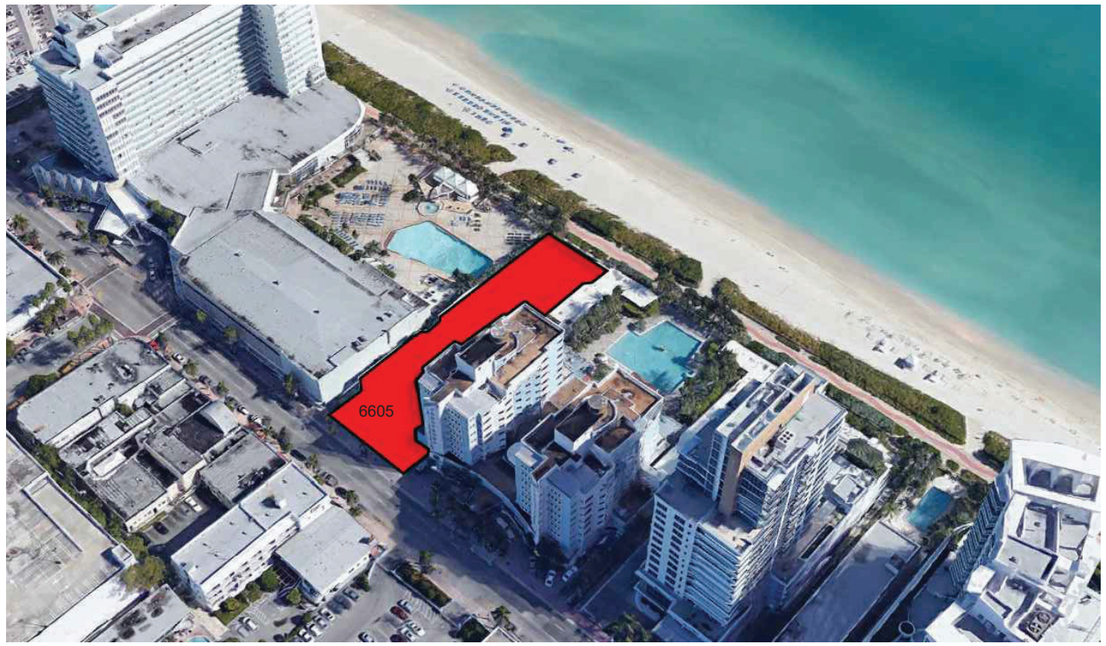
DWG. TITLE
DISTRICT MAPS

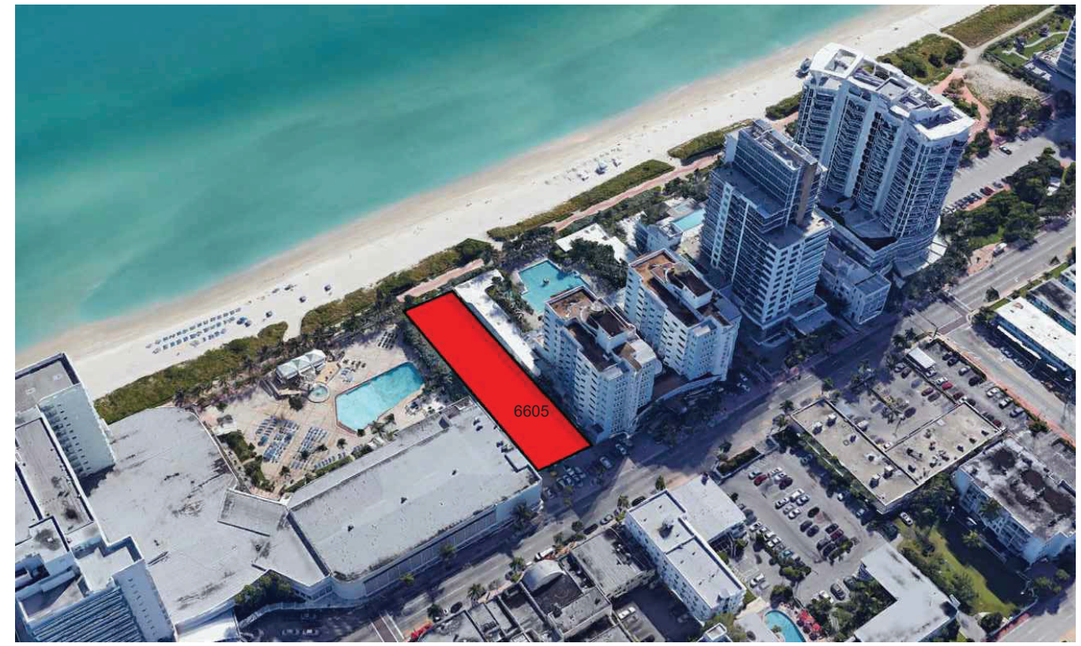
SCALE
N.T.S.

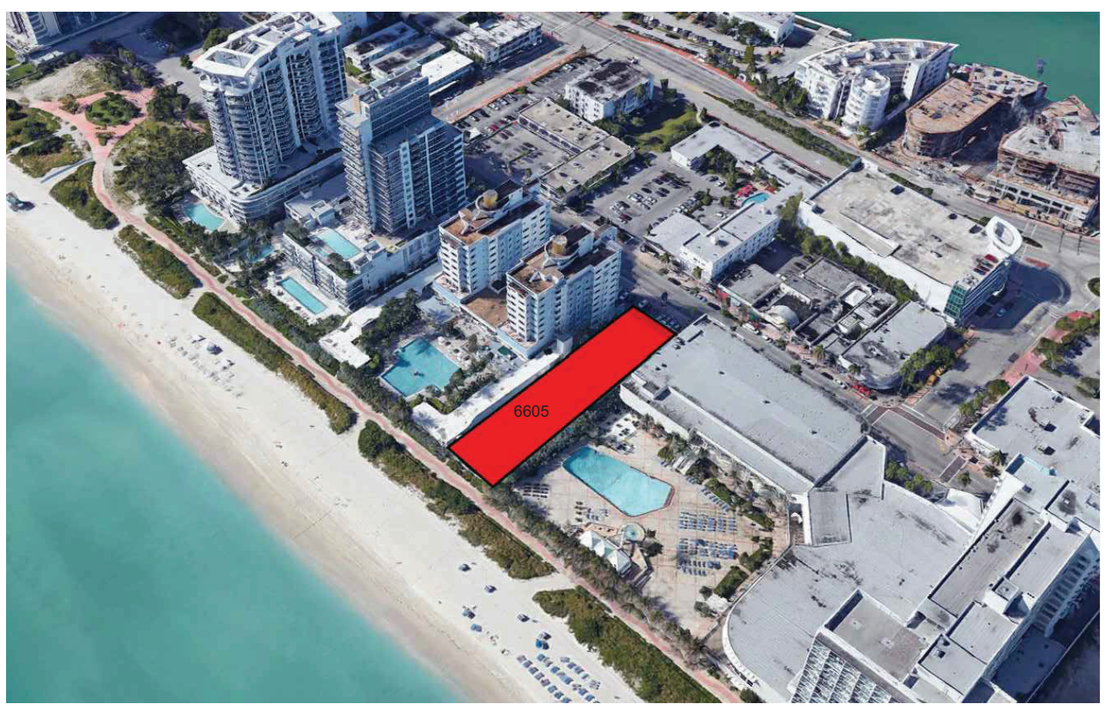
PROJECT NO.
2018-24

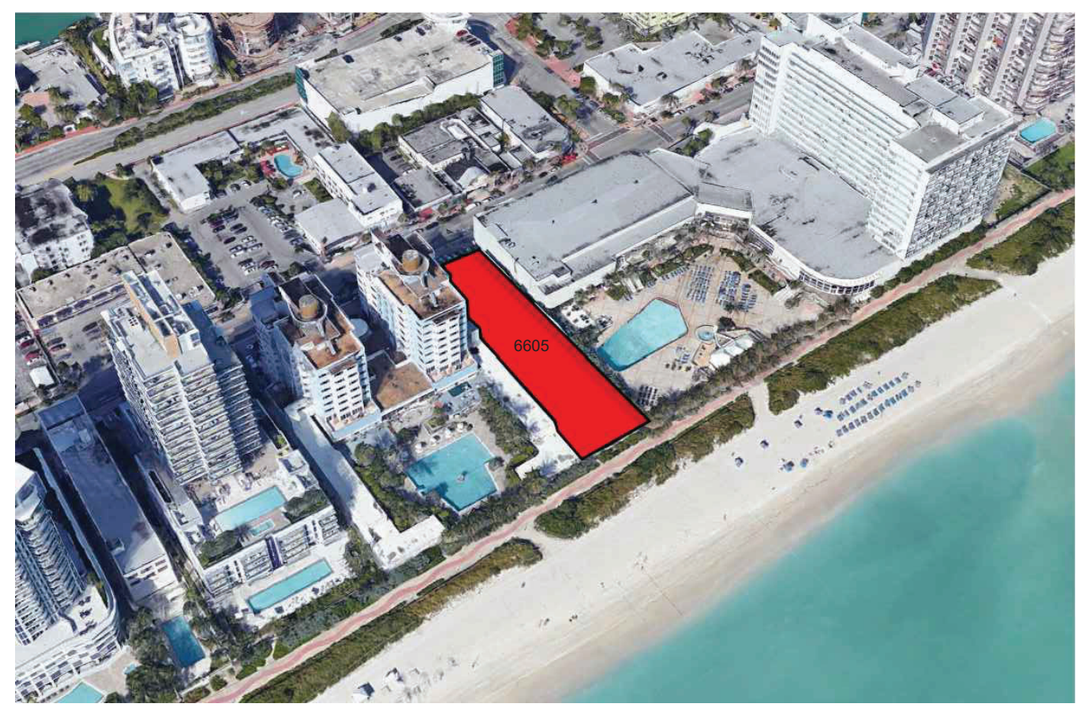
DATE
09-20-19

SHEET NUMBER
A-003









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DATE	REVISION

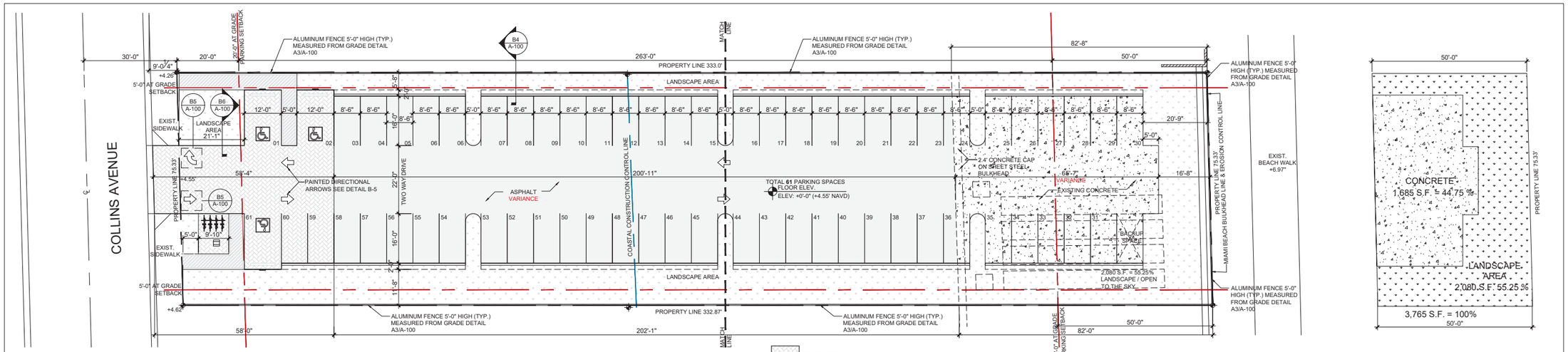
DWG. TITLE
AERIAL VIEWS

SCALE
N.T.S.

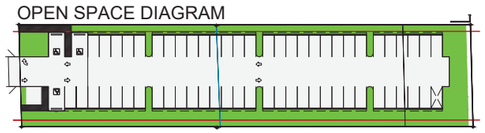
PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-004



OPEN SPACE DIAGRAM



OPEN SPACE 7,786 S.F. (31.05%)

LEGEND

- PAVED AREA
- EXISTING CONCRETE
- ASPHALT
- LANDSCAPE

NOTES :
1. REFER TO LANDSCAPE FOR ALL PLANTING.

PARKING ON GRADE

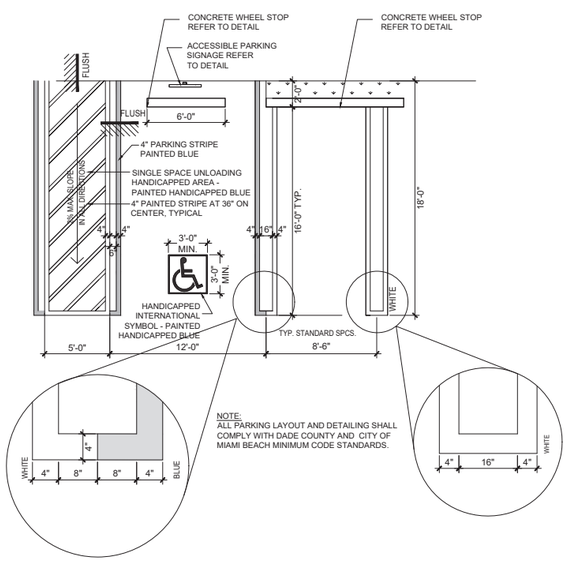
SCALE: 1/16"=1'-0"

REAR YARD DIAGRAM

SCALE: 1/16"=1'-0"

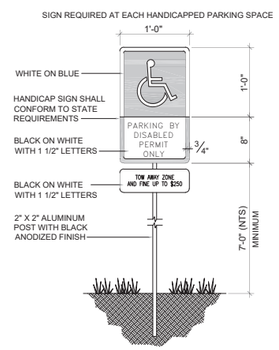
C1 OVERALL SITE PLAN

SCALE: 1/16"=1'-0"



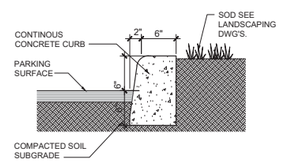
A1 PARKING DETAILS

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



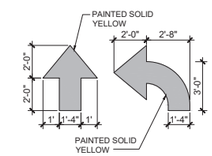
B3 SIGN DETAIL

SCALE: N.T.S



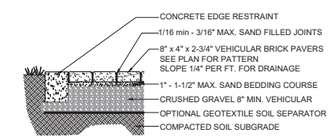
B4 CONCRETE CURB SECTION

SCALE: 1" = 1'-0"



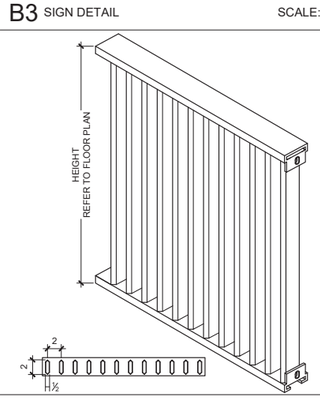
B5 DIRECTION ARROWS

SCALE: N.T.S



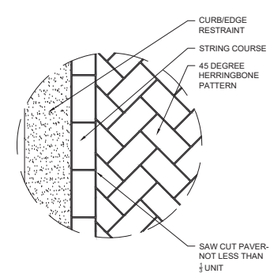
B6 PAVERS SECTION

SCALE: 1" = 1'-0"



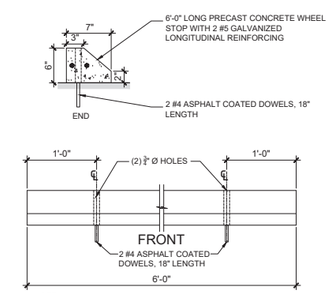
A3 ALUMINUM FENCE (TYP. DETAIL)

SCALE: N.T.S.



A4 PAVERS TYP. DETAIL

SCALE: 1" = 1'-0"



NOTE:
EACH WHELL STOP TO BE SECURED BY TWO 30" LONG #5 REBARS IN ASPHALTIC PAVT.; BY EPOXY CEMENT IN CON. PAVT.

A5 WHEEL STOP TYP. DETAIL

SCALE: 1" = 1'-0"

BEILINSON GOMEZ ARCHITECTS
ARCHITECTURE AAC001062
JOSE L. GOMEZ AR0015416
8101 BISCAYNE BLVD.
SUITE 309
MIAMI FL 33138-4664
TEL. (305) 559.1250
FAX (305) 551.1740
beilinsonarchitectspa.com

6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

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DATE	REVISION

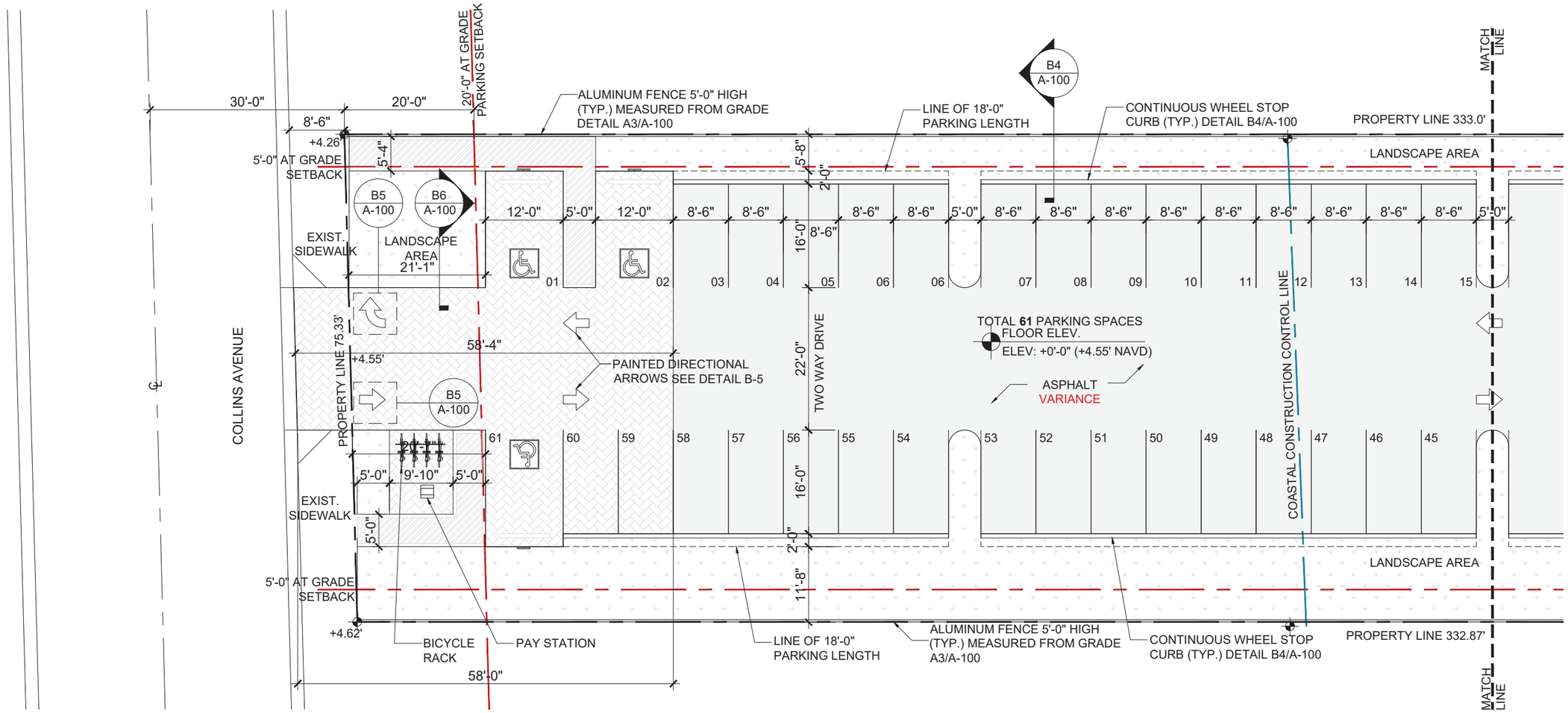
DWG. TITLE
OVERALL SITE PLAN AND SITE DETAILS

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-100



ENLARGED (A) SITE PLAN

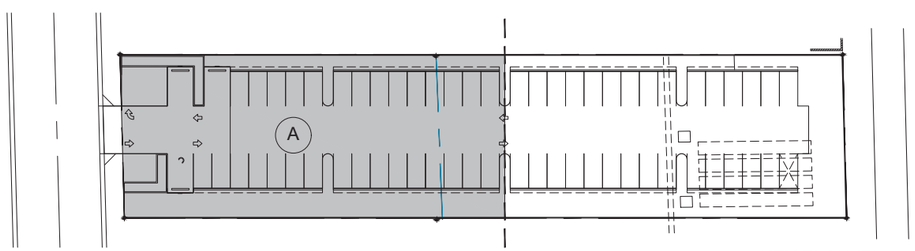
SCALE: 1/8" =1'-0"

LEGEND

- PAVED AREA
- EXISTING CONCRETE
- ASPHALT
- LANDSCAPE

NOTES :

1. REFER TO LANDSCAPE FOR ALL PLANTING.



KEY PLAN (B)

SCALE: N.T.S.

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MIAMI BEACH, FL 33141

DATE	REVISION

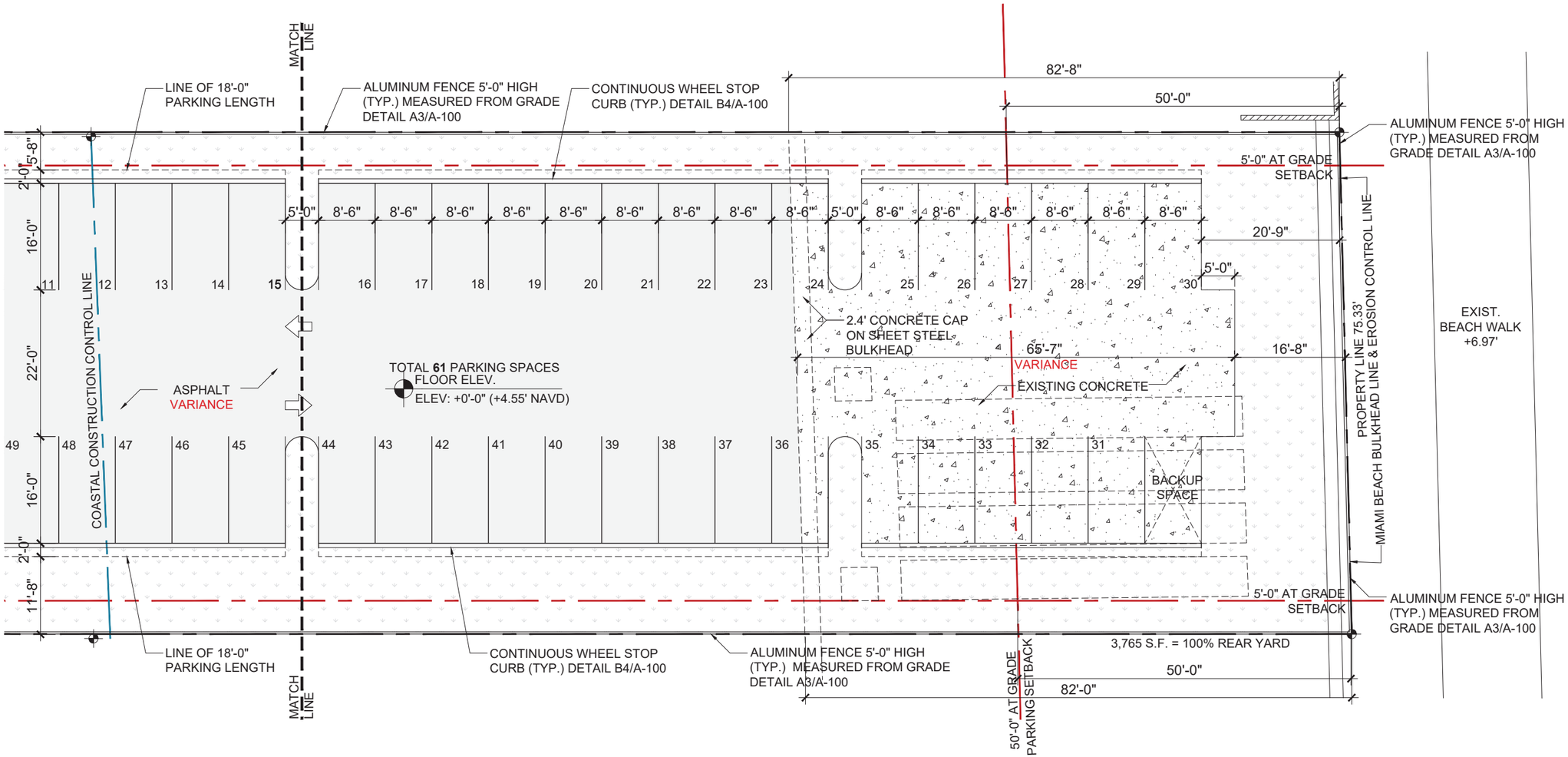
DWG. TITLE
ENLARGED (A) SITE PLAN

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-101



ENLARGED (B) SITE PLAN

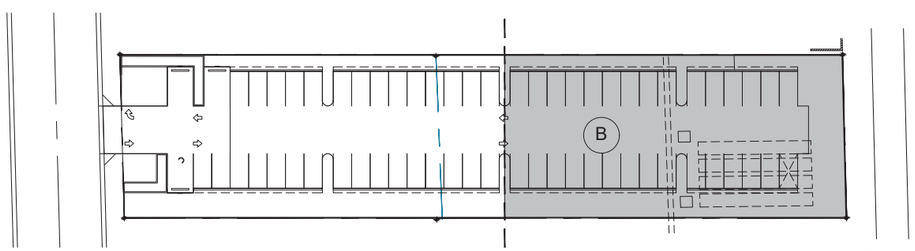
SCALE: 1/8" =1'-0"

LEGEND

- PAVED AREA
- EXISTING CONCRETE
- ASPHALT
- LANDSCAPE

NOTES :

1. REFER TO LANDSCAPE FOR ALL PLANTING.



KEY PLAN (B)

SCALE: N.T.S.

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DATE	REVISION

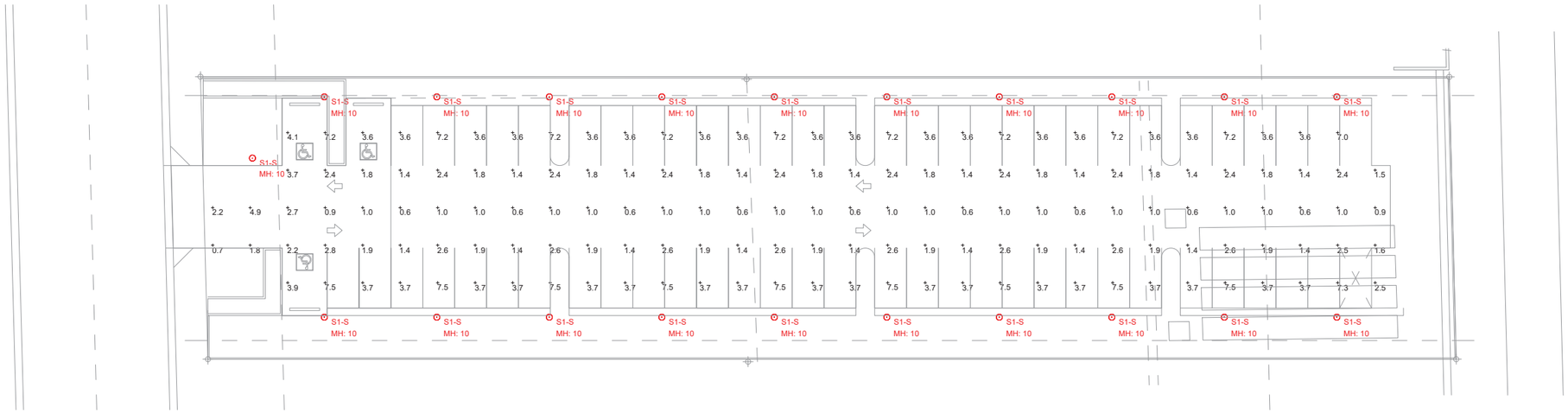
DWG. TITLE
ENLARGED (B) SITE PLAN

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
09-20-19

SHEET NUMBER
A-102



Photometrics Calculation Software Generated Luminaire Schedule								
Symbol	Qty	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	LLF	Lum. Watts	Arr. Watts
	21	S1-S	SINGLE	3912	3912	1.350	114.2	114.2

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site	Illuminance	Fc	2.90	7.5	0.6	4.83	12.50

6605 COLLINS LOT

LIGHTING FIXTURE SCHEDULE

TYPE	DESCRIPTION	MFR	CATALOG NUMBER	VOLTS	LAMPS	WATTS	MOUNTING	DIMMING (If Req)	REMARKS
S1-S	LED AMBER STREET LIGHT WITH 180º BACKSHIELD	ANP	BVA2001-P117LD4-D-T3-AMB-HSS180-XX-FINISH (MOUNTED ON VALMONT POLE #0908-30404TE-XX-FINISH)	UNV	LED	117W	10' POLE		NOTE 1, NOTE 2, NOTE 3

NOTE 1: ADVISE FINISH

NOTE 2: ADVISE MOUNTING ARM

NOTE 3: MOUNTED ON VALMONT 10' ALUMINUM DIRECT-BURIAL POLE #0908-30404TE-XX-FINISH

FOR QUESTIONS PERTAINING TO THIS FIXTURE SCHEDULE PLEASE CONTACT SANDY LANGNER @ LIGHTING DYNAMICS (954) 214-4296; SLANGNER@LIGHTINGDYNAMICS.COM

LIGHTING DYNAMICS INCORPORATED

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine applicability of the layout to existing or future field conditions. This lighting pattern represents illumination levels calculated from laboratory data taken under controlled conditions utilizing current industry standard lamp ratings in accordance with Illuminating Engineering Society approved methods. Actual performance of any manufacturer's luminaire may vary due to variation in electrical voltage, tolerance in lamps and other variable field conditions.

NOTES:

No.	Revision/Issue	Date
2	PHOTOMETRIC STUDY	08/28/19
1	PHOTOMETRIC STUDY	08/07/19

LIGHTING DYNAMICS, INC.
7835 West Commercial Blvd.
Tamarac, FL 33351
(954) 944-0286
www.lightingdynamics.com

Project Name and Address

6605 COLLINS LOT
Lighting Study - Site
Miami Beach, FL

FILE P:\PROJECTS\2019\AUGUST
CLIENT TWR Engineers

Project 6605 Collins Lot
Date 08/28/19
Scale 1/16" = 1'-0"
Sheet L1
DRAWN BY RH / SR

6605 COLLINS LOT

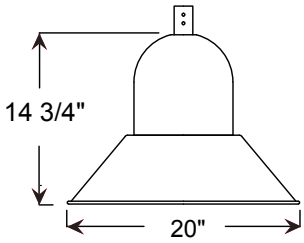
LIGHTING FIXTURE SCHEDULE

TYPE	DESCRIPTION	MFR	CATALOG NUMBER	VOLTS	LAMPS	WATTS	MOUNTING	DIMMING (If Req)	REMARKS
S1-S	LED AMBER STREET LIGHT WITH 180º BACKSHIELD	ANP	BVA2001-P117LD4-D-T3-AMB-HSS180-XX-FINISH (MOUNTED ON VALMONT POLE #0908-30404TE-XX-FINISH)	UNV	LED	117W	10' POLE		NOTE 1, NOTE 2, NOTE 3

Project: _____

Fixture Type: _____ Quantity: _____

Customer: _____



Specifications

Material:
All parts are durable 356 cast aluminum and high strength aluminum spinnings. All hardware provided shall be stainless steel or zinc plated steel.

Fixture Mounting:
Pendant Mount: Pin mount to tenon. Fits 3" and 4" poles.

Drivers:
Universal voltage 120-277 is standard. 0-10V dimming is standard for LED platforms.

See page 2 for LED engine and driver specifications.

Electrical:
Approximately 12" of pull wire extends from luminaire. Additional pull wire provided for post mount arms and wall mounts.

Finish:
A polyester powder coat high quality finish is electro-statically applied and baked at 430° for exceptional durability and color retention. Products undergo an intensive five-step cleansing and pretreatment process for maximum paint adhesion.

Marine grade finish provides superior salt, humidity and UV protection. This coating withstands up to 3000 hours of continuous salt spray, comes with a 5-year warranty and is available in either a textured or gloss surface.

Modifications:
Consult factory for custom or modified designs.

BVA2001 - LED

Dark Sky Friendly.

Weight: 6.5 lbs
EPA: 0.86
BUG: *See table below

Catalog Logic

BVA2001	P078LD4	D	T5	40K	- PC	- PA1613	- 72
Luminaire Series	Light Source & Wattage	Dimming	Optic	CCT	Accessories	Mounting	Finish

Catalog Number

1	2	3	4	5	6	7
BVA2001	D			—	—	—

1 LIGHT SOURCE & WATTAGES

P029LD4	(29w Platform; 400ma Driver)
P046LD4	(46w Platform; 400ma Driver)
P078LD4	(78w Platform; 400ma Driver)
P117LD4	(117w Platform; 400ma Driver)

2 DIMMING

D (Dimming)

See page 2 table for LED engine and driver specs, voltage and dimming protocols.

3 OPTICS

T2	(Type II)
T3	(Type III)
T5	(Type V)

4 COLOR TEMPERATURE (CCT)

27K	(2700K)
30K	(3000K)
35K	(3500K)
40K	(4000K)

5 ACCESSORIES

HSS90	(90° House Side Shield, polished)
HSS120	(120° House Side Shield, polished)
4ST36	(3 Ft, 1 1/4" Ridged Stem & Canopy)
PEND-CH3	(3 Ft Pendant Chain & Canopy)
***EMG-LED20HV**	(20w, High Voltage LED Emergency Driver, remote placement, for use with Platforms and Towers, 78w or less)
HLMSPC-06	(High-Low Motion Sensor/Photocell; 15' - 30' Sensor Mounting Height)
HLMSPC-10	(High-Low Motion Sensor/Photocell; 8' - 15' Sensor Mounting Height)
PA-BF	(Post Arm Ball Fitter)
PA-BFS	(Post Arm Ball Fitter w/Swivel)
PC	(Button Photo Cell)
SP	(Surge Protector, 10kA & 10kV)
TLPC	(Twist Lock photo cell & receptacle)
TL	(Twist Lock receptacle only)
TL5	(5-pin Twist Lock receptacle)
TL7	(7-pin Twist Lock receptacle)

***For Emergency lumen output data, see Resources section at www.ANPlighting.com.**

6 MOUNTING SOURCE

Post Mount Arms *See Page 3 for Style/Size		Wall Mount Arms *See Page 3 for Style/Size	
PA0413	**PA6213**	**WM0413**	**WM5163**
PA1613	**PA8453**	**WM1613**	**WM5603**
PA1753		**WM1763**	
PA2023		**WM1773**	
PA2313		**WM2313**	
PA2613		**WM3003**	
PA3113		**WM3203**	
PA3213		**WM3553**	
PA3533		**WM4513**	
PA5153		**WM5143**	
Column Mount *See Page 3 for Style/Size			
CM Column Mount			

7 FINISHES

Standard Grade	Marine Grade		Standard Grade	Marine Grade	
40	**NA**	Raw Unfinished	**53**	**100**	Copper Clay
41	**101**	Black	**56**	**109**	Silver
42	**102**	Forest Green	**61**	**106**	Black Verde
43	**114**	Bright Red	**70**	**118**	Painted Chrome
44	**107**	White	**71**	**105**	Painted Copper
45	**112**	Bright Blue	**72**	**108**	Textured Black
46	**123**	Sunny Yellow	**73**	**125**	Matte Black
47	**120**	Aqua Green	**76**	**121**	Textured Architectural Bronze
49	**NA**	Galvanized	**77**	**127**	Textured White
50	**111**	Navy	**78**	**124**	Textured Silver
51	**103**	Architectural Bronze	**10**	**130**	Aspen Green
52	**104**	Patina Verde	**11**	**131**	Cantaloupe
12	**133**	Lilac	**13**	**132**	Putty

Consult factory for additional paint charges and availability

*BUG RATING TABLE

B1-U0-G1	**P046LD4NT340K**
B1-U0-G1	**P046LD4NT540K**
B3-U0-G1	**P078LD4NT340K**
B2-U0-G2	**P078LD4NT540K**
B3-U0-G2	**P117LD4NT340K**
B4-U0-G2	**P117LD4NT540K**

07302018

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ANP reserves the right to change material or design, without prior notice, in a continuing effort to upgrade its products.

1-800-548-3227
ANPlighting.com

Project: _____

Fixture Type: _____ Quantity: _____

Customer: _____

LED PERFORMANCE

PLATFORM

LED Wattage	CCT	Typical Luminous Flux	System Wattage	Typical Efficacy
29W	2700K	2670	30w	89
	3000K	2670	30w	89
	3500K	3209	30w	107
	4000K	3465	30w	116
46W	2700K	4004	46w	87
	3000K	4004	46w	87
	3500K	4814	46w	105
	4000K	5197	46w	115
78W	2700K	7041	80w	88
	3000K	7041	80w	88
	3500K	8464	80w	106
	4000K	9138	80w	114
117W	2700K	10561	120w	88
	3000K	10561	120w	88
	3500K	12696	120w	106
	4000K	13707	120w	114

PLATFORM SPECIFICATION:

- Efficacy ranges from 80-116 lumens per watt
- Customized lens precisely directs the light
- Operating temperature of -30C to 55C
- Life: L70 is 60,000 hours
- PLATFORM CCT: 2700K, 3000K,3500K, and 4000K
- TOWER CCT: 4000K
- CRI: >70
- Parallel circuitry ensures consistent light output in the event of single LED failure

PLATFORM DRIVER SPECIFICATION:

- Operates at 400mA
- Dimmable down to 10%
- Built in surge protection
- Constant current output 50/60HZ
- Driver Efficiency > 90% power factor above 99%
- 120 – 277 volts
- 0-10V dimming protocol is standard

PLATFORM LISTINGS

- Fully compliant with the RoHS Directive
- Certifications: ETL
- Rated IP65 with an optional IP66 rating

WARRANTY

See www.ANPlighting.com for complete fixture warranty.

LED warranty information

- 7 year limited warranty* on Platform LED engines
- 5 year limited warranty* on Platform Drivers

*Limited Warranty: A typical year is defined as 4380 hours of operation. Failure defined as more than 10% of the total platform LED's not operating.

ACCESSORIES

HSS90 & HSS120

4ST36

PEND-CH3

EMG-LED20HV

HLMSPC-06 & HLMSPC-10

PA-BF

PA-BFS

PC

TLPC

TL

TL5 & TL7

07302018

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1-800-548-3227
ANPlighting.com

Project: _____

Fixture Type: _____ Quantity: _____

Customer: _____

POST MOUNTS | See Post Arm Section on Website for Specification Sheets and additional post arms.

PA0413 28” x 38 3/8”

PA1613 26 1/2” x 55 1/8”

PA1753 26 1/8” x 36 3/4

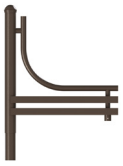
PA2023 21 1/4” x 16”

PA2313 24” x 28 1/2”

PA2613 39 1/2” x 46”

PA3113 25” x 15 1/4”

PA3213 21 7/8” x 26 1/8”



PA3533 29” x 38 1/2”

PA5153 14 1/4” x 19 3/4”

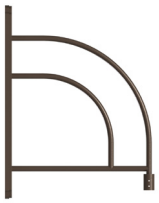
PA6213 22 3/4” x 26 1/2”

PA8453 70” x 37 1/2”

COLUMN MOUNT

CM 5 3/4” SQ x 3 1/2” H

WALL MOUNTS | See Wall Mount Section on Website for Specification Sheets and additional wall mount arms.



WM0413 26 1/2” x 38 5/8”

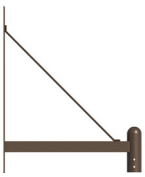
WM1613 28 3/8” x 57”

WM1763 28 3/4” x 42”

WM1773 20” x 30”

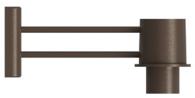
WM2313 23” x 31 7/8”

WM3003 11” x 8 7/8”



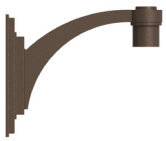
WM3203 18” x 24”

WM3553 28 1/4” x 36 1/2”



WM4513 17” x 8”

WM5143 14 3/4” X 16 1/2”



WM5163 15 3/4” x 13 3/4”

WM5603 17 7/8” x 14”

07302018

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ANP reserves the right to change material or design, without prior notice, in a continuing effort to upgrade its products.

1-800-548-3227
ANPlighting.com

valmont STRUCTURES ALUMINUM

8′ TO 30′ ROUND TAPERED EMBEDDED (DIRECT BURIAL) POLES

- 8' to 30' mounting heights.
- Tenons, brackets, and arms designed for single or multiple luminaire mounting.
- Luminaires may be mounted on tenons, brackets or shaft may be drilled to manufacturer's mounting specifications.

SPECIFICATIONS

All aluminum alloys shall comply with metallurgical and mechanical properties set forth in the Aluminum Association Standards.

Shaft: The shaft shall be spun tapered from all new seamless 6063 alloy aluminum tubing and shall be heat treated to produce a T6 temper. Each shaft shall have a minimum of 6" straight length at the top. Top straight section serves as a slipfitter for a luminaire or for the hub of the appropriate Valmont bracket or tapered arm. Alternatively, the straight section may be drilled for mounting luminaires. The shaft shall be cone tapered to the base diameter. All Valmont shafts shall be polished with fine grain aluminum oxide cloths, resulting in a high quality circumferential satin brushed finish. After finishing, each pole shall be wrapped for protection in shipment.

Direct Embedment: Unless otherwise specified, the length of the embedded section of a 4" diameter shaft shall be 3', 5" and 6" shall be 4', 7" and 8" shall be 5'. A 1-1/2" diameter grommetted wire inlet hole located 1' 6" below grade shall be included. The embedded section of the pole shall be coated inside and outside with zinc rich paint.

Special Finishes: Natural anodize, duranodic, or painted finishes may be specified as an addition to the satin brushed finish, if required. All aluminum parts and accessories shall receive a finish similar to that specified.

Ground Lug: Each pole shall include a 5/16″-18 tapped provision for ground connector.

Handhole: Available as an option.

Anti-Rotation Device: Available as an option.

CATALOG LOGIC

Feet and Inches	Top Diameter	Base Diameter	Wall Thickness	Shape of Shaft	Base or Mounting	Fixture Mounting	Finishes	Options

Feet & Inches*	Diameter*	Wall Thickness*	Shape of Shaft	Base or Mounting	Fixture Mounting	Finishes	Options
0708 – 8′ **0908** – 10′ **1108** – 12′ **1308** – 14′ **1508** – 16′ **1708** – 18′ **1908** – 20′ **2408** – 25′ **2908** – 30′	TOP DIAMETER IN INCHES **30** – 3″ **40** – 4″ **45** – 4-1/2″ BASE DIAMETER* IN INCHES **40** – 4″ **50** – 5″ **60** – 6″ **70** – 7″ **80** – 8″	THICKNESS IN 32NDS OF AN INCH **4** – 4/32″or 0.125″ Wall **5** – 5/32″or 0.156″ Wall **6** – 6/32″or 0.188″ Wall	**T** – Tapered Round	**E** – Embedded	**D1** – 1@90° **D2** – 2@180° **D3** – 3@120° **D4** – 4@90° **D5** – 2@90° **D6** – 3@90° **P2** – 2-3/8″x 4 Tenon **P9** – Other Tenon (Please Specify)	POLYESTER POWDER **DBL** – Black **DCG** – Charcoal Gray **DMB** – Med Bronze **DSB** – Steel Blue **DTG** – Dark Green **SC** – Special Color (Please Specify) **DBR** – Bright Red **DDB** – Dark Bronze **DNA** – Natural Alum **DSS** – Sandstone **DWH** – White ANODIZED **204** – Clear Natural **312** – Med Bronze* **335** – Black* **311** – Light Bronze* **313** – Dark Bronze* * Duranodic Anodize BRUSHED **SBF** – Satin Brushed Finish	See Accessory Section (Please Specify with Code #)

* For available Base Diameter, Wall Thickness and Length Combinations, see Dimensional Load Data Table that follows.

Customer Approval:

signature date

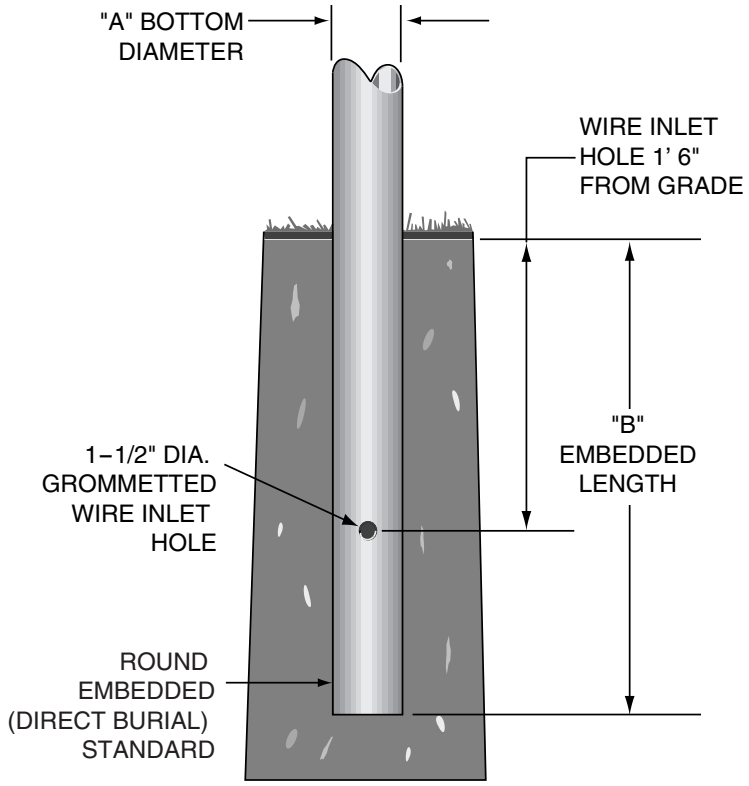
Job Name: _____ Quote: _____

Client Name: _____

Created By: _____ Date: _____

8′ TO 30′ ROUND TAPERED EMBEDDED (DIRECT BURIAL) POLES

ANCHOR BASE AND BOLT DETAIL



A BOTTOM DIAMETER
4″
5″
6″
7″
8″

B* EMBEDDED LENGTH
3′
4′
4′
5′
5′

* 5′ minimum embedded length for Canadian market.

DIMENSIONAL AND LOAD DATA

TYPICAL WEIGHT AND ALLOWABLE SIZE OF LUMINAIRES*							DIMENSIONS OF POLES					
NOMINAL MOUNTING HEIGHT	TYPICAL LUMINAIRE WEIGHT (LBS.)	EFFECTIVE PROJECTED AREA IN SQUARE FEET AT:					EXPOSED HEIGHT	OVERALL SHAFT LENGTH	TOP	BASE	WALL	MODEL NUMBER**
		70 MPH	80 MPH	90 MPH	100 MPH	110 MPH						
8′	75	19.1	14.4	11.1	8.8	7.1	7′8″	10′8″	3″	4″	.125″	0708- 30404TE
10′	75	14.3	10.6	8.1	6.3	5.0	9′8″	12′8″	3″	4″	.125″	0908- 30404TE
12′	75	11.0	8.0	6.0	4.5	3.5	11′8″	14′8″	3″	4″	.125″	1108- 30404TE
12′	75	18.5	13.8	10.5	8.3	6.6	11′8″	15′8″	3″	5″	.125″	1108- 30504TE
14′	75	8.5	6.0	4.4	3.2	2.4	13′8″	16′8″	3″	4″	.125″	1308- 30404TE
14′	75	14.8	10.8	8.2	6.3	5.0	13′8″	17′8″	3″	5″	.125″	1308- 30504TE
16′	75	7.1	5.0	3.5	2.4	1.7	15′8″	18′8″	3″	4″	.125″	1508- 30404TE
16′	75	12.0	8.6	6.4	4.8	3.8	15′8″	19′8″	3″	5″	.125″	1508- 30504TE
16′	75	15.3	11.1	8.4	6.5	5.1	15′8″	19′8″	3″	5″	.156″	1508- 30505TE
18′	75	9.7	6.7	4.9	3.6	2.7	17′8″	21′8″	3″	5″	.125″	1708- 30504TE
18′	150	12.2	8.7	6.4	4.9	3.8	17′8″	21′8″	3″	5″	.156″	1708- 30505TE
18′	150	19.1	14.1	10.8	8.5	6.9	17′8″	21′8″	4″	6″	.156″	1708- 40605TE
20′	75	8.2	5.5	3.8	2.6	1.9	19′8″	23′8″	3″	5″	.125″	1908- 30504TE
20′	75	10.4	7.2	5.1	3.7	2.8	19′8″	23′8″	3″	5″	.156″	1908- 30505TE
25′	150	10.5	7.1	5.1	3.8	2.9	24′8″	28′8″	4″	6″	.156″	2408- 40605TE
25′	150	13.5	9.4	6.9	5.3	4.2	24′8″	28′8″	4″	6″	.188″	2408- 40606TE
30′	150	11.1	7.5	5.3	4.0	3.0	29′8″	34′8″	4″	7″	.156″	2908- 40705TE
30′	150	16.7	12.0	9.1	7.0	5.5	29′8″	34′8″	4.5″	8″	.156″	2908- 45805TE

* EPA calculations are based on a 1.3 Gust Factor. Variations from sizes listed above, available upon inquiry at the factory. Satisfactory performance of lighting poles is dependent upon the pole being properly attached to a supporting foundation of adequate design. Valmont does not design or offer recommendations for foundations.

** Model number does not include mounting options or finish designation.

SPC7073 08/07 www.valmontstructures.com carries the most current spec information and supercedes these guidelines.

6605 Collins Avenue

S.F. Land, LLC

Planning Board First Submission: September 3, 2019
Conditional Use Permit for Temporary Parking Lot

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*
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OVERVIEW

The Applicant is desirous of creating a temporary parking lot on the vacant lot located at 6605 Collins Avenue, just north of the Sherry Frontenac Hotel. The purpose of the lot is to serve as self-parking for guests of the Sherry Frontenac Hotel, along with the general public.

The proposed temporary, open-air, lot will improve the existing conditions on the site and the curb appeal of the Property. It will be a more appealing and pedestrian friendly than the previous uses on the site.

This proposed use will also improve traffic circulation in the area, as guests from the Sherry Frontenac will not need to travel around the neighborhood seeking parking nor traverse to the parking lot located at 6750 Harding Avenue.

HOURS OF OPERATIONS | ACCESS

The parking lot will operate 24-hours per day.

Sherry Frontenac Hotel guests will be able to self-park at the parking lot at any time, as will the public. The general public will also be able to use the site for self-parking and may payments at a pay-station on-site.

No valet parking will take place on this site.

Access

Vehicular and pedestrian access to the site will be along the west side of the Property, on Collins Avenue.

STAFFING LEVELS/SECURITY

The Applicant will have employees on the site on a daily basis to ensure that the property is maintained free from debris and in an operational condition. For security purposes, a fence will be located along the perimeter of the site, with exception of the lot entrance. Employees will monitor the vehicles on-site to ensure vehicles are parked legally on the site.

SOUND

The Property is located along the, heavily traversed, Collins Avenue. The minimal parking count should not create any unwanted sound in the area nor have an impact on surrounding properties. Nevertheless, the Applicant will provide “no honking” signs, or any such other signs that the City deems necessary to mitigate sound impacts from the proposed use.

PARKING

The site will serve as a temporary, open-air, parking lot with 61 parking spaces. The property shall serve to alleviate traffic and parking demands from hotel guests and area residents and vistors.

DELIVERIES

Since this site is intended to be used as a temporary parking lot, no commercial deliveries are intended for this site.

COLLECTIONS

Trash receptacles will be located throughout the site and will be removed by staff on a daily basis (to be picked up by a waste management service at the neighboring hotel site).

TRAFTECH
ENGINEERING, INC.

July 22, 2019

6605 Collins
c/o Monika H. Entin, Esq.
Bercow Radell Fernandez & Larkin
200 S. Biscayne Boulevard, Suite 850
Miami, Florida 33131

Re: **6605 Collins Avenue – Traffic Statement**

Dear Monika:

Traf Tech Engineering, Inc. has conducted a trip generation comparison analysis between a previous residential building located at 6605 Collins Avenue and a proposed public parking lot with 64 parking stalls. The following is a summary of our findings:

Trip Generation Comparison Analysis

The trip generation comparison analysis was performed using the trip generation equations/rates published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual* (10th Edition). The trip generation comparison analysis was undertaken for daily and PM peak hour conditions. The analysis was based on the following assumptions:

PREVIOUS USE

- Multifamily 2-story building (16 units – refer to Attachment A)

PROPOSED USE

- Public Parking Lot (64 parking stalls – refer to site plan located in Attachment B)[1]

[1] It is anticipated that the parking lot will be used by the general public, but will primarily be used by a hotel (The Sherry Frontanec).

8400 N. University Drive, Suite 309, Tamarac, FL 33321 T: 954-582-0988 F: 954-582-0989

According to ITE's *Trip Generation Manual* (10th Edition), the trip generation equations/rates used for the previous and proposed land uses are:

MULTIFAMILY HOUSING (ITE Land Use 220)

Daily Trip Generation

T = 7.56 (X) – 40.86

Where T = daily trips
X = number of units

PM Peak Hour

Ln (T) = 0.89 Ln (X) – 0.02 (63% inbound and 37% outbound)

Where T = PM peak hour trips
X = number of units

HOTEL (ITE Land Use 310)

Daily Trip Generation

T = 11.29 (X) – 426.97

Where T = daily trips
X = number of rooms

PM Peak Hour

T = 0.75 (X) – 26.02 (51% inbound and 49% outbound)

Where T = PM peak hour trips
X = number of units

Table 1 below compares the trip generation between the previous residential use and the proposed 64-space parking lot assuming the parking lot will be used primarily by hotel users.

TABLE 1
Trip Generation Comparison Analysis
6605 Collins Avenue

Land Use	Size	Daily Trips	PM Peak Hour Trips		
			Total	Inbound	Outbound
PREVIOUS USE					
Residential	16 units	80	12	8	4
PROPOSED USE					
Parking Lot[2]	64 stalls/rooms	296	22	11	11
Difference	**-**	**+216**	**+10**	**+3**	**+7**

[2] Primarily for hotel users, assumed 64 hotel rooms (1 space per room).

As indicated in Table 1, the proposed parking lot is projected to have approximately 10 PM peak hour trips more than the previous use, which is considered a minimal impact.

Table 2 below compares the trip generation between the previous residential use and the proposed 64-space parking lot assuming the parking lot will be used by nearby commercial/restaurant establishments. According to the Urban Land Institute (ULI), the parking utilization for family restaurants changes between 90% to 50% in the afternoon. This is the maximum drop in parking utilization for commercial/restaurant uses documented by ULI (refer to Attachment C). Using the 40% turnover documented in ULI, and assuming a 50% inbound 50% outbound split, Table 2 indicates that the proposed parking lot is projected to have approximately 14 PM peak hour trips more than the previous use, which is considered a minimal impact.

TABLE 2
Trip Generation Comparison Analysis
6605 Collins Avenue

Land Use	Size	Daily Trips	PM Peak Hour Trips		
			Total	Inbound	Outbound
PREVIOUS USE					
Residential	16 units	80	12	8	4
PROPOSED USE					
Parking Lot[3]	64 parking stalls	296	26	13	13
Difference	**-**	**+216**	**+14**	**+5**	**+9**

In summary, the proposed 64-space parking lot is projected to have a minimal traffic impact to the surrounding street system, when compared to the previous residential use at the site.

Please give me a call if you have any questions.

TRAF TECH ENGINEERING, INC.

Joaquin E. Vargas, P.E.
Senior Transportation Engineer

[3] Primarily for commercial/restaurant users.

ATTACHMENT A

6605 Collins – Property Appraiser Previous Use

Address | Owner Name | Folio

SEARCH:

6605 collins Avenue | Suite

Back to Search Results

PROPERTY INFORMATION

Folio: 02-3211-007-0410

Sub-Division:
2ND OCEAN FRONT AMD

Property Address
6605 COLLINS AVE

Owner
S F LAND LLC

Mailing Address
6565 COLLINS AVE
MIAMI BEACH, FL 33141

PA Primary Zone
4100 MULTI-FAMILY - 101+ U/A

Primary Land Use
0303 MULTIFAMILY 10 UNITS PLUS : MULTIFAMILY 3 OR MORE UNITS

Beds / Baths / Half	17 / 15 / 0
Floors	2
Living Units	16
Actual Area	
Living Area	

Adjusted Area	11,173 Sq.Ft
Lot Size	24,825 Sq.Ft
Year Built	1935

Featured Online Tools

- Comparable Sales
- PA Additional Online Tools
- Property Search Help
- Report Discrepancies
- Special Taxing Districts and Other Non-Ad valorem Assessments
- Glossary
- Property Record Cards
- Property Taxes
- Report Homestead Fraud
- Tax Comparison
- Tax Estimator

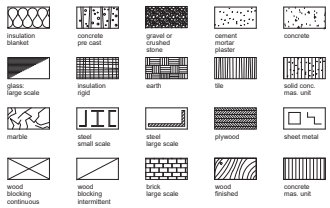
ATTACHMENT B

6605 Collins Avenue Site Plan

ABBREVIATIONS

ACOUS.	ACOUSTICAL
A.C	AIR CONDITIONING
A.D.	AREA DRAIN
ADJ.	ADJUSTABLE
AGGR.	AGGREGATE
AL.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
ASB.	ASBESTOS
ASPH.	ASPHALT
BD.	BOARD
BITUM.	BITUMINOUS
BLDG.	BUILDING
BLK.	BLOCK
BLKG.	BLOCKING
BLKHD.	BULKHEAD
BM.	BEAM
BOT.	BOTTOM
CAB.	CABINET
CARP.	CARPET
C.B.	CATCH BASIN
CEM.	CEMENT
CER.	CERAMIC
C.I.	CAST IRON
C.G.	CORNER GUARD
CLG.	CEILING
CLKG.	CAULKING
CLO.	CLOSET
CLR.	CLEAR
C.M.U.	CONCRETE MASONRY UNIT
C.O.	CASED OPENING
COL.	COLUMN
CONC.	CONCRETE
CONN.	CONNECTION
CONSTR.	CONSTRUCTION
CONT.	CONTINUOUS
CORR.	CORRIDOR
CTSK.	COUNTERSUNK
CNTR.	COUNTER
C.T.	CERAMIC TILE
CTR.	CENTER
DBL.	DOUBLE
DEPT.	DEPARTMENT
D.F.	DRINKING FOUNTAIN
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DISP.	DISPENSER
DN.	DOWN
D.O.	DOOR OPENING
DR.	DOOR
DWR.	DRAWER
DS.	DOWN SPOUT
D.S.P.	DRY STANDPIPE
DWG.	DRAWING
E.	EAST
EA.	EACH
E.J.	EXPANSION JOINT
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EMER.	EMERGENCY
ENCL.	ENCLOSURE
E.P.	ELECTRICAL PANEL BOARD
EQ.	EQUAL
EQPT.	EQUIPMENT
E.S	EMERGENCY OVERFLOW SCUPPER
E.W.C.	ELECTRIC WATER COOLER
EXST.	EXISTING
EXP0.	EXPOSED
EXP.	EXPANSION
EXT.	EXTERIOR
F.A.	FIRE ALARM
F.B.	FLAT BAR
F.D.	FLOOR DRAIN
FDN.	FOUNDATION
F.E.	FIRE EXTINGUISHER
F.E.C.	FIRE EXTINGUISHER CAB.
F.H.C.	FIRE HOSE CABINET
FIN.	FINISH
FL.	FLOOR
FLASH.	FLASHING
FLUOR.	FLUORESCENT
F.O.C.	FACE OF CONCRETE
F.O.F.	FACE OF FINISH
F.O.S.	FACE OF STUDS
FPRF.	FIREPROOF
F.S.	FULL SIZE
FT.	FOOT OR FEET
FTG.	FOOTING
FURR.	FURRING
FUT.	FUTURE
F.V.	FIELD VERIFY
F.V.C.	FIRE VALVE CABINET
GA.	GAUGE
GALV.	GALVANIZED
G.B.	GRAB BAR
G.C.	GENERAL CONTRACTOR
GL.	GLASS
GND.	GROUND
GR.	GRADE
GYP.	GYPSUM
G.W.B.	GYPSUM WALLBOARD
H.B.	HOSE BIB
H.C.	HOLLOW CORE
HDWD.	HARD WOOD
HDWE.	HARDWARE
H.M.	HOLLOW METAL
HORIZ.	HORIZONTAL
HR.	HOUR
HGT.	HEIGHT
I.D.	INSIDE DIAMETER (DIM.)
IN.	INCH
INSUL.	INSULATION
INT.	INTERIOR
INV.	INVERT
JAN.	JANITOR
JST.	JOIST
JT.	JOINT
KIT.	KITCHEN
LAB.	LABORATORY
LAM.	LAMINATE
LAV.	LAVATORY
L.F.	LINEAR FEET
LKR.	LOCKER
LT.	LIGHT
LTG.	LIGHTING
LTWT.	LIGHT WEIGHT
MAX.	MAXIMUM
M.C.	MEDICINE CABINET
MACH.	MACHINE
MECH.	MECHANICAL
MEMB.	MEMBRANE
MET.	METAL
MFR.	MANUFACTURER
MH.	MANHOLE
MIN.	MINIMUM
MIR.	MIRROR
MISC.	MISCELLANEOUS
M.L.	MATCH LINE
M.O.	MASONRY OPENING
MTD.	MOUNTED
MUL.	MULLION
N.	NORTH
N.I.C.	NOT IN CONTRACT
NO. OR #	NUMBER
NOM.	NOMINAL
N.T.S.	NOT TO SCALE
O.A.	OVERALL
OBS.	OBSCURE
O.C.	ON CENTER
O.D.	OUTSIDE DIMENSION
OFF.	OFFICE
OPNG.	OPENING
OP. HD.	OPPOSITE HAND
OPP.	OPPOSITE
PRCST.	PRE-CAST
P.L.	PROPERTY LINE
P.T.	PRESSURE TREATED
PL.	PLATE
P.LAM.	PLASTIC LAMINATE
PLAS.	PLASTER
PLYWD.	PLYWOOD
POL.	POLISHED
PR.	PAIR
PT.	POINT
P.T.D.	PAPER TOWEL DISPENSER
PTN.	PARTITION
PTR.	PAPER TOWEL RECEPTACLE
Q.T.	QUARRY TILE
R.	RISER
RAD.	RADIUS
R.D.	ROOF DRAIN
REF.	REFERENCE
REFL.	REFLECTED
REFR.	REFRIGERATOR
RF.	ROOF
RGTR.	REGISTER
REINF.	REINFORCED
REQ.	REQUIRED
RESIL.	RESILIENT
RM.	ROOM
R.O.	ROUGH OPENING
RWD.	REDWOOD
R.W.L.	RAIN WATER LEADER
S.	SOUTH
SABF	SOUND ATTENUATION FIRE BLANKETS
S.C.	SOLID CORE
S.C.D.	SEAT COVER DISPENSER
SCHED.	SCHEDULE
S.D.	SOAP DISPENSER
SECT.	SECTION
SH.	SHELF
SHR.	SHOWER
SHT.	SHEET
SIM.	SIMILAR
S.N.D.	SANITARY NAPKIN DISPENSER
S.N.R.	SANITARY NAPKIN RECEPTACLE
SPEC.	SPECIFICATION
SQ.	SQUARE
S.ST.	STAINLESS STEEL
S.SK.	SERVICE SINK
STA.	STATION
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STRL.	STRUCTURAL
SUSP.	SUSPEND
SYM.	SYMMETRICAL
TRD.	TREAD
T.B.	TOWEL BAR
T.C.	TOP OF CURB
TEL.	TELEPHONE
TEMP.	TEMPERED
T. & G.	TONGUE AND GROOVE
THK.	THICK
TOIL.	TOILET
T.P.	TOP OF PAVEMENT
T.P.D.	TOILET PAPER DISPENSER
T.V.	TELEVISION
T.W.	TOP OF WALL
TYP.	TYPICAL
T.O.B.	TOP OF BEAM
T.O.C.	TOP OF CONCRETE
T.O.S.	TOP OF SLAB
UNF.	UNFINISHED
U.O.N.	UNLESS OTHERWISE NOTED
UR.	URINAL
	UNDERWRITERS LAB
V.I.F.	VERIFY IN FIELD
VERT.	VERTICAL
V.T.	VINYL TILE
VEST.	VESTIBULE
V.B.	VAPOR BARRIER
W.	WEST
WT.	WEIGHT
W/	WITH
W.C.	WATER CLOSET
WD.	WOOD
W/O	WITHOUT
WP.	WATERPROOF
WSCT.	WAINSCOT

MATERIAL LEGEND



PROJECT TEAM

OWNER:
S F LAND LLC
6565 COLLINS AVE
MIAMI BEACH, FL 33141
TEL 305 668 2122

DESIGN/PROJECT ARCHITECT:
BEILINSON GOMEZ ARCHITECTS PA JOSE L. GOMEZ AR00015416
8101 BISCAYNE BLVD., SUITE 309-310
MIAMI, FL 33138-4664
TEL. (305) 559.1250
FAX. (305) 551.1740

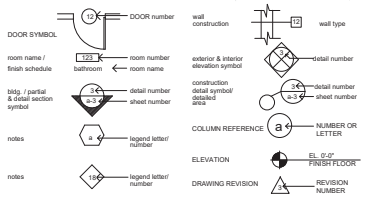
LANDSCAPE ARCHITECT:
GARDNER + SEMLER DESIGN LANDSCAPE ARCHITECTURE CORP. ID # 0000266
17670 NW 78th AVE., SUITE 214
MIAMI, FL 33015
TEL. (305) 392.1016

DRAWING INDEX

ARCHITECTURAL

A-000	COVER
	SURVEY
A-001	PROJECT INFORMATION, INDEX
A-002	DISTRICT MAPS
A-003	AERIAL VIEWS
A-100	GROUND SITE PLAN LEVEL
LANDSCAPE	
LA-101	PLANTING PLAN
LA-102	PLANTING NOTES SPECIFICATIONS, AND DETAILS
LA-201	IRRIGATION PLAN
LA-202	IRRIGATION NOTES SPECIFICATIONS, AND DETAILS

SYMBOL LEGEND



APPLICABLE CODES

GOVERNING ZONING CODE:	MIAMI BEACH, FLORIDA CODE ORDINANCE
BUILDING CODE:	FLORIDA BUILDING CODE 2017
EXISTING BUILDING:	FLORIDA BUILDING CODE: EXISTING BUILDING CODE 2017
STRUCTURAL:	FLORIDA BUILDING CODE 2017
PLUMBING:	FLORIDA BUILDING CODE 2017 - PLUMBING
MECHANICAL:	FLORIDA BUILDING CODE 2017 - MECHANICAL
ELECTRICAL:	FLORIDA BUILDING CODE - 2017 EDITION
ACCESSIBILITY:	FLORIDA BUILDING CODE 2017 - CHAPTER 11 FACBC
FIRE PROTECTION:	FLORIDA FIRE PREVENTION CODE - 2017 EDITION

PROJECT INFORMATION

SCOPE OF WORK

THE SCOPE OF THIS PROJECT IS AN OPEN PARKING LOT ON GRADE FOR A TOTAL OF 64 PARKING SPACES.

LEGAL DESCRIPTION

LOT 43, BLOCK 1, AMENDED PLAT OF SECOND FRONT SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 28, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

ZONING SUMMARY

PROJECT ADDRESS:	6605 COLLINS AVE	
HISTORIC DISTRICT:	NORTH BEACH RESORT HISTORIC DISTRICT "6605 COLLINS AVE." PROPERTY IS EXCLUDED FROM THE HISTORIC DISTRICT"	
ZONING DISTRICT:	RM-3 (RESIDENTIAL MULTIFAMILY, HIGH INTENSITY)	
PRESENT / PROPOSED OCCUPANCY:	OPEN PARKING LOT	
	REQUIRED	PROVIDED
LOT AREA	MIN. 7,000 S.F.	MIN. 25,072 S.F. / 0.576 ac
LOT WIDTH	MIN. 50 F.	75.33 F.
HEIGHT	MAX. 200 F. (OCEAN FRONT)	N/A
SETBACK REQUIREMENTS AT GRADE PARKING LOT		
FRONT	20 F.	20'-0"
SIDE INTERIOR	5 F.	8'-6"
REAR	50 F. (OCEAN FRONT)	7'-10" (EXISTING CONCRETE)

HPB FIRST SUBMITTAL 07-XX-19

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6605 COLLINS AVENUE
6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

DATE	REVISION

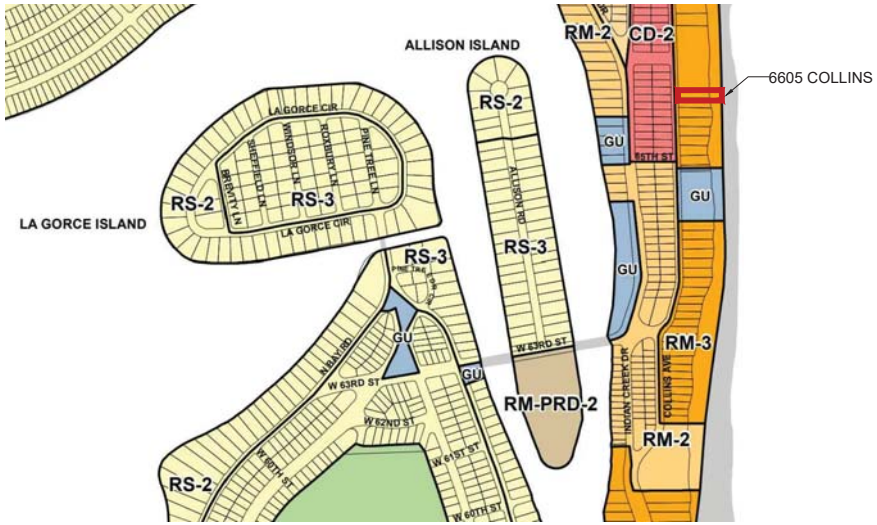
DWG. TITLE
PROJECT INFORMATION INDEX

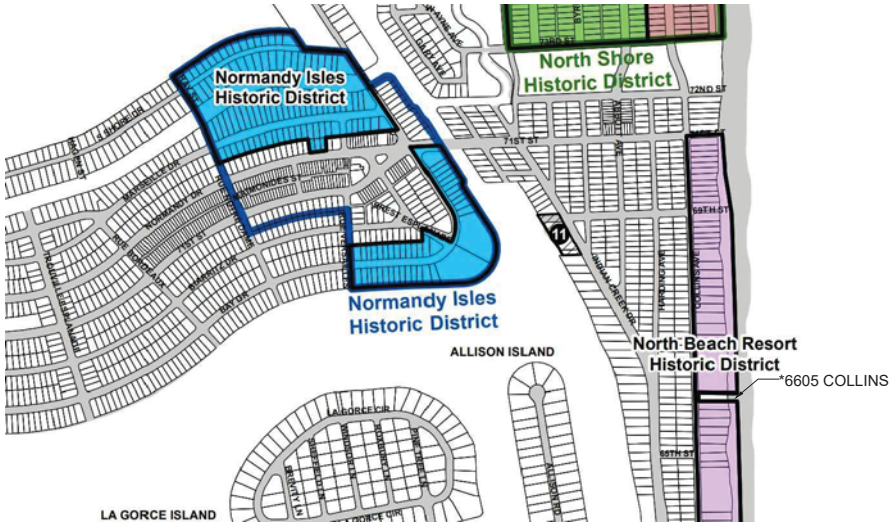
SCALE
N.T.S.

PROJECT NO.
2019-24

DATE
06-25-19

SHEET NUMBER
A-001





ZONING DISTRICTS

- RS-1 Single family residential
- RS-2 Single family residential
- RS-3 Single family residential
- RS-4 Single family residential
- TH Townhome residential
- RM-1 Residential multifamily, low intensity
- RM-2 Residential multifamily, medium intensity
- RM-3 Residential multifamily, high intensity
- CD-1 Commercial, low intensity
- CD-2 Commercial, medium intensity
- CD-3 Commercial, high intensity
- I-1 Urban light industrial
- MXE Mixed use entertainment
- HD Hospital district
- MR Marine recreational
- GU Civic and government use
- CCC Convention center district
- RM-PRD Multifamily, planned residential development district
- RM-PRD-2 Multifamily, planned residential development district
- WD-1 Waterway district
- WD-2 Waterway district
- RO Residential office
- GC Golf course
- RPS-1 Residential performance standard, medium-low density
- RPS-2 Residential performance standard, medium density
- RPS-3 Residential performance standard, medium-high density
- RPS-4 Residential performance standard, high density
- CPS-1 Commercial performance standard, limited mixed use
- CPS-2 Commercial performance standard, general mixed use
- CPS-3 Commercial performance standard, intensive mixed use
- CPS-4 Commercial performance standard, intensive phased bayside
- RMPS-1 Residential mixed use performance standard
- SPE Special public facilities educational district
- TC-1 North Beach Town Center core
- TC-2 North Beach Town Center mixed use
- TC-3 North Beach Town Center residential/office
- TC-3(c) North Beach Town Center residential/office with conditional neighborhood commercial

FOR AN OFFICIAL ZONING DETERMINATION PLEASE CONTACT THE PLANNING DEPARTMENT.

LOCAL HISTORIC DISTRICTS

- Espanola Way Historic District
- Altos del Mar Historic District
- Flamingo Park Historic District
- Ocean Drive/Collins Avenue Historic District
- Museum Historic District
- Ocean Beach Historic District
- Harding Townsite Historic District
- Palm View Historic District
- Collins Waterfront Historic District
- North Beach Resort Historic District
- Flamingo Waterway Historic District
- Morris Lapidus/Mid 20th Century Historic District
- North Shore Historic District
- Normandy Isles Historic District

NATIONAL REGISTER HISTORIC DISTRICTS

- Miami Beach Architectural District
- Normandy Isles Historic District
- North Shore Historic District
- Collins Waterfront Architectural District

LOCAL HISTORIC SITES

1. Old City Hall Historic Site
2. 21st St Recreation Center Historic Site
3. Congregation Beth Jacob Historic Site
4. Venetian Causeway Historic Site
5. Miami Beach Woman's Club Historic Site
6. Sunset Island Bridges Historic Structures
7. The Bath Club Historic Site
8. Dade Blvd Fire Station Historic Site
9. PineTree Dr Historic Roadway
10. Flagler Memorial and Monument Island Historic Site
11. 69th St Fire Station Historic Site
12. 28th St Obelisk and Pumping Station Historic Structure
13. 1600 Lenox Ave Historic Site
14. 36 Ocean Dr Historic Site
15. 1700 Alton Rd Historic Site

*6605 COLLINS AVENUE PROPERTY IS EXCLUDED FROM THE NORTH BEACH RESORT HISTORIC DISTRICT
*6605 COLLINS AVENUE IS NOT A HISTORIC PROPERTY

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6605 COLLINS AVENUE
6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

DATE	REVISION

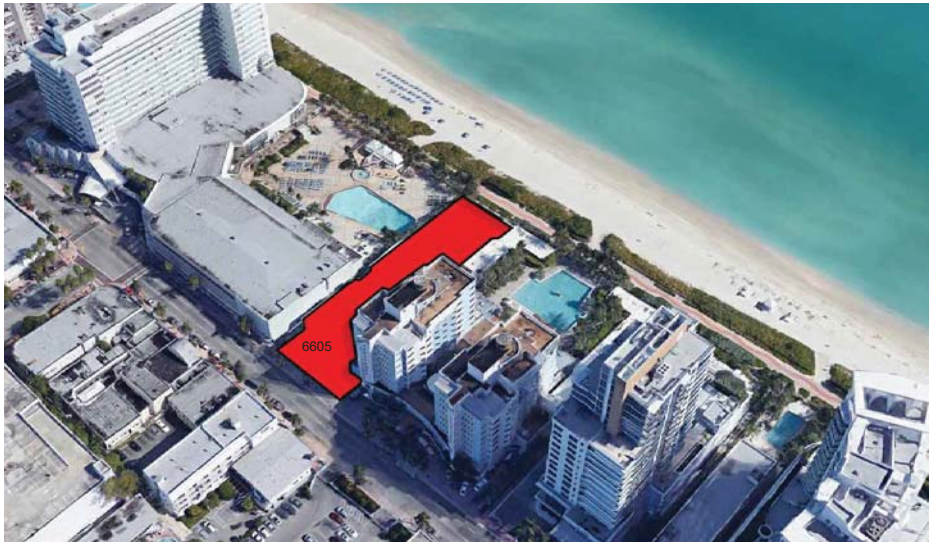
DWG. TITLE: *DISTRICT MAPS*

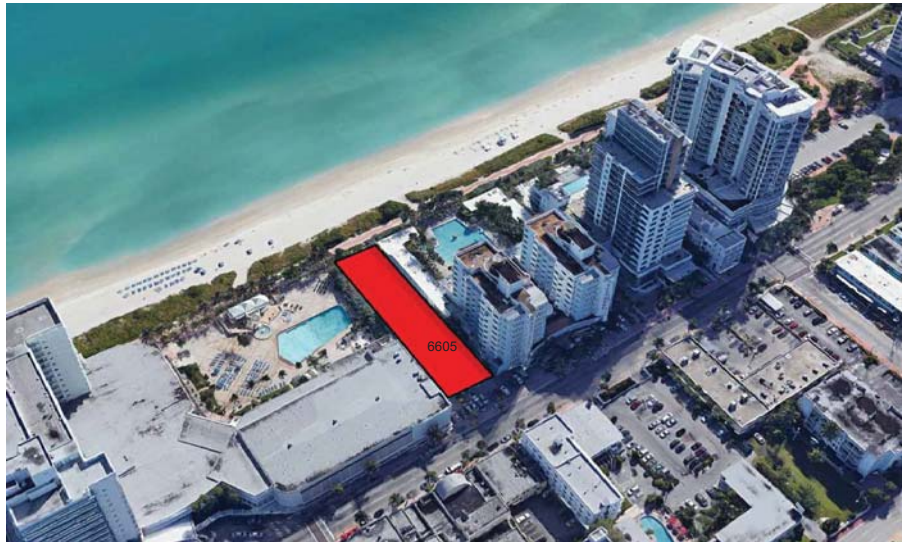
SCALE: *N.T.S.*

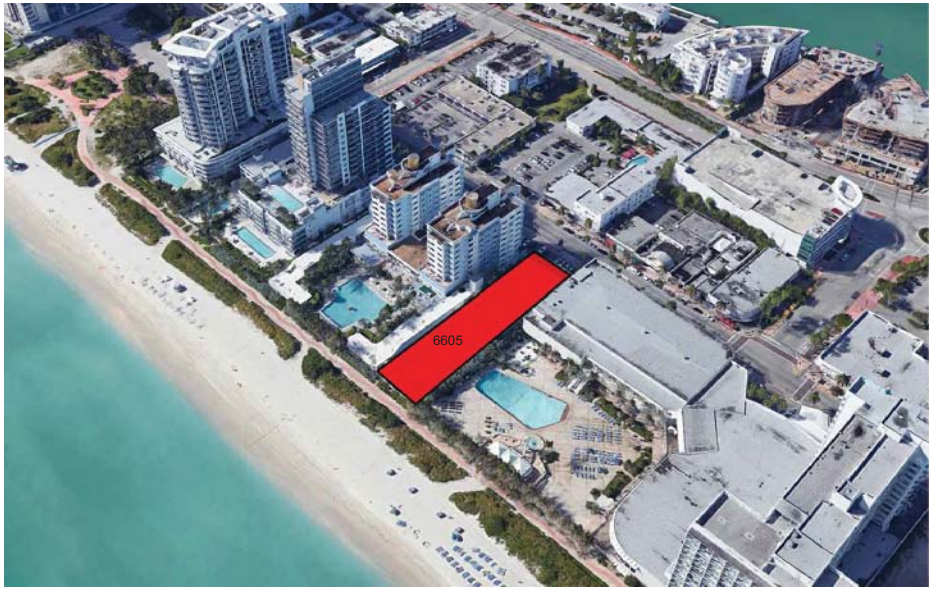
PROJECT NO.: *2019-24*

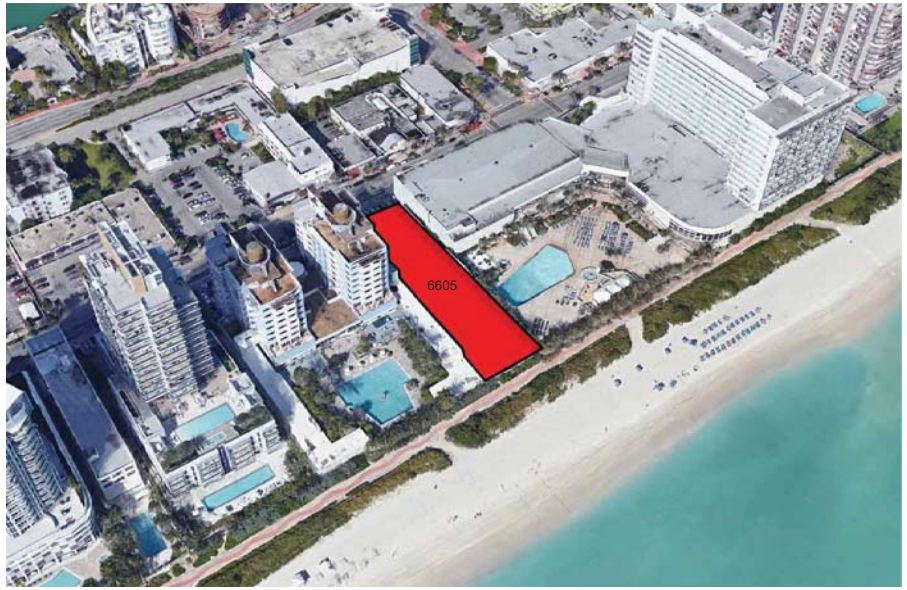
DATE: *06-25-19*

SHEET NUMBER: *A-002*









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6605 COLLINS AVENUE

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MIAMI BEACH, FL 33141

DATE	REVISION

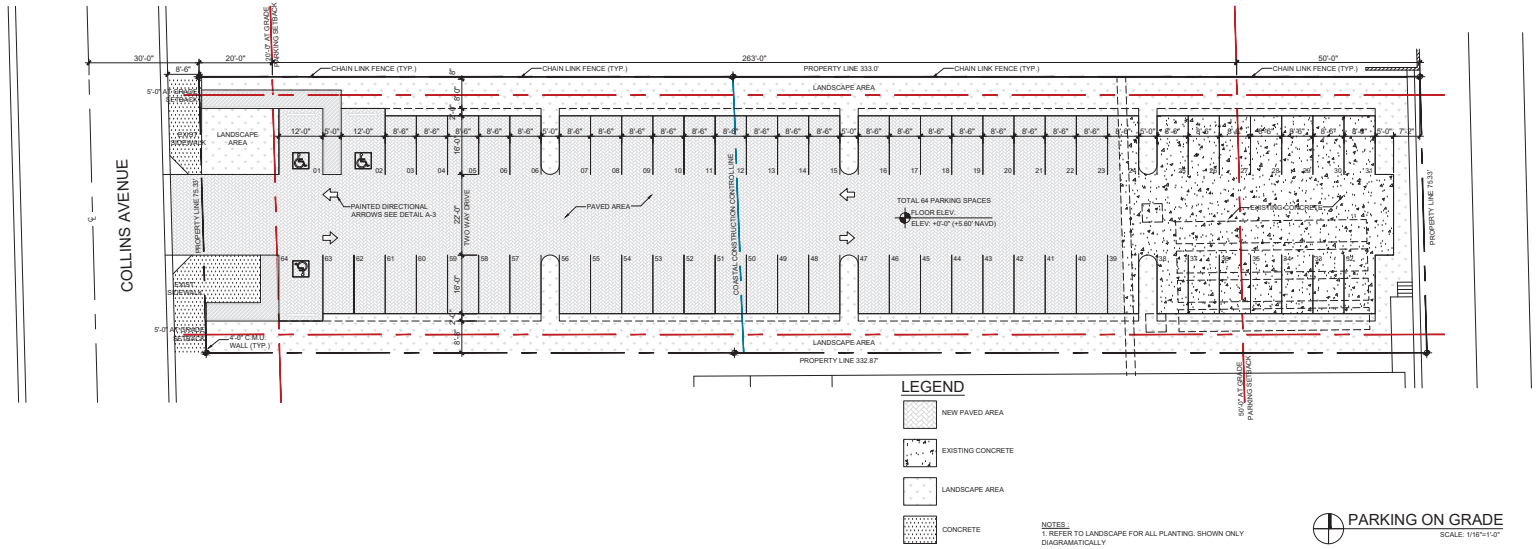
DWG. TITLE
AERIAL VIEWS

SCALE
N.T.S.

PROJECT NO.
2019-24

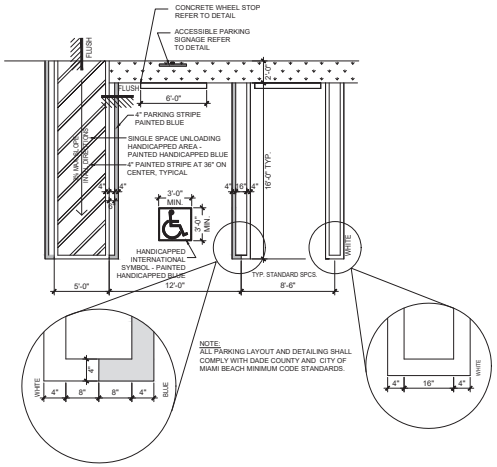
DATE
06-25-19

SHEET NUMBER
A-003



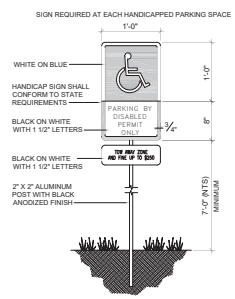
C1 PARKING SITE PLAN

SCALE: 1/16"=1'-0"



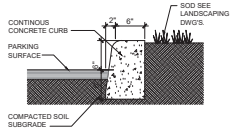
A1 PARKING DETAILS

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



B3 PAVERS SECTION

SCALE: N.T.S



B4 CONCRETE CURB DETAIL

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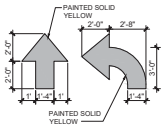

B5 DIRECTION ARROWS

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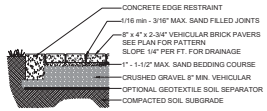
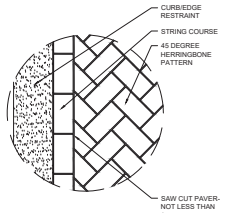


PAVERS DETAIL SECTION



PAVERS DETAIL

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6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

DATE	REVISION

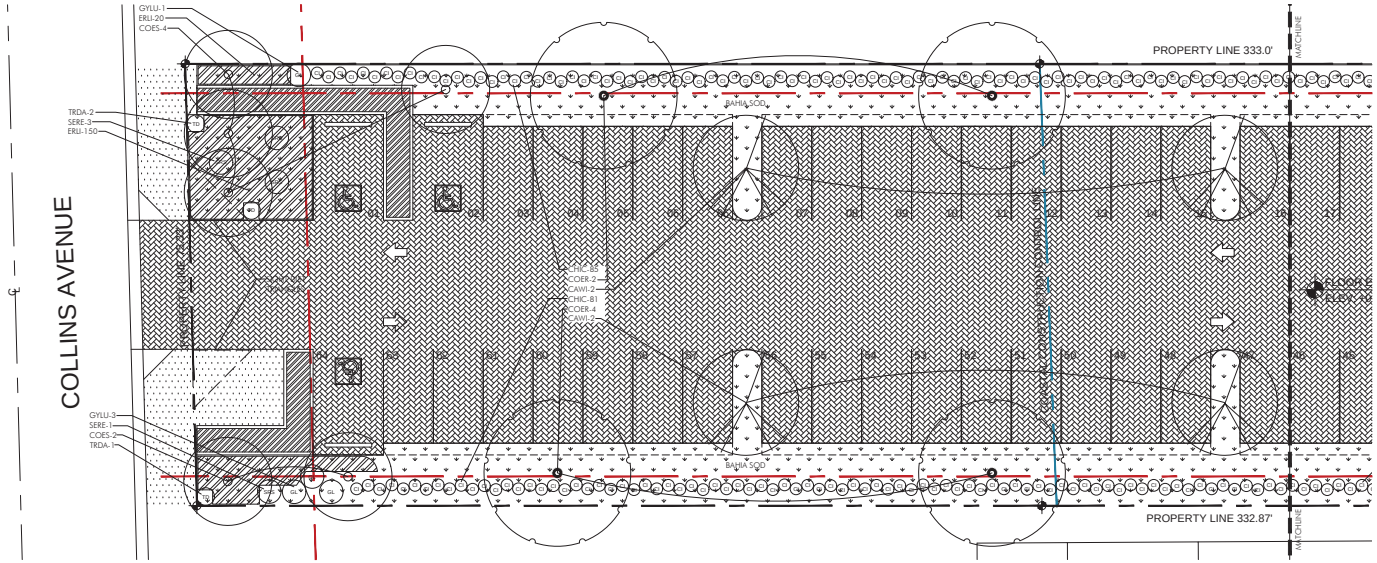
DWG. TITLE
PROPOSED PARKING

SCALE
AS SHOWN

PROJECT NO.
2019-24

DATE
06-25-19

SHEET NUMBER
A-100



PLANTING PLAN 1 LA-101

SCALE: 1" = 10'

NOTE: THERE ARE NO EXISTING TREES ON THIS SITE

PLANTING PLAN 2 LA-101

SCALE: 1" = 10'

PLANT LIST

KEY	PLANT NAME	QTY.	UT.	SIZE
TREES				
CAWI	Conella winterana ...Wild Cinnamon	8	ea.	12' tall x 5' spread, 2' DBH min.
COER	Conocarpus erectus ...Green Buttonwood	8	ea.	12' tall x 5' spread, 2' DBH min.
COES	Conocarpus erectus 'Sericeus' ...Silver Buttonwood	6	ea.	12' tall x 5' spread, 2' DBH min., 4' CT single leader
SHRUBS AND GROUNDCOVERS				
CACY	Capparis cynophallophora ...Jamaica Caper	11	ea.	6' tall OA, full to ground
CHIC	Chrysobalanus icaco ...Cocoplum	261	ea.	18'x18', install 24' o.c.
COUV	Coccoloba uvifera ...Seagrape	11	ea.	6' tall OA, full to ground
ERU	Ernodea littoralis ...Golden Creeper	444	ea.	3 gal cans, full, install 18" o.c.
GAPU	Gaillardia pulchella ...Blanket Flower	48	ea.	1 gal cans, full, install 12" o.c.
GYLU	Gymnanthes lucida ...Crabwood	4	ea.	6' tall OA, full to ground
SERE	Serenoa repens 'Silver Form' ...Saw Palmetto	8	ea.	24"x24", silver color
SPBA	Spartina bakerii ...Sand Cordgrass	3	ea.	3 gal cans, full
TRDA	Tripsacum dactyloides ...Fakahatchee Grass	12	ea.	3 gal cans, full
MISCELLANEOUS				
sod	Bahia Sod	as req.	s.f.	solid sod
	Planting Soil 80% Silica Sand 20% Everglades Muck	as req.	c.y.	
	Amsgrow Pinebark Mulch	as req.	c.y.	2" layer in all shrub beds

CITY OF MIAMI BEACH
LANDSCAPE LEGEND

INFORMATION REQUIRED TO BE PERMANENTLY AFFIXED TO PLANS

Zoning District__RM-3___ Lot Area _25,071 s.f._ Acres___0.58_____

	REQUIRED/ ALLOWED	PROVIDED
OPEN SPACE		
A. Square feet of required Open Space as indicated on site plan: Lot Area = ___25,071___ s.f.x _____% = _____ s.f.		6,934
B. Square feet of parking lot open space required as indicated on site Number of parking spaces __64___ x 10 s.f. parking space =	640	640
C. Total square feet of landscaped open space required: A+B=		7,574
LAWN AREA CALCULATION		
A. Square feet of landscaped open space required		
B. Maximum lawn area (sod) permitted= ___30_____% x _7,574_ s.f.	2272	0 (BAHIA)
TREES		
A. Number of trees required per lot or net lot acre, less existing number of trees meeting minimum requirements= ___28___ trees x ___0.58__ net lot acres - number of existing trees=	17	17
B. % Natives required: Number of trees provided x 30% =	6	17
C. % Low maintenance / drought and salt tolerant required: Number of trees provided x 50%=	9	17
D. Street Trees (maximum average spacing of 20' o.c.) ___75___ linear feet along street divided by 20'=	4	4
E. Street tree species allowed directly beneath power lines: (maximum average spacing of 20' o.c.): _____ linear feet along street divided by 20'=	0	0
SHRUBS		
A. Number of shrubs required: Sum of lot and street trees required x 12=	252	310
B. % Native shrubs required: Number of shrubs provided x 50%=	126	310
LARGE SHRUBS OR SMALL TREES		
A. Number of large shrubs or small trees required: Number of required shrubs x 10%=	26	26
B. % Native large shrubs or small trees required: Number of large shrubs or small trees provided x 50%=	13	26

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CORP. ID # 0000266

6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

DATE	REVISION

DWG. TITLE: PLANTING PLAN

SCALE: AS SHOWN

PROJECT NO.: 2018-24

DATE: 06-25-19

SHEET NUMBER: LA-101

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LANDSCAPE SPECIFICATIONS
PART 1 - GENERAL

1.1 SCOPE
A. Contractor shall provide all labor, materials, equipment, supervision, and related work necessary to complete the landscape work in accordance with the intent of the landscape plans, schedules and these specifications. The extent of work is shown on the drawings which are a part of this document.

1.2 CONTRACTOR QUALIFICATIONS
A. Landscape installation work to be performed by a Contractor Certified by the Florida Nurserymen, Growers and Landscape Association (FNGLA) as a Certified Landscape Contractor. Any pruning to be supervised by an Arborist, certified by the International Society of Arboriculture (ISA) and licensed in Miami-Dade County.

1.3 INVESTIGATION OF UTILITIES
A. Prior to beginning work, the Contractor shall be responsible to locate existing underground utilities. Check with all utility companies and Sunshine State, call (811).

1.4 SUBSTITUTIONS
A. Only materials specified will be accepted, unless approved in writing by the Landscape Architect in advance.

1.5 PLANT SIZES
A. All plant sizes shall equal or exceed the minimum sizes as specified in the plant list. When plant sizes are specified as a range of size, installed materials shall average the mean of the range specified. Plants shall be measured following pruning, with branches in normal position. All necessary pruning shall be done at the time of planting.

1.6 PLANT QUALITY
A. All plant material shall be equal to or better than Florida No. 1 as classified by "Grades and Standards for Nursery Plants" by the Division of Plant Industry, Florida Department of Agriculture. They shall have a growth habit that is normal for the species; healthy, vigorous, free from insects, disease and injury.

B. The Owner or Landscape Architect reserves the right to refuse any plant material which does not conform to the intent of the written specifications or design.

C. CIRCLING ROOTS FOUND ON CONTAINER-GROWN MATERIAL WILL NOT BE ACCEPTED UNLESS REMEDIAL ROOT PRUNING, APPROVED BY THE LANDSCAPE ARCHITECT IS DONE BEFORE PLANTING.

1.7 PLANT QUANTITY
A. The plant quantities shown on the plant list are to be used only as an aid to bidders. In the case of discrepancy between the plant list and the plan, the quantity on the plan shall override the plant list.

1.8 UNIT PRICES
A. The successful bidder shall furnish to the Owner and the Landscape Architect, a unit price breakdown for all materials. The Owner may, at his discretion, add to or delete from the materials utilizing the unit price breakdown submitted to and accepted by the Owner.

1.9 SUBMITTALS
A. Fertilizer: The Contractor shall submit to the Owner and Landscape Architect documentation that all the fertilizer used for the project is of the analysis specified and placed at the rates specified in section 2.2 FERTILIZER.

B. Planting soil: The Contractor shall submit a sample of the planting soil (approximately 1 cu. Ft.) for approval by the Landscape Architect prior to delivery to the site.

1.10 CLEAN-UP & MAINTENANCE OF TRAFFIC
A. Follow procedures in FDOT Index 600 for maintenance of traffic during construction.

B. At the end of each work day, the Contractor shall remove debris and shall barricade the un-filled holes in a manner appropriate in the path of pedestrians and motorists.

C. Upon completion of the work or any major portion of the work or as directed by the Landscape Architect, all debris and surplus material from his work shall be removed from the job site.

1.11 MAINTENANCE PRIOR TO ACCEPTANCE
A. The Contractor is responsible to maintain the plantings until they are accepted under the provisions of 1.12 "ACCEPTANCE OF INSTALLATION".

1. Plants: Begin maintenance immediately following the final plant installation operation for each plant and continue until all plant installation is complete and accepted. Maintenance shall include watering all plants, weeding, mulching, pest and disease control, tightening and repairing of guys, repair of braces, removal of dead growth, resetting of plants to proper grade or up-right position, restoration of plant saucer, litter pick-up in plant beds and other necessary operations to assure specified minimum grade of Florida No. 1.

2. Turf Areas: Begin maintenance of turf immediately following the placement of sod and continue until sod installation is complete and accepted. Maintenance shall include but not be limited to, watering, leveling, mowing, weed and pest control, fungus and disease control and other necessary operations as determined by the Landscape Architect and good nursery practice.

3. Re-setting or straightening trees and palms:
The Contractor shall re-set and/or straighten trees and palms as required at no additional cost to the Owner unless caused by sustained winds of 75 mph or more. Then, the costs of the operations may be charged to the owner. Re-set trees within 48 hours.

1.12 ACCEPTANCE OF INSTALLATION
A. Inspection: Inspection of the work, to determine completion of contract work, exclusive of the possible replacement of plants and turf, will be made by the Landscape Architect at the conclusion of the maintenance period. Written notice requesting such an inspection and submitted by the Contractor at least ten (10) days prior to the anticipated date.

1.13 GUARANTEE
A. Guarantee all plants for a period of one year (CCD). Guarantee shall commence from the date of written acceptance. Plant material which is on the site and scheduled to be relocated is not covered by the guarantee except in the case of Contractor's negligence or work that has been done in an unworkman-like manner. The Contractor is not responsible for loss due to acts of god, (i.e.) sustained winds of 75 mph or more, floods, frost, lightning, vandalism or theft.

1.14 REPLACEMENT
A. Replacement shall be made during the guarantee period as directed by the Landscape Architect within ten (10) days from time of notification. For all replacement plant material, the guarantee period shall extend for an additional forty-five (45) days beyond the original guarantee period. The Contractor shall be responsible to provide water to the replacement plants in sufficient quantity to aid in their establishment. At the end of the guarantee period, inspection will be made by the Landscape Architect, upon written notice requesting such inspection and submitted by the Contractor at least five (5) days before the anticipated date. Replacement plants must meet the requirements of Florida No. 1 at time of inspection. Remove from the site all plants that are dead or in a state of unsatisfactory growth, as determined by the Landscape Architect. Replace these and any plants missing due to the Contractor's negligence as soon as conditions permit.

1. Materials and Operations: All replacement plants shall be of the same kind and size as indicated on the plant list. The Contractor shall supply and plant the plants as specified under planting operations.

2. Cost of Replacements: A sum sufficient to cover the estimated cost of possible replacements, including material and labor will be retained by the Owner and paid to the Contractor after all replacements have been satisfactorily made and approved by the Landscape Architect.

PART 2 - MATERIALS

2.1 PLANTING SOIL
A. Planting soil for trees, shrubs and ground covers shall be of the composition noted on the plans, measured by volume.

B. Soil for Sodded Areas: shall be coarse lawn sand.

2.2 FERTILIZER
A. Fertilizer for trees, palms, shrubs, and groundcovers shall be as follows: LESCO Palm Special 13-3-13 or equal, Sulfur coated with iron and other minor elements and maximum of 2% chlorine, or brand with equal analysis. The fertilizer shall be uniform in composition, dry and free flowing and shall be delivered to the site in the original unopened containers, bearing the manufacturer's guaranteed analysis. Fertilizer for sod and seeded areas shall be 8-6-8, 50% organically derived nitrogen, or equal.

2.3 WATER
A. The Contractor shall provide potable water on site, available from the start of planting. The Contractor is responsible to ascertain the location and accessibility of the water source. The Contractor is responsible to provide the means of distribution (i.e. water truck, hoses, etc.) for distribution of water to the planting areas.

2.4 MULCH
A. Mulch shall be shredded Melaleuca mulch (Florimulch) as manufactured by Forestry Resources, Inc., or equal.

2.5 ROOT BARRIER MATERIAL
A. Root barrier material shall be 24" deep polypropylene panels by DeepRoot or approved equal.

B. Install per details in the plans.

PART 3 - INSTALLATION PROCEDURES

3.1 LAYOUT
A. Verify location of all underground utilities and obstructions prior to excavation.

3.2 HERBICIDE TREATMENT
A. In all areas infected with weed and/or grass growth, a systemic herbicide shall be applied per manufacturer's rates. When it has been established where work will be done, the systemic herbicide shall be applied in accordance with manufacturer's labeling to kill all noxious growth. Contractor shall schedule his work to allow more than one application to obtain at least 95% kill of undesirable growth. If necessary, Contractor shall conduct a test to establish suitability of product and applicator to be used on this project, prior to execution of the full application.

3.3 PLANT PIT EXCAVATION AND BACKFILLING
A. Trees: See the Planting and Bracing Details and notes.

B. All planting holes shall be hand dug where machine dug holes may adversely affect utilities or improvements.

C. Shrubs and Groundcover: Shrubs and groundcover shall be planted in a soil bed as described in the notes and details. Space shrubs and provide setback from curb and pavements as shown in the plans.

D. Watering of field-grown plants: Thoroughly puddle in water to remove any air pockets in the plant hole.

3.4 WATERING
A. The Contractor is responsible to provide the water for all new plants and transplants and means of distribution (i.e. hand watering or water truck) during the maintenance period and extending into the period after acceptance until the full schedule as listed below is complete. Water for trees and other large field grown plants shall be supplemented by hand or water truck, in addition to the irrigation system, (if one is provided). Contractor can adjust watering schedule during heavy rain season upon approval of the Landscape Architect.

AMOUNT OF WATER PER APPLICATION
For trees up to 5 inch caliper - 5 gallons
From 5 to 8 inch caliper - 25 gallons
9 inch and up caliper - 50 gallons

FREQUENCY OF WATER
Daily for the first week
3 times per week for weeks 2 - 5
2 times per week for weeks 6 - 8
1 time per week for weeks 9 - 12

B. Water in plants by thoroughly soaking of the entire root ball immediately after planting. For large trees and shrubs, add water while backfilling hole to eliminate any air pockets in the soil around the root ball.

C. Water shrubs, sod and groundcover a minimum of once daily for a week or until an irrigation system is fully operational. If no irrigation system is to be installed, the Contractor shall be responsible for watering the shrub, sod, and groundcover for the time specified above, after installation of each section of the planting installed.

3.5 FERTILIZING
A. Add fertilizer on top of the surface of shrubs beds and tree and palms root balls two (2) months after installation. Fertilize sod within two (2) days after installing after planting of each segment of the job. Fertilizer shall be applied after sod has been well moistened. Fertilizer shall be washed off of plant leaves and stems immediately after application. Apply at the following rates:

1. Trees and Large Shrubs: One (1) pound per inch of trunk diameter, spread evenly over the root ball area.

2. Shrubs: One half (1/2) handful per shrub, spread evenly over the root ball area.

3. Groundcover: Twelve (12) pounds per 100 sq. ft. of bed area.

4. Sod: Twelve (12) pounds per 1,000 sq. ft. Wash fertilizer off blades immediately after spreading.

3.6 MULCHING
A. Spread mulch two (2) inches thick uniformly over the entire surface of shrubs and groundcover beds, depth measured after settling, unless otherwise specified in the plans. Provide 36" diameter bed of mulch, measured from outer edge of the trunk, for all trees and palms planted in sod areas. Keep mulch away from contact with the trunk. Create a 6" high ring of mulch at the outer edge of tree and palm holes.

3.7 GUYING AND BRACING
A. See the details bound herewith or made part of the plans.

3.8 SODDING
A. Provide a blanket of lawn sand as described in the notes in these plans. Prior to planting, remove stones, sticks, etc. from the sub-soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

B. Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes. The sod shall be rolled with a 500 pound hand roller immediately after placing.

C. Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" from trees, measured from the edge of plant or tree trunk.

D. Sod shall be watered immediately after installation to uniformly wet the soil to at least two inches below the bottom of sod strips.

E. Apply fertilizer to the sod as specified in Section 3.5.

F. Excavate and remove excess soil so top of sod is flush w/top of curb or adjacent pavement, or adjacent existing sod.

PLANT BED PREPARATION NOTES

1. In all areas where new sod and shrub and groundcover masses are to be planted, kill all existing weeds by treating with Round-up prior to beginning soil preparation.

2. In all shrub and groundcover beds, prepare soil as described for either condition, over the entire area to be planted:

Condition A:
If any compacted road base or asphalt or rocky soil is encountered, remove compacted material entirely to allow an 18" depth of planting soil per plant list unless otherwise stated. Backfill the entire area of the shrub and groundcover beds with 18" planting soil (as specified in Plans) to within 2 inches of the adjacent pavement or top of curb. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before planting.

Condition B:
Where no compacted soil is encountered, thoroughly mix 6 inches of planting soil per plant list into the existing soil to a depth of 18 inches unless otherwise stated. If required, excavate and remove the existing soil to lower the grade, so that the prepared mix is finished to a minimum of 2 inches below top of curb or adjacent walkway. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before planting.

For all sod areas, spread a 2" deep layer of lawn sand prior to sodding. Remove all debris and rocks and pebbles larger than 2 inches in size and level the grade before sodding. Remove, if required, existing soil so that top of sod is flush with and adjacent top of curb or pavement.

For Trees and shrubs larger than 7 gallon, Add Diehard® transplant innoculant supplied by Horticultural Alliance, Inc. (800-628-6373) or equal. Mix into top 8-10 inches of planting hole, making sure it is contact with the root ball. Add at a rate specified by manufacturer (typically 4oz. per 1 inches of trunk caliper or 7 gallon can).

SPACING OF PLANTS (SEE PLANT SPACING DETAIL)

1. Plants shall be planted sufficiently away from edges of pavements or curbs, to allow for growth toward the edges of the bed.

PROTECTION OF PLANTS

1. The Contractor shall be responsible to protect existing trees and shrubs in and adjacent to the area of work. Erect barriers as necessary to keep equipment and materials, any toxic material, away from the canopy drip line of trees and shrubs. DO NOT PILE SOIL OR DEBRIS AGAINST TREE TRUNKS OR DEPOSIT NOXIOUS BUILDING SUPPLIES OR CHEMICALS WITHIN THE DRIP LINE.

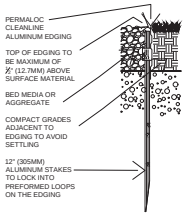
PERMALOC CORPORATION
CLEAN LINE
ALUMINUM LANDSCAPE EDGING
PERMALOC CORPORATION, 10180 BARRY STREET HOLLAND, MI. 49424
(800) 356-9660 FAX: (616) 399-9660 Fax: (616) 396-9779 WWW.PERMALOC.COM

SIZE:
☐ 1/4" X 5/8" (3.2MM X 140MM), 0.072" (1.82MM) THICK w/ 0.135" (3.43MM) EXPOSED TOP LIP

FINISH LEGEND:
(MF) MILL FINISH-NATURAL ALUMINUM

NOTES:
1. INSTALL PER MANUFACTURER'S "INSTALLATION GUIDELINES"
2. 8'-0" (2.44 M) SECTIONS TO INCLUDE (3) 12" (305 MM) ALUMINUM STAKES. 16'-0" (4.88 M) SECTIONS TO INCLUDE (5) 12" (305 MM) ALUMINUM STAKES.
3. CORNERS - CUT BASE EDGING UP HALFWAY AND FORM A CONTINUOUS CORNER. PERMALOC CLEANLINE AS MANUFACTURED BY PERMALOC CORPORATION, HOLLAND MI. (800) 356-9660, (616) 399-9600
4. CONTRACTOR'S NOTE: FOR PRODUCT AND PURCHASING INFORMATION VISIT WWW.PERMALOC.COM
5.
6.

ISOMETRIC VIEW
NTS



ALUMINUM EDGING DETAIL
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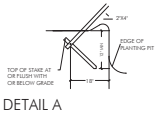
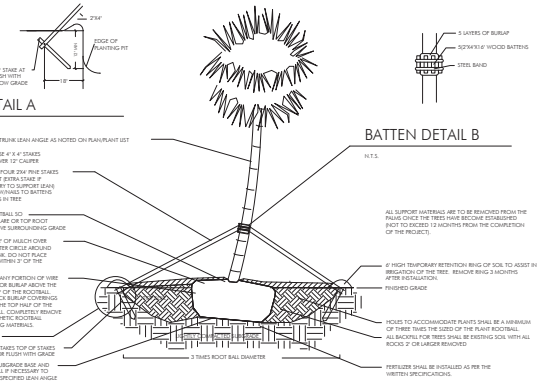


DETAIL A
N.T.S.

BATTEN DETAIL B
N.T.S.



PLANTING & BRACING DETAIL FOR LEANING/CROOKED PALMS
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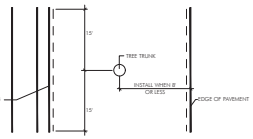
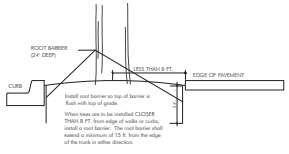


PLAN VIEW



ROOT BARRIER INSTALLATION DETAIL
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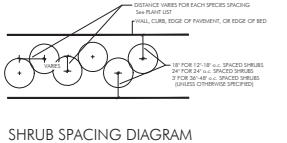

SHRUB SPACING DIAGRAM
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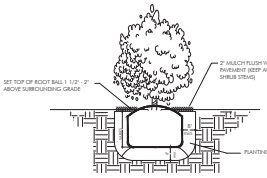

SHRUB INSTALLATION DETAIL
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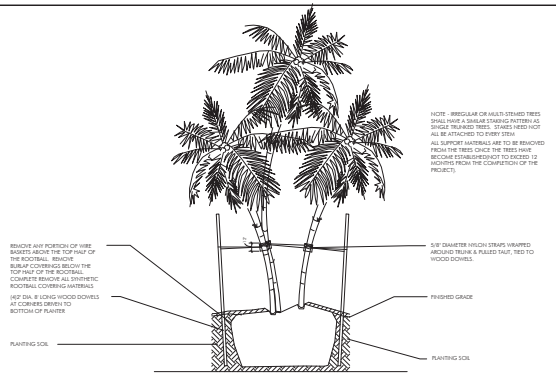

MULTI-TRUNKED TREE/PALM BRACING DETAIL
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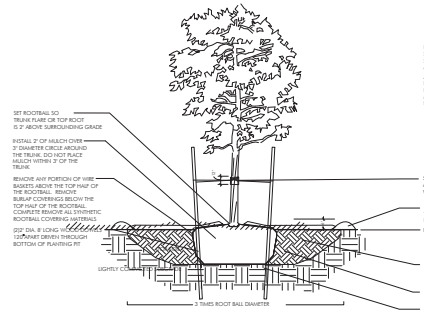

PLANTING & BRACING DETAIL UNDER 3 1/2" CALIPER
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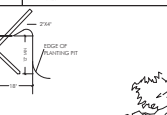

DETAIL A
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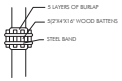

BATTEN DETAIL B
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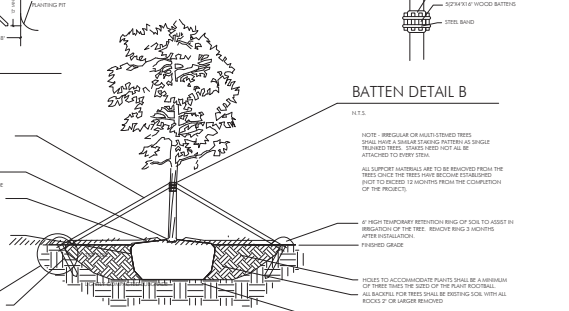

PLANTING & BRACING DETAIL OVER 3 1/2" CALIPER
N.T.S.

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GARDNER + SEMLER
LANDSCAPE ARCHITECTURE
WWW.GSLADESIGN.COM
17670 NW 78th AVE., SUITE 214
MIAMI, FL 33015
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IRRIGATION MATERIALS LIST

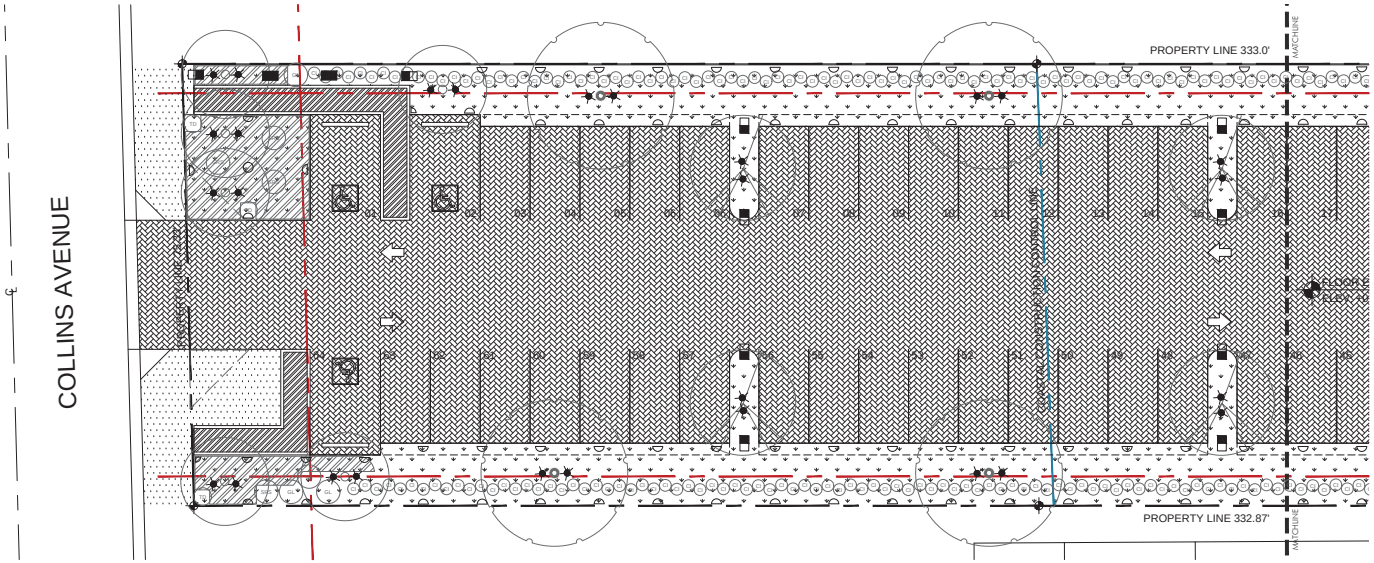
KEY	ITEM	QTY.
	PVC laterals & mains shall be schedule 40 PVC (sized as shown on plans)	as required
	MAIN	as required
	PVC sleeves shall be Schedule 40 PVC (sized 2 sizes larger than the pipe running through it)	as required
	Flexible PVC or Polypipe (for swing joints)	as required
WM	WATER METER (See Civil Plans)	1
EC	Electric Controller RAINBIRD ESP-Me Series Controller	1
	Rainbird RSD Series Rain Sensor (locate in area of free rainfall)	1
	RAINBIRD 200-PESB 2" Electromechanical Solenoid Control Valve	as required
	Irrigation Control Wire	as required
	RAINBIRD Spray Heads 1800 @ 30 PSI Series w/MPR nozzles 6" pop-up in grass areas 12" pop-up on risers in shrub beds	as required
	15-sst (1.21 gpm)	
	15-cst (1.21 gpm)	
	15-est (.61 gpm)	
	9-sst (1.73 gpm)	
	10-F (1.58 gpm)	
	10-TQ (1.18 gpm)	
	10-H (.79 gpm)	
	10-T (.53 gpm)	
	10-Q (.39 gpm)	
	5-F (.41 gpm)	
	5-TQ (.33 gpm)	
	5-H (.20 gpm)	
	5-T (.13 gpm)	
	5-Q (.10 gpm)	
	RAINBIRD 1300A-F Adjustable Flood Bubbler 1300A-F (1.5 gpm)	as required

LATERAL PIPE SIZING

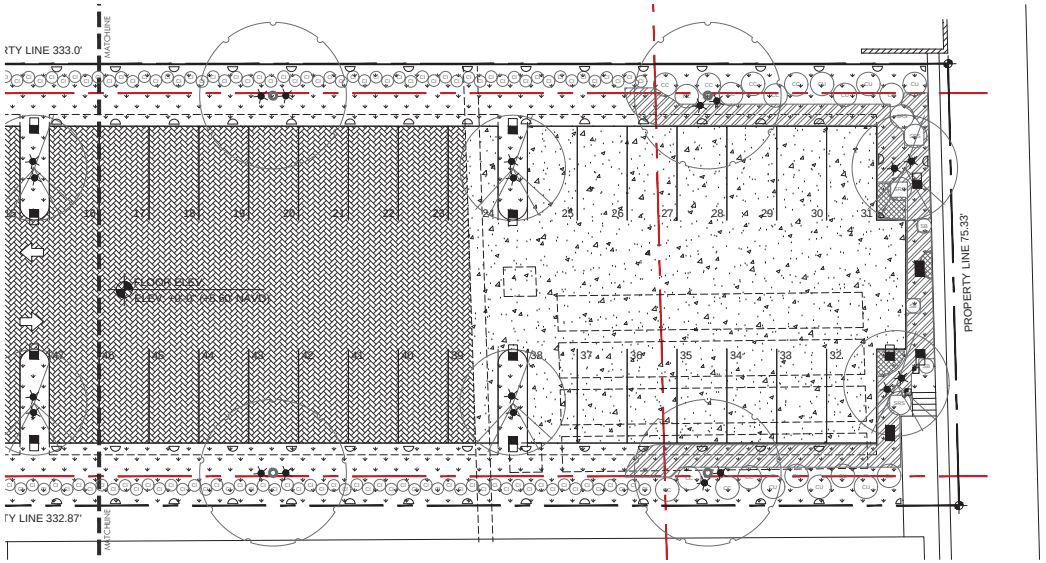
The Contractor is responsible to properly size all laterals. All laterals shall be sized according to the following schedule. Total gallonages per pipe section shall be calculated be adding the GPM per head for every head downstream of the pipe.

PIPE SIZING CHART

SIZE	GPM
¾"	0-4 GPM
¾"	4-6 GPM
1"	6-10 GPM
1¼"	10-18 GPM
1½"	18-25 GPM
2"	25-40 GPM
2½"	40-60 GPM
3"	60-90 GPM



IRRIGATION HEAD LAYOUT PLAN (3 / LA-201)
SCALE: 1" = 10'



IRRIGATION HEAD LAYOUT PLAN (4 / LA-201)
SCALE: 1" = 10'

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DATE	REVISION

DWG. TITLE: *IRRIGATION PLAN*

SCALE: *AS SHOWN*

PROJECT NO.: *2018-24*

DATE: *06-25-19*

SHEET NUMBER: *LA-201*

GENERAL NOTES:

1. SCOPE OF WORK: The Contractor shall furnish all labor, machinery, tools, supplies, and equipment as necessary to construct and provide an operating system, as indicated in the Plans. The work shall include, but not be limited to, furnishing materials (pipe, valves, sprinkler heads, fittings, controllers, electrical, wire and fittings, primer, glue, etc.), layout, protection to the public, excavation, assembly, installation, backfilling, compaction, repair of road or pavement surfaces, controller and low voltage feed to the valves, clean-up, maintenance and guarantee, and as-built plans.

2. Contractor shall coordinate with General Contractor or other pertinent Contractors on the job to insure that sleeves are provided and installed under hard surfaces to allow access to all areas to be irrigated. All sleeves shall be constructed of Schedule 40 PVC. Bury all sleeves a minimum of 24" below the surface. Sleeve to be 2 times the size if the pipe running through it. Sleeve shall extend 24" past the edge of pavement into the area to be irrigated.

3. GUARANTEE: The irrigation system shall be guaranteed for a minimum of one calendar year from the time of final acceptance.

4. REPAIR UTILITIES: The Contractor shall be responsible to verify the location of all utilities by hand excavation or other appropriate measures before performing any work that may result in damage to utilities structures, or property. The Contractor shall take immediate steps to repair, replace, or restore all services to any utilities which are disrupted due to his operations. All costs involved in disruption of service and repairs due to negligence on part of the Contractor shall be his responsibility.

5. AS-BUILT DRAWINGS: Prints of the plans will be supplied to the Contractor for recording 'as-built' information. Immediately upon installation of any work which deviates from what is shown on the Plans, the Contractor shall clearly indicate such changes in red pencil on the prints. Such changes shall include, but not be limited to, changes in (1) materials; (2) sizes of material; (3) location; and (4) quantities.

6. The entire installation shall fully comply with all applicable local and state codes and ordinances. The Contractor shall take out all required plumbing and electrical applications and permits, arrange for all necessary inspections and shall pay all fees and expenses in connection with same as part of work under the contract.

7. UNIT PRICES: The successful bidder shall furnish, to the Owner, a unit price breakdown for all materials. The Owner may at his own discretion, add to or delete from the materials, using the unit price breakdown submitted to and accepted by the Owner.

8. MAINTENANCE PERIOD: The irrigation system shall be maintained for a period of 90 days after final acceptance of installation. Maintenance shall include checking of the system 2 times per week. Contractor shall be responsible to replace/repair any broken or malfunctioning parts of the system including those damaged by accidents or vandalism. Repairs shall be made immediately at the time of inspection or when notified by the Landscape Architect.

9. The irrigation system shall provide 100% coverage with a minimum of 90% overlap of water spray.

10. The system is design to provide sprinkler precipitation rates that are nearly equal in each zone. Mixing of sprinklers with widely varying precipitation rates in a zone will not be accepted.

11. All pipe shall be made of Schedule 40 PVC, except flexible PVC (or Toro funny pipe) for flexible swing joint and Schedule 80 galvanized steel pipe for all above ground fittings. Pipe locations shall be adjusted in the field. When laying out mains and laterals, locate pipe near edges of pavement or against buildings wherever possible, to allow space for plant rootballs. Coordinate pipe locations with plantings. Bury all mains 18" below surface and laterals 12". Depth shall be measured to top of pipe.

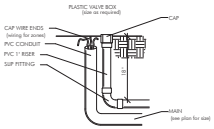
12. Keep pop-up sprinkler heads a minimum of 8" from edges of pavement and curbing, and heads on risers a minimum of 18", or as indicated in the plans.

13. All heads located in shrub or groundcover beds shall be installed on a riser as per details in the plans. All other heads shall be installed on a swing joint as per details in the plans.

14. Place irrigation control wire in conduit in the same trench as mains and under the main. ASI wire shall be #14 or larger solid copper U.L. approved underground direct burial cable and shall be continuous with no splices from controller to solenoid valve.

15. Valve locations are schematic and shall be adjusted in the field. Each valve shall be in a separate valve box (10" x 16") min.). When grouping valve boxes in grass or groundcover areas, set boxes a minimum of 12" apart to allow grass or groundcover to grow between them. When possible, hide valve boxes in shrub beds, a minimum of 12" from edge of beds. Set all valve boxes, concrete or plastic, in ground with cover flush with finish grade, and level, with a minimum of 6" of pea gravel at the bottom of the box, with at least 2" of clearance from the bottom of the valve to the top of the gravel.

16. TESTING: Notify the Landscape Architect in writing when testing will be conducted. Conduct test in the presence of the Landscape Architect. After all PVC assembly is completed the lines shall be flushed to insure that no rocks, sand, or other foreign debris remains in the lines. The mains shall be filled with water and all outlets shall be capped and plugged. The main shall be pressurized to 100 PSI for a minimum of one hour. No section of the main will be approved if the pressure drops more than 5 PSI at the end of the one hour period. Leaks shall be repaired immediately and the system shall be re-tested until found satisfactory by the Landscape Architect.



DETAIL OF STUB-OUT FOR FUTURE USE

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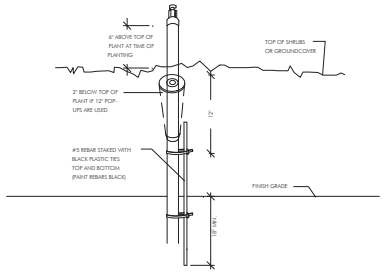
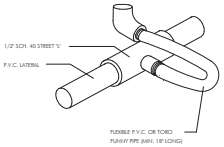


SPRINKLER ON RISER DETAIL FOR SHRUB AREAS

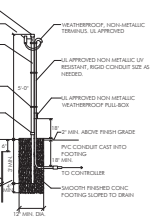
N.T.S.



FLEXIBLE SWING JOINT DETAIL

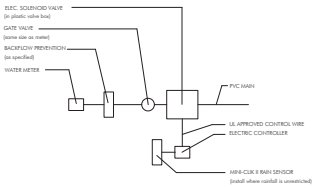
N.T.S.

NOTE:
ALL WIRE CONNECTIONS SHALL BE APPROVED WATERTIGHT CONNECTIONS.
FINISH ENTIRE ASSEMBLY, EXCEPT FOR EQUIPMENT, WITH FLAT BLACK ACRYLIC ENAMEL PAINT.
PRIME METALLIC SURFACES WITH ZINC CHROMATE PRIOR TO FINISHING.



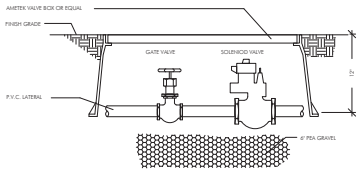
RAIN SENSOR DETAIL

N.T.S.



CONNECTION TO METER DETAIL

N.T.S.



TYPICAL SOLENOID VALVE ASSEMBLY

N.T.S.

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ARCHITECTURE AAC001062
JOSE L. GOMEZ AR0015416
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6605 COLLINS AVENUE

6605 COLLINS AVENUE
MIAMI BEACH, FL 33141

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△	DATE	REVISION

DWG. TITLE
IRRIGATION NOTES SPECIFICATIONS, AND DETAILS

SCALE
AS SHOWN

PROJECT NO.
2018-24

DATE
06-25-19

SHEET NUMBER
LA-202

ATTACHMENT C

Urban Land Institute Parking Utilization by Hour

-5 Recommended Time-of-Day Factors for Weekdays

Land Use	User	6 a.m.	7 a.m.	8 a.m.	9 a.m.	10 a.m.	11 a.m.	Noon	1 p.m.	2 p.m.	3 p.m.	4 p.m.	5 p.m.	6 p.m.	7 p.m.	8 p.m.	9 p.m.	10 p.m.	11 p.m.	Mi
Shopping Center—Typical	Customer	1%	5%	15%	35%	65%	85%	95%	100%	95%	90%	90%	95%	95%	95%	80%	50%	30%	10%	
Peak December	Customer	1%	5%	15%	30%	55%	75%	90%	100%	100%	100%	95%	85%	80%	75%	65%	50%	30%	10%	
Late December	Customer	1%	5%	10%	20%	40%	65%	90%	100%	100%	100%	95%	85%	70%	55%	40%	25%	15%	5%	
	Employee	10%	15%	40%	75%	85%	95%	100%	100%	100%	100%	100%	95%	95%	95%	90%	75%	40%	15%	
Fine/Casual Dining	Customer	—	—	—	—	15%	40%	75%	75%	65%	40%	50%	75%	95%	100%	100%	100%	95%	75%	
	Employee	—	20%	50%	75%	90%	90%	90%	90%	90%	75%	75%	100%	100%	100%	100%	100%	100%	85%	
Family Restaurant	Customer	25%	50%	60%	75%	85%	90%	100%	90%	50%	45%	45%	75%	80%	80%	80%	60%	55%	50%	
	Employee	50%	75%	90%	90%	100%	100%	100%	100%	100%	75%	75%	95%	95%	95%	95%	80%	65%	65%	
Fast Food	Customer	5%	10%	20%	30%	55%	85%	100%	100%	90%	60%	55%	60%	85%	80%	50%	30%	20%	10%	
	Employee	15%	20%	30%	40%	75%	100%	100%	100%	95%	70%	60%	70%	90%	90%	60%	40%	30%	20%	
Nightclub	Customer	—	—	—	—	—	—	—	—	—	—	—	—	25%	50%	75%	100%	100%	100%	
	Employee	—	—	—	5%	5%	5%	5%	10%	10%	10%	20%	45%	70%	100%	100%	100%	100%	100%	
Cineplex—Typical	Customer	—	—	—	—	—	—	20%	45%	55%	55%	55%	60%	60%	80%	100%	100%	80%	65%	
Late December	Customer	—	—	—	—	—	—	35%	60%	75%	80%	80%	80%	70%	80%	100%	100%	85%	70%	
	Employee	—	—	—	—	—	—	50%	60%	60%	75%	75%	100%	100%	100%	100%	100%	100%	70%	
Performing Arts Theater	Customer	—	—	—	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	25%	100%	100%	—	—	
No matinee	Employee	—	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	30%	10%	
Arena	Customer	—	—	—	1%	1%	1%	1%	1%	1%	1%	1%	1%	10%	25%	100%	100%	85%	—	
No matinee	Employee	—	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	30%	10%	
Stadium	Customer	—	—	—	1%	1%	1%	5%	5%	5%	5%	5%	5%	10%	50%	100%	100%	85%	25%	
8 p.m. start	Employee	—	10%	10%	20%	20%	20%	30%	30%	30%	30%	30%	30%	100%	100%	100%	100%	100%	25%	
Health Club	Customer	70%	40%	40%	70%	70%	80%	60%	70%	70%	70%	80%	90%	100%	90%	80%	70%	35%	10%	
	Employee	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	75%	100%	100%	75%	50%	20%	20%	20%	
Convention Center	Visitor	—	—	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	—	—	
	Employee	5%	30%	33%	33%	100%	100%	100%	100%	100%	100%	90%	70%	40%	25%	20%	20%	5%	—	
Hotel—Business	Guest	95%	90%	80%	70%	60%	60%	55%	55%	60%	60%	65%	70%	75%	75%	80%	85%	95%	100%	
Hotel—Leisure	Guest	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	
Restaurant/Lounge	Customer	—	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	
Conference/Banquet	Customer	—	—	30%	60%	60%	60%	65%	65%	65%	65%	65%	100%	100%	100%	100%	100%	50%	—	
Convention	Customer	—	—	50%	100%	100%	100%	100%	100%	100%	100%	100%	100%	50%	30%	30%	10%	—	—	
	Employee	5%	30%	90%	90%	100%	100%	100%	100%	100%	100%	90%	70%	40%	20%	20%	20%	20%	10%	
Residential	Guest	—	10%	20%	20%	20%	20%	20%	20%	20%	20%	20%	40%	60%	100%	100%	100%	100%	80%	
Residential	Reserved	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	
Residential	Resident	100%	90%	85%	80%	75%	70%	65%	70%	70%	70%	75%	85%	90%	97%	98%	99%	100%	100%	
Office	Visitor	—	1%	20%	60%	100%	45%	15%	45%	100%	45%	15%	10%	5%	2%	1%	—	—	—	
Office	Employee	3%	30%	75%	95%	100%	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

MIAMIBEACH
PLANNING DEPARTMENT
Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0323 - 6605 Collins Avenue – Temporary Parking Lot**

An application has been filed requesting a conditional use approval for a surface parking lot in a residential zoning district pursuant to Chapter 118, Article IV and Chapter 130, Article III of the City Code, including 24-hour operations.

RECOMMENDATION:
Approval with conditions

ZONING/SITE DATA:

Legal Description:	Lot 43, Block 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, according to the plat thereof as recorded in Plat Book 28, Page 28, of the public records of Miami-Dade County, Florida.
Zoning District:	RM-3 Residential multifamily, high intensity
Future Land Use Designation:	RM-3 Residential multifamily, high intensity
Surrounding Uses:	North: Commercial and Hotel West: Commercial South: Hotel

(See Zoning/Site map at the end of the report)

THE PROJECT:
The applicant has submitted plans entitled "6605 Collins Avenue" as prepared by Jose L. Gomez, dated 09/20/19.

The applicant is proposing a new temporary surface parking lot with new landscaping on an existing vacant lot. The former building on the site, the Forde Apartments was recently demolished at the beginning of this year. The subject site was excluded from the boundaries of the nearby North Beach Resort Historic District when the district was designated in 2004 and, as such, the proposed temporary parking lot, including any variances, is scheduled to be reviewed by the Design Review Board on December 13, 2019 (DRB19-0465).

As proposed by the applicant, 57 spaces will be provided with an entrance and exit drive from Collins Avenue. It is important to note that number of parking spaces shown on the plans for this

application (61), has been reduced to 57 spaces in the Design Review Board application, in order to meet the use requirements of the City Code for Oceanfront parcels. The applicant is also requesting a variance from the surface material requirements. (see analysis).

As per Section 142-243 of the City Code, commercial and noncommercial parking lots and garages are a conditional use in the RM- 3 residential zoning district.

COMPLIANCE WITH CONDITIONAL USE REVIEW GUIDELINES

Conditional Uses may be approved in accordance with the procedures and standards set forth in the City Code Art. 4, Sec. 118-191 and Sec. 118-192:

1. **The Use is consistent with the Comprehensive Plan or Neighborhood Plan if one exists for the area in which the property is located.**

   Consistent– The proposed parking lot is not prohibited within the RM03 district.

2. **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.**

   Consistent–The proposed use is not anticipated to degrade the LOS for the surrounding area below the thresholds that have been established.

3. **Structures and uses associated with the request are consistent with this Ordinance.**

   Partially Consistent – A parking lot is allowed in the RM-3 zoning district, through the Conditional Use process. A variance from the required surface material requirements has been requested as part of the Design Review Board application.

4. **Public health, safety, morals and general welfare will not be adversely affected.**

   Partially Consistent–The parking lot, as proposed, will adversely impact the health, safety, and general welfare of the adjacent hotel uses. Staff is recommending that the Design Review Board deny the variance requests and require design changes.

5. **Adequate off-street parking facilities will be provided.**

   Not Applicable

6. **Necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.**

   Consistent – As proposed, this temporary parking lot, and its use after midnight, provides the necessary safeguards for the protection of surrounding property, persons, and neighborhood values.

7. **The concentration of similar types of uses will not create a negative impact on the surrounding neighborhood. Geographic concentration of similar types of conditional uses should be discouraged.**

   Consistent – The proposed use of this parking does not constitute a concentration of uses that may negatively affect the surrounding neighborhood.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(a) of the Land Development Regulations 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.
Satisfied
All new landscaping will consist of Florida friendly plants.

(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

(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 Satisfied

(11) Cool pavement materials or porous pavement materials shall be utilized.
Not Satisfied – The applicant has requested a variance from required surface material requirements.

(12) The project design shall minimize the potential for a project causing a heat island effect on site.
Not Satisfied -The applicant has requested a variance from required surface material requirements, which would otherwise reduce the heat island effect on the site.

STAFF ANALYSIS

The applicant is seeking conditional use approval in order to operate a temporary parking lot at the subject location and to also operate the lot after midnight.

In general, a surface parking lot is an undesirable use for a property, such as the subject site. Over the long term, vehicular storage lots, such as this, have an adverse impact on the developed context of the surrounding area and can become an eyesore to the neighborhood. The temporary parking lot use proposed for this lot is for the adjacent Sherry Frontenac Hotel, as well as the general public.

Staff believes that a more appropriate use of the property would be a well-designed residential or hotel structure. However, under the current code, the proposed use is a conditional use within the RM-3 residential zoning district, and the application is for the temporary use of the lot. The subject site abuts the Sherry Frontenac to the south, which is also owned by the applicant, and the abandoned Deauville Hotel to the north. The solid blank wall, approximately 3-stories in height, of the abutting Deauville Hotel buffers the visibility and any impacts from the subject site. There are no residential apartment uses that would be directly impacted by the subject parking lot.

The Design Review Board will be reviewing issues such as landscaping, setbacks, and the requested variance from the surface material requirements.

Operation

The proposed parking lot will be self-parking with a pay station; no valet services are proposed. The applicant has indicated that employees will be on the site on a daily basis to ensure that the property is maintained free from debris and will monitor the operation of the site.

Traffic Circulation

A Traffic Statement was provided, as prepared by Traf Tech Engineering, Inc, Transportation Department reviewed, see attached Transportation Memorandum.

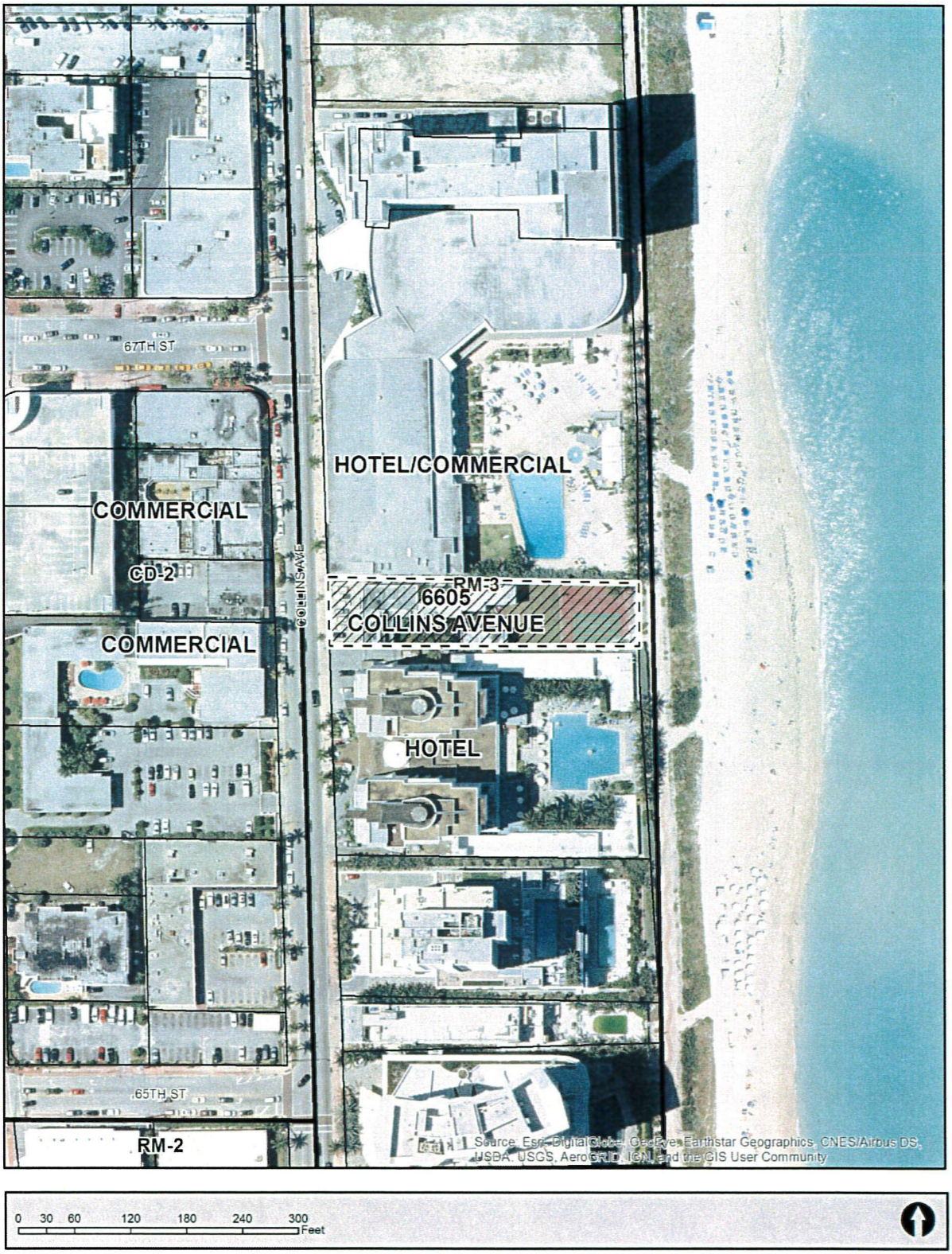
Code Violations

As of the writing of this report there are no open violations related to the subject property.

STAFF RECOMMENDATION

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

ZONING/SITE MAP



PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 6605 Collins Avenue

FILE NO. PB 19-0323

IN RE: An application has been filed requesting a conditional use approval for a temporary surface parking lot in a residential zoning district pursuant to Chapter 118, Article IV and Chapter 130, Article III of the City Code, including 24-hour operations.

LEGAL DESCRIPTION: Lot 43, Block 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, according to the plat thereof as recorded in Plat Book 28, Page 28, of the public records of Miami-Dade County, Florida.

MEETING DATE: November 19, 2019

CONDITIONAL USE PERMIT

The applicant, S.F. Land, LLC requested a Conditional Use approval for a temporary parking lot in a RM-3 residential zoning district, including operation of the parking lot after midnight, which is located within 100 feet of a residential use or district pursuant to Chapter 118, Article IV, Chapter 130, Article III, and Chapter 142, Article II of the City Code. 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 RM-3 Residential Multifamily Medium Intensity 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 the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall present a Progress Report to the Board within 90 days of the issuance of the Certificate of Occupancy (CO) or Business Tax Receipt (BTR) for the parking lot, whichever comes first. If deemed necessary, at the request of the Planning Director or at the request of the Board, the applicant shall present a progress report to the Board at a future date.

   The Board reserves the right to modify the Conditional Use approval at the time of the 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 Permit is also subject to modification or revocation under City Code Sec. 118-194 (c).

2. This Conditional Use Permit is issued to S.L. Land, LLC, as the owners of the property. Subsequent owners and/or operators shall be required to appear before the Board within 90 days of the change of ownership or operator to affirm their understanding of the conditions listed herein and to obtain a Modification to this Conditional Use Permit.

3. Before the issuance of a building permit, the applicant shall submit a revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan to staff for review and approval. At a minimum, such plan shall incorporate the following:

   a. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff.

   b. A lighting plan that satisfies the City and the Building Codes. Pursuant to Section 142-1132(k) all light from light poles shall be contained on-site or on any public right-of-way as required by the City Code.

   c. A plan for a recurring maintenance schedule that includes, but is not limited to, cleaning the lot, clipping of hedge material, removing and replacement of dead plant material, fertilization and irrigation shall be submitted to the Planning Department for review and approval, prior to the issuance of a Business Tax Receipt.

   d. A 6" raised curb around the periphery of the entire lot and landscape areas shall be provided in order to protect landscape areas, in a manner to be reviewed and approved by staff.

   e. Chain link fences shall not be permitted. Any fence that may be proposed for the subject site shall be a metal picket fence, subject to the review and approval of staff.

   f. Parking stripes shall be painted white.

   g. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

h. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.

4. Use of the site by valet operators shall not be permitted. The subject parking lot shall be used exclusively for hotel guests of the Sherry Frontenac and the general public.

5. Vehicles shall be parked in marked spaces only without tandem parking. Vehicles shall not be parked within the designated 22'-0" required drive aisle.

6. Construction staging shall not be permitted on the site at any time.

7. Signage shall be provided at the entrance to the lot and within the site indicating that the lot is private and only for the use of authorized vehicles.

8. 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.

9. The applicant shall be responsible for operating this facility in an orderly, clean and quiet manner so that neighboring residents are not disturbed during the hours of operation. This shall include removing all trash from the lot not less than twice daily. The sounding of car alarms, automobile horns, playing of radios or any kind of audio system and screeching of tires shall be prohibited. Two signs, one addressing City Code provisions regarding car alarms, and one prohibiting the screeching of tires and sounding of horns, shall be posted on the site so they are plainly visible by, and legible to, users of the facility.

10. The applicant shall install a sign, plainly visible from the street, indicating the name and phone number of the operator to report complaints, as well as the phone number for Code Compliance. The maximum size of such sign shall not exceed five square feet per 50 feet of street frontage, as permitted by the City Code.

11. The applicant shall resolve outstanding violations and fines, if any, prior to the issuance of a Business Tax Receipt for this parking facility.

12. Compliance with the aforesaid conditions shall be a prerequisite to obtaining a Certificate of Occupancy/Business Tax Receipt.

13. A Conditional Use Permit which lists the aforementioned conditions shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a Business Tax Receipt, or Certificate of Occupancy, whichever may occur first.

14. 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.

15. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant 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.

16. 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.

17. This Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a Business Tax Receipt.

Dated this _____ day of _____, 2019.

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

BY: _____
Michael Belush, AICP
Chief of Planning and Zoning
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this _____ day of _____, _____, by Michael Belush, Chief of Planning and Zoning for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

_____
Notary:
Print Name
Notary Public, State of Florida
My Commission Expires:
Commission Number:

{NOTARIAL SEAL]

Approved As To Form:
Legal Department _____( )

Filed with the Clerk of the Planning Board _____ ( )

DocuSign Envelope ID: FD58769F-0154-4499-A179-2D25A0068FC4

CFN: 20230296432 BOOK 33691 PAGE 84
DATE:05/03/2023 06:01:55 PM
LUIS G. MONTALDO, CLERK AD INTERIM
MIAMI-DADE COUNTY, FL

PLANNING BOARD
CITY OF MIAMI BEACH, FLORIDA

PROPERTY: 6605 Collins Avenue

FILE NO. PB 19-0323

IN RE: An application has been filed requesting a conditional use approval for a temporary surface parking lot in a residential zoning district pursuant to Chapter 118, Article IV and Chapter 130, Article III of the City Code, including 24-hour operations.

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MEETING DATE: November 19, 2019

CONDITIONAL USE PERMIT

The applicant, S.F. Land, LLC requested a Conditional Use approval for a temporary parking lot in a RM-3 residential zoning district, including operation of the parking lot after midnight, which is located within 100 feet of a residential use or district pursuant to Chapter 118, Article IV, Chapter 130, Article III, and Chapter 142, Article II of the City Code. 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 RM-3 Residential Multifamily Medium Intensity 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 the staff recommendations, that the Conditional Use Permit be GRANTED, as provided below:

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1. The Planning Board shall maintain jurisdiction of this Conditional Use Permit. The applicant shall present a Progress Report to the Board within 90 days of the issuance of the Certificate of Occupancy (CO) or Business Tax Receipt (BTR) for the parking lot, whichever comes first. If deemed necessary, at the request of the Planning Director or at the request of the Board, the applicant shall present a progress report to the Board at a future date.

   The Board reserves the right to modify the Conditional Use approval at the time of the 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 Permit is also subject to modification or revocation under City Code Sec. 118-194 (c).

2. This Conditional Use Permit is issued to S.L. Land, LLC, as the owners of the property. Subsequent owners and/or operators shall be required to appear before the Board within 90 days of the change of ownership or operator to affirm their understanding of the conditions listed herein and to obtain a Modification to this Conditional Use Permit.

3. Before the issuance of a building permit, the applicant shall submit a revised landscape plan, prepared by a Professional Landscape Architect, registered in the State of Florida, and corresponding site plan to staff for review and approval. At a minimum, such plan shall incorporate the following:

   a. The species type, quantity, dimensions, spacing, location and overall height of all plant material shall be clearly delineated and subject to the review and approval of staff.

   b. A lighting plan that satisfies the City and the Building Codes. Pursuant to Section 142-1132(k) all light from light poles shall be contained on-site or on any public right-of-way as required by the City Code.

   c. A plan for a recurring maintenance schedule that includes, but is not limited to, cleaning the lot, clipping of hedge material, removing and replacement of dead plant material, fertilization and irrigation shall be submitted to the Planning Department for review and approval, prior to the issuance of a Business Tax Receipt.

   d. A 6" raised curb around the periphery of the entire lot and landscape areas shall be provided in order to protect landscape areas, in a manner to be reviewed and approved by staff.

   e. Chain link fences shall not be permitted. Any fence that may be proposed for the subject site shall be a metal picket fence, subject to the review and approval of staff.

   f. Parking stripes shall be painted white.

   g. A fully automatic irrigation system with 100% coverage and an automatic rain sensor in order to render the system inoperative in the event of rain. Right-of-way areas shall also be incorporated as part of the irrigation system.

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h. The utilization of root barriers and/or structural soil, as applicable, shall be clearly delineated on the revised landscape plan.

4. The subject parking lot shall be used exclusively for hotel guests of the Sherry Frontenac and the general public. Up to ten (10) Spaces may be used by the Sherry Frontenac valet operator.

5. Vehicles shall be parked in marked spaces only without tandem parking. Vehicles shall not be parked within the designated 22'-0" required drive aisle.

6. Construction staging, to the extent authorized by the city Code, may be permitted, subject to the review and approval of staff.

7. Signage shall be provided at the entrance to the lot and within the site indicating that the lot is private and only for the use of authorized vehicles.

8. 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.

9. The applicant shall be responsible for operating this facility in an orderly, clean and quiet manner so that neighboring residents are not disturbed during the hours of operation. This shall include removing all trash from the lot not less than twice daily. The sounding of car alarms, automobile horns, playing of radios or any kind of audio system and screeching of tires shall be prohibited. Two signs, one addressing City Code provisions regarding car alarms, and one prohibiting the screeching of tires and sounding of horns, shall be posted on the site so they are plainly visible by, and legible to, users of the facility.

10. The applicant shall install a sign, plainly visible from the street, indicating the name and phone number of the operator to report complaints, as well as the phone number for Code Compliance. The maximum size of such sign shall not exceed five square feet per 50 feet of street frontage, as permitted by the City Code.

11. The applicant shall resolve outstanding violations and fines, if any, prior to the issuance of a Business Tax Receipt for this parking facility.

12. Compliance with the aforesaid conditions shall be a prerequisite to obtaining a Certificate of Occupancy/Business Tax Receipt.

13. A Conditional Use Permit which lists the aforementioned conditions shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a Business Tax Receipt, or Certificate of Occupancy, whichever may occur first.

14. 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.

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15. 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 114-8 of said Code and such enforcement procedures as are otherwise available. Any failure by the applicant 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.

16. 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.

17. This Conditional Use Permit shall be recorded in the Public Records of Miami-Dade County at the expense of the applicant, prior to the issuance of a Business Tax Receipt.

Dated 4/24/2023 | 11:13 AM EDT

PLANNING BOARD OF THE
CITY OF MIAMI BEACH, FLORIDA

DocuSigned by:

BY: DEC3ECF2EB68404...
Michael Belush, AICP
Planning & Design Officer
For Chairman

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 2 day of May, 2023, by Michael Belush, Planning & Design Officer for the City of Miami Beach, Florida, a Florida Municipal Corporation, on behalf of the corporation. He is personally known to me.

MIRIAM TERESA HERRERA
Notary Public - State of Florida
Commission # GG 940469
My Comm. Expires Dec 16, 2023
Bonded through National Notary Assn.

Notary:
Print Name Miriam Herrera
Notary Public, State of Florida
My Commission Expires: 12-16-23
Commission Number: GG940469

{NOTARIAL SEAL]

Approved As To Form:
Legal Department DocuSigned by: 8D8CB88CCAB8460 (4/11/2023 | 1:05 PM EDT)

Filed with the Clerk of
the Planning Board DocuSigned by: 10FC3F3E9D654A5 (4/28/2023 | 4:06 PM EDT)

DS

MIAMIBEACH

LAND USE BOARDS

PROPERTY:
600 Block of Washington Avenue

FILE NO.
PB 19-0312

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo
Application	Memo
Ordinance	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-312. RM-2 Conditional Uses for 600 Block of Washington Avenue.**

REQUEST

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

Transmit the proposed Ordinance to the City Commission with a favorable recommendation.

HISTORY

On July 17, 2019, at the request of Commissioner John Elizabeth Aleman, the City Commission referred the draft Ordinance to both the Land Use and Development Committee and the Planning Board (Item C4 Q). Commissioner Ricky Arriola co-sponsored the referral.

On July 24, 2019 the Land Use and Development Committee recommended approval of the Ordinance.

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

   Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Consistent – The amendment would be applicable to the entire portion of the zoned RM-2 property as depicted in the included map.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Consistent – The proposed Ordinance would not be out of scale with the built context of the City.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Partially Consistent – The additional load on public facilities and infrastructure would be evaluated through the Conditional Use review and building permit process.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Consistent – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – Changes in economics and market conditions would have no bearing on the proposed regulations.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Partially Consistent – The proposed change could adversely influence living conditions in neighboring properties if the expanded conditional uses are not carefully controlled.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

   Partially Consistent – If the proposed Ordinance is adopted, traffic Congestion and public safety would be reviewed as part of the Conditional Use review process.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

   Consistent – The proposed change will not impact light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent**

area.

Partially Consistent – The proposed change could adversely affect neighboring property values of the expanded conditional uses are not carefully controlled.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

Consistent – The proposed change will should not be a deterrent to the improvement or development of properties in the City, provided the expanded conditional uses are reviewed by the Planning Board through the Conditional Use process.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

Not Consistent – There are no substantial reasons why the property cannot be used in accordance with the existing zoning.

13. **Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) **Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

The proposal does affect areas that are vulnerable to the impacts of sea level rise.

(2) **Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

The proposal will not affect the resiliency of the City with respect to sea level rise.

(3) **Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

The proposal does not diminish and is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

In the RM-2 Zoning District, hotels have limited permitted accessory uses. Pursuant to Section 142-902(1)b. of the City Code, the following are permitted accessory uses for hotels in the RM-2 district:

> Hotels located in the RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building, except for dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open air entertainment establishments, unless otherwise

provided in the RM-2 district regulations set forth in article II, division 3, subdivision IV of this chapter.

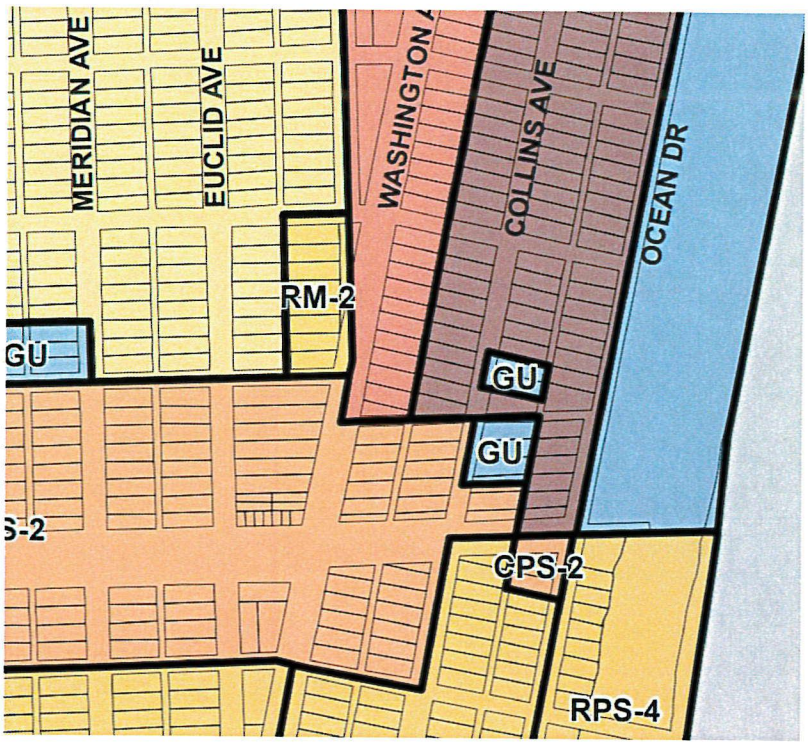
Entertainment establishments and neighborhood impact establishments are generally not permitted in the RM-2 zoning districts. The exceptions to this include the Collins Park Overlay District which allows outdoor entertainment as a Conditional Use subject to specific additional regulations, and the Museum Historic Preservation District, which allow entertainment within a hall for hire use within existing religious institutions.

This proposed Ordinance would add an exception to the prohibition on entertainment for properties that front Washington Avenue or Pennsylvania Avenue between 6th and 7th Streets as follows:

(d) *Washington Avenue*. In addition to the conditional uses specified in subsection 142-213(a), the following regulations shall apply to properties that front Washington Avenue between 6th Street and 7th Street, including those properties between 6th and 7th Streets that may have frontage on Pennsylvania Avenue:

(1) Restaurants, cafes and/or eating & drinking establishments, which include entertainment, as an accessory use to a hotel. This may include establishments that qualify as a neighborhood impact establishment.

The RM-2 designation shown on the map below outlines the subject area of this Ordinance.



The Angler's hotel, which has proposed this Ordinance, is the only hotel within this portion of the RM-2 zoning district which could currently take advantage of the proposed expanded uses through the conditional use process. It is important to note that this RM-2 zoning district buffers the more intensive uses allowed in the adjacent CD-2 zoning district to the east and the much

lower intensity RM-1 zoning district to the west. Further, the property immediately abutting the Angler's hotel property to the north is a 3-story residential condominium.

While not opposed to expanding the list of conditional uses for this specific RM-2 zoning district, as it also abuts Washington Avenue, which is predominately zoned CD-2, staff would recommend the ordinance be further limited to only allow indoor entertainment, and only associated with a full restaurant as follows:

(d) *Washington Avenue*. In addition to the conditional uses specified in subsection 142-213(a), the following regulations shall apply to properties that front Washington Avenue between 6th Street and 7th Street, including those properties between 6th Street and 7th Street that have frontage on Pennsylvania Avenue:

(1) Restaurants, with full kitchens and serving full meals, ~~cafes and/or eating & drinking establishments~~, which include entertainment, as an accessory use to a hotel. This may include establishments that qualify as a neighborhood impact establishment.

The ultimate operation, including hours, occupancy, nature of the entertainment, and location of the entertainment would be subject to the review of the Planning Board as part of the Conditional Use procedures.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed Ordinance, with the aforementioned revisions proposed by Planning staff to the City Commission with a favorable recommendation.

RM-2 CONDITIONAL USES
FOR 600 BLOCK OF WASHINGTON AVENUE

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, recently, the City has undertaken a close study of the Washington Avenue corridor and the concerns raised by residents, property owners, and businesses; and

WHEREAS, the City has analyzed various mechanisms to improve the quality of life and quality of business improvements within the area; and

WHEREAS, the City's Land Development Regulations ("LDRs") provide for the regulation of land uses within the City; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II "District Regulations", Division 3 "Residential Multifamily Districts", Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity", is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 3. – RESIDENTIAL MULTIFAMILY DISTRICTS

* * *

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

* * *

Sec. 142-213. – Conditional uses

(a) The conditional uses in the RM-2 residential multifamily, medium intensity district are as follows:

(1) day care facility;

(2) stand-alone religious institutions;

(3) private and public institutions;

(4) schools;

(5) commercial or noncommercial parking lots and garages; and

(6) accessory neighborhood impact establishment~~;~~, as set forth in subsection (d) below. ~~in article V, division 6 of this chapter~~.

(b) Museum Historic Preservation District. In addition to the conditional uses specified in subsection 142-213(a), existing religious institutions located on properties in the Museum Historic Preservation District, which contain a contributing structure, may obtain conditional use approval for a separate hall for hire use within the interior of the existing religious institution. Any such hall for hire use shall comply with the following additional regulations:

(1) Entertainment may only be permitted in the hall for hire;

(2) The hall for hire use shall cease operations by 11:00 p.m. on Sunday through Thursday, and by 12:00 a.m. on Friday and Saturday;

(3) Only the property owner, its subsidiaries, and its invited guests may hold events at the hall for hire;

(4) Restaurants, stand-alone bars, and alcoholic beverage establishments, shall be prohibited;

(5) Outdoor dining, outdoor entertainment, open-air entertainment uses, outdoor speakers and outdoor music shall be prohibited;

(6) There shall be no variances from the provisions of subsection 142-213(b).

(c) West Avenue Bayfront Overlay District. In addition to the conditional uses specified in subsection 142-213(a), the conditional uses within the West Avenue Bayfront Overlay District shall include the following: non-medical offices and personal service uses, either of which may only be located on the lobby level of bayfront apartment buildings.

(d) *Washington Avenue.* In addition to the conditional uses specified in subsection 142-213(a), the following regulations shall apply to properties that front Washington Avenue between 6th Street and 7th Street, including those properties between 6th Street and 7th Street that have frontage on Pennsylvania Avenue:

(1) Restaurants, cafes and/or eating and drinking establishments, which include entertainment, as an accessory use to a hotel. This may include establishments that qualify as a neighborhood impact establishment.

* * *

SECTION 2. Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article IV "Supplementary District Regulations," Division 2 "Accessory uses," is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE IV. – SUPPLEMENTARY DISTRICT REGULATIONS

* * *

DIVISION 2. – ACCESSORY USES

* * *

Sec. 142-902. - Permitted accessory uses.

The following are permitted accessory uses:

(1) a. Hotels not located in the RM-1 or RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building.

b. Hotels located in the RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building, except for dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open air entertainment establishments, unless otherwise provided in the RM-2 district regulations set forth in article II, division 3, subdivision IV of this chapter.

* * *

SECTION 3. Repealer.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 4. Codification.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2019.

ATTEST:

_____
Dan Gelber
Mayor

_____
Rafael E. Granado
City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2019
Second Reading: _____, 2019

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
PB19-0312	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order
Planning Board	**Historic Preservation Board**
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
■ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
N/A

FOLIO NUMBER(S)

Property Owner Information

PROPERTY OWNER NAME
N/A

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Applicant Information (if different than owner)

APPLICANT NAME
City of Miami Beach

ADDRESS	CITY	STATE	ZIPCODE
1700 Convention Center Drive	Miami Beach	FL	33139

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
3056737550		N/A

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
SEE AFFIDAVIT

Project Information		
Is there an existing building(s) on the site?	☐ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	☐ No
Does the project include interior or exterior demolition?	☐ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design				
NAME		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Authorized Representative(s) Information (if applicable)				
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that.the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ■ Authorized representative

On File

SIGNATURE

Thomas R. Mooney

PRINT NAME

10/09/2019

DATE SIGNED

AFFIDAVIT

I, Susanne Torriente, being duly sworn, depose and say that I am the (Assistant) City Manager of the City of Miami Beach and as such, have been authorized by the City, to file the following application for a Planning Board public hearing:

PB 19-0312. RM-2 Conditional Uses for 600 Block of Washington Avenue. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

This instrument is executed pursuant to the requirements of the Planning Department and attests to the accuracy of the above statement. Execution hereof does not constitute approval or disapproval of the application which it addresses.

(ASSISTANT) CITY MANAGER'S SIGNATURE

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

Sworn to and subscribed before me this 4th day of November, 2019. The foregoing instrument was acknowledged before me by Susanne Torriente, who is personally known to me and who did/did not take an oath.

My commission expires:

NOTARY PUBLIC
STATE OF FLORIDA
(type, print or stamp name)

NAIMA DE PINEDO
MY COMMISSION EXPIRES SEPTEMBER 26, 2022
#GG 222716
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

RM-2 CONDITIONAL USES
FOR 600 BLOCK OF WASHINGTON AVENUE

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, recently, the City has undertaken a close study of the Washington Avenue corridor and the concerns raised by residents, property owners, and businesses; and

WHEREAS, the City has analyzed various mechanisms to improve the quality of life and quality of business improvements within the area; and

WHEREAS, the City's Land Development Regulations ("LDRs") provide for the regulation of land uses within the City; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II "District Regulations", Division 3 "Residential Multifamily Districts", Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity", is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 3. – RESIDENTIAL MULTIFAMILY DISTRICTS

* * *

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

* * *

Sec. 142-213. – Conditional uses

(a) The conditional uses in the RM-2 residential multifamily, medium intensity district are as follows:

(1) day care facility;

(2) stand-alone religious institutions;

(3) private and public institutions;

(4) schools;

(5) commercial or noncommercial parking lots and garages; and

(6) accessory neighborhood impact establishment~~;~~, as set forth in subsection (d) below. ~~in article V, division 6 of this chapter~~.

(b) Museum Historic Preservation District. In addition to the conditional uses specified in subsection 142-213(a), existing religious institutions located on properties in the Museum Historic Preservation District, which contain a contributing structure, may obtain conditional use approval for a separate hall for hire use within the interior of the existing religious institution. Any such hall for hire use shall comply with the following additional regulations:

(1) Entertainment may only be permitted in the hall for hire;

(2) The hall for hire use shall cease operations by 11:00 p.m. on Sunday through Thursday, and by 12:00 a.m. on Friday and Saturday;

(3) Only the property owner, its subsidiaries, and its invited guests may hold events at the hall for hire;

(4) Restaurants, stand-alone bars, and alcoholic beverage establishments, shall be prohibited;

(5) Outdoor dining, outdoor entertainment, open-air entertainment uses, outdoor speakers and outdoor music shall be prohibited;

(6) There shall be no variances from the provisions of subsection 142-213(b).

(c) West Avenue Bayfront Overlay District. In addition to the conditional uses specified in subsection 142-213(a), the conditional uses within the West Avenue Bayfront Overlay District shall include the following: non-medical offices and personal service uses, either of which may only be located on the lobby level of bayfront apartment buildings.

(d) *Washington Avenue*. In addition to the conditional uses specified in subsection 142-213(a), the following regulations shall apply to properties that front Washington Avenue between 6th Street and 7th Street, including those properties between 6th Street and 7th Street that have frontage on Pennsylvania Avenue:

(1) Restaurants, cafes and/or eating and drinking establishments, which include entertainment, as an accessory use to a hotel. This may include establishments that qualify as a neighborhood impact establishment.

* * *

SECTION 2. Chapter 142 of the City Code, entitled “Zoning Districts and Regulations,” Article IV "Supplementary District Regulations,” Division 2 “Accessory uses,” is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE IV. – SUPPLEMENTARY DISTRICT REGULATIONS

* * *

DIVISION 2. – ACCESSORY USES

* * *

Sec. 142-902. - Permitted accessory uses.

The following are permitted accessory uses:

(1) a. Hotels not located in the RM-1 or RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building.

b. Hotels located in the RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building, except for dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open air entertainment establishments, unless otherwise provided in the RM-2 district regulations set forth in article II, division 3, subdivision IV of this chapter.

* * *

SECTION 3. Repealer.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 4. Codification.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2019.

ATTEST:

_____
Dan Gelber
Mayor

_____
Rafael E. Granado
City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2019
Second Reading: _____, 2019

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH
LAND USE BOARDS

FILE NO.
PB 19-0326

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT." AT SECTION 142-545, TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS FOR GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo
Application	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation — PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0326. MXE unit size for ground floor additions.**

REQUEST

PB 19-0326. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT." AT SECTION 142-545, TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS FOR GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

RECOMMENDATION

Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

HISTORY

On June 5, 2019, at the request of Commissioner John Elizabeth Aleman, the City Commission referred the subject item to the Land Use and Development Committee (LUDC) for discussion (item C4P).

On July 24, 2019 the LUDC discussed the proposal and recommended that the City Commission refer the attached draft ordinance to the Planning Board for consideration. Additionally, Commissioner Ricky Arriola agreed to co-sponsor the proposed ordinance.

On September 11, 2019 the City Commission referred the item to the Planning Board for review and recommendation (item C4 V).

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

   Consistent – The proposed ordinance is consistent with the goals, objectives, and

policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Not applicable – The proposed amendment does not modify district boundaries.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Consistent - The proposed ordinance amendment is not out of scale with the surrounding neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Consistent – The proposed ordinance should not affect the load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Not applicable – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – Changing market conditions make the proposed changes necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Consistent – The proposed ordinance amendment will not adversely affect living conditions in the neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

   Consistent – The proposed change should not create or increase traffic congestion from what is currently permitted.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

   Consistent – The proposed change will not reduce light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

    Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – The proposal will not affect the resiliency of the City with respect to sea level rise.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal does not diminish the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

For decades, existing hotel buildings within the MXE district have been permitted to have rooms with a minimum unit size of 200 square feet, which is consistent with the layout and interior partitions of historic buildings. On October 30, 2019, the City Commission adopted an Ordinance related to common variance requests, allowing the construction of roof-top additions to existing contributing buildings, with a minimum unit size of 200 square feet. However, new construction of hotel units in a ground level addition (whether attached or detached), must still meet the minimum hotel unit size of 300 - 335 square feet.

The minimum hotel unit size regulations for new construction within the MXE zoning district, which were adopted in 1989, mandate a larger unit size that appeals to a certain type of traveler. In today's evolving travelling platforms, more diversity and flexibility in unit sizes is sought, due to the changing nature of leisure and business travel.

In order to provide more flexibility for infill hotel projects in the MXE district, the attached ordinance is an amendment to Chapter 142, Article II, Divisions 13 of the LDR's, which is consistent with what is currently permitted within existing structures in the MXE district. Additionally, the proposal herein, while a reduction in the minimum hotel unit size permitted, would not prevent developments that propose larger hotel room sizes. In this regard, the proposed modification would allow property owners more flexibility regarding the type of hotel unit being provided.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

MXE HOTEL UNIT SIZE FOR GROUND FLOOR ADDITIONS

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," AT SECTION 142-545, ENTITLED "DEVELOPMENT REGULATIONS," TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS IN GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City has determined that amendments to the land development regulations to reduce the need for such variances is warranted; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

Section 1. Chapter 142, entitled "Zoning Districts and Regulations," Article II, entitled "District Regulations," at Division 13, entitled "MXE Mixed Use Entertainment District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. - DISTRICT REGULATIONS

* * *

DIVISION 13. -MXE Mixed Use Entertainment District

* * *

Sec. 142-545. - Development regulations.

The development regulations in the MXE mixed use entertainment district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area	Minimum Lot	Minimum	Average	Maximum Building Height (Feet)

	(Square Feet)	Width (Feet)	Unit Size (Square Feet)	Unit Size (Square Feet)	
All uses—2.0 Except convention hotel development (as set forth in section 142-841)—3.5	N/A	N/A	Existing structures: Apartment units—400 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Hotel units—in a local historic district/site—200 Otherwise: 15%: 300—335 85%: 335+ New construction: Apartment units—550 Hotel units: 15%: 300—335 85%: 335+ . Hotel units within rooftop additions <u>or within ground level additions</u> to contributing structures in a historic district and individually designated historic buildings—200.	Existing structures: Apartment units—550 Hotel units—N/A New construction: Apartment units—800 Hotel units—N/A	Architectural district: Oceanfront—150 Non-oceanfront—50 (except as provided in section 142-1161) All other areas—75 (except as provided in section 142-1161) Notwithstanding the above, the design review board or historic preservation board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second floor slab.

<u>SECTION 2. Repealer.</u>

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. Codification.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

_____
Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2020.
Second Reading: _____, 2020

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
PB19-0326	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order
Planning Board	**Historic Preservation Board**
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
■ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY

N/A

FOLIO NUMBER(S)

Property Owner Information

PROPERTY OWNER NAME

N/A

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Applicant Information (if different than owner)

APPLICANT NAME

City of Miami Beach

ADDRESS	CITY	STATE	ZIPCODE
1700 Convention Center Drive	Miami Beach	FL	33139

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
3056737550		N/A

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST

SEE AFFIDAVIT

Project Information		
Is there an existing building(s) on the site?	☐ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	☐ No
Does the project include interior or exterior demolition?	☐ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design				
NAME		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Authorized Representative(s) Information (if applicable)				
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ■ Authorized representative

On File

SIGNATURE

Thomas R. Mooney

PRINT NAME

10/09/2019

DATE SIGNED

AFFIDAVIT

I, Susanne Torriente, being duly sworn, depose and say that I am the (Assistant) City Manager of the City of Miami Beach and as such, have been authorized by the City, to file the following application for a Planning Board public hearing:

PB 19-0326. MXE Hotel unit size for floor additions. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT." AT SECTION 142-545, TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS FOR GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

This instrument is executed pursuant to the requirements of the Planning Department and attests to the accuracy of the above statement. Execution hereof does not constitute approval or disapproval of the application which it addresses.

(ASSISTANT) CITY MANAGER'S SIGNATURE

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

Sworn to and subscribed before me this 5th day of November, 2019. The foregoing instrument was acknowledged before me by Susanne Torriente, who is personally known to me and who did/did not take an oath.

My commission expires:

NOTARY PUBLIC
STATE OF FLORIDA
(type, print or stamp name)

NAIMA DE PINEDO
MY COMMISSION EXPIRES SEPTEMBER 26, 2022
#GG 222716
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

MIAMIBEACH

LAND USE BOARDS

FILE NO.
PB 19-0327

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED “LAND DEVELOPMENT REGULATIONS,” BY AMENDING CHAPTER 114, ENTITLED “GENERAL PROVISIONS,” SECTION 114-1, ENTITLED “DEFINITIONS”, BY DELETING THE DEFINITIONS FOR ‘ADULT CONGREGATE LIVING FACILITY’ AND ‘ADULT CONGREGATE LIVING FACILITY UNIT’ AND BY CREATING A DEFINITION FOR ‘PERSONAL SERVICE ESTABLISHMENT’; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo
Application	Memo
Ordinance	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0327. Definition of Personal Service Establishment**

REQUEST

PB 19-0327. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

RECOMMENDATION

Transmit the proposed Ordinance to the City Commission with a favorable recommendation.

HISTORY

On September 18, 2019, the Land Use and Development Committee (LUDC) considered a proposed ordinance to expand the allowable types of accessory uses within bayfront apartment buildings in the RM-2 district. This ordinance was recently adopted by the City Commission on October 30, 2019. As part of the discussion of this bayfront accessory use ordinance, the LUDC recommended that the City Commission refer a separate ordinance to the Planning Board to amend the existing definition for personal service.

On October 16, 2019 the City Commission referred the item to the Planning Board for review and recommendation (item C4 O).

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

   Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Not applicable – The proposed amendment does not modify district boundaries.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Consistent - The proposed ordinance amendment is not out of scale with the surrounding neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Consistent – The proposed ordinance will not affect the load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Not applicable. – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – The need to define terms within the City code and remove terms no longer uses make the proposed changes necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Consistent – The proposed ordinance amendment will not adversely affect living conditions in the neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

   Consistent – The proposed change will not create or increase traffic congestion from what is currently permitted.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

   Consistent – The proposed change will not reduce light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

    Consistent – The proposed change will not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – The proposal will not affect the resiliency of the City with respect to sea level rise.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal does not diminish the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The current definition for personal service in chapter 114 of the Land Development Regulations of the City Code is as follows:

> *Personal service* means any services in addition to housing and food service, which include, but are not limited to, personal assistance with bathing, dressing, ambulation, housekeeping, supervision, emotional security, eating, supervision of self-administered medications, and assistance with securing health care from appropriate sources.

This definition, which has been in the City Code since 1989, was originally drafted to define personal services associated with adult living facilities and nursing homes. Following the adoption of Ordinance No, 2018-4170, which set forth comprehensive regulations pertaining to assisted living and medical uses in the City, regulations on adult living facilities and nursing homes were

consolidated. Because the term "personal service" is now referenced in the definitions for Hospital and Assisted Living Facility, in the context of the specialized use regulations for assisted living and medical uses, it is appropriate to retain the current definition for "personal service," and create a new definition for "personal service establishment."

In order to define the types of uses that comprise a personal service establishment outside of the medical realm, a new definition has been proposed in the attached draft ordinance. The proposed new definition in chapter 114 addresses the types of personal services typically permitted as both accessory and main permitted uses in commercial and multi-family zoning districts as follows:

Personal service establishment means a licensed establishment providing non-retail, non-medical services, for persons, such as pedicures, manicures, hair styling, barber services, massages, facials, tailoring services, and similar person-oriented services, as determined by the planning director.

Lastly, the ordinance deletes the terms "adult congregate living facility" and "adult congregate living facility unit," as these terms are no longer used by the State of Florida for licensure purposes.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board:

1. Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation; and

2. Recommend that the ordinance be combined with a separate ordinance pertaining to prohibited uses along 71st Street (PB File No. 19-0328).

Definition of Personal Service Establishment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Regulations include definitions pertaining to allowable uses; and

WHEREAS, on October 1, 1989, the city adopted Ordinance No. 89-2665, which included new regulations on adult congregate living facilities (ACLFs); and

WHEREAS, on January 17, 2018, the Mayor and City Commission adopted Ordinance No, 2018-4170, which set forth comprehensive regulations pertaining to assisted living and medical uses in the City; and

WHEREAS, the term "adult congregate living facility" or "ACLF" is no longer used by the State of Florida for licensure purposes; and

WHEREAS, it is necessary and appropriate to remove outdated terms from the Land Development Regulations; and

WHEREAS, the current definition for "personal service" pertains more to necessary assistive services for individuals living in assisted living facilities; and

WHEREAS, additionally, the Land Development Regulations include references to the term "personal service establishment," which is not defined, but is intended to apply to a standalone or accessory use that is not related to, or part of, an assisted living facility; and

WHEREAS, in order to clarify the Land Development Regulations, it is necessary and appropriate to create a definition for personal service establishment.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 114, "General Provisions" is hereby amended as follows:

CHAPTER 114 – GENERAL PROVISIONS

Sec. 114-1. – Definitions

* * *

~~*Adult congregate living facility* means any state licensed institution, building, residence, private home, boarding home, home for the aged, or other place whether operated for profit or not, which undertakes through its ownership or management to provide for a period exceeding 24 hours, one or more personal services for four or more adults, not related to the owner or administrator by blood or marriage, who require such services. A facility offering personal services for fewer than four adults shall be within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services.~~

~~*Adult congregate living facility unit* means any room, or inter-connected rooms with one main entrance, in an adult congregate living facility, containing one or more beds.~~

* * *

Personal service means any services in addition to housing and food service, which include, but are not limited to, personal assistance with bathing, dressing, ambulation, housekeeping, supervision, emotional security, eating, supervision of self-administered medications, and assistance with securing health care from appropriate sources. This definition shall only be applicable to assisted living facilities as defined in Article 5, Division 2 of Chapter 142.

Personal service establishment means a licensed establishment providing non-retail, non-medical services, for persons, such as pedicures, manicures, hair styling, barber services, massages, facials, tailoring services, and similar person-oriented services, as determined by the planning director.

* * *

SECTION 2. Repealer.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. Codification.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect the ____ day of _____, 2020.

PASSED AND ADOPTED this _____ day of _____, 2020.

_____

Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2019
Second Reading: _____, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
PB19-0327	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order
Planning Board	**Historic Preservation Board**
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
■ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
N/A

FOLIO NUMBER(S)

Property Owner Information

PROPERTY OWNER NAME
N/A

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Applicant Information (if different than owner)

APPLICANT NAME
City of Miami Beach

ADDRESS	CITY	STATE	ZIPCODE
1700 Convention Center Drive	Miami Beach	FL	33139

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
3056737550		N/A

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
SEE AFFIDAVIT

Project Information		
Is there an existing building(s) on the site?	☐ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	☐ No
Does the project include interior or exterior demolition?	☐ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design				
NAME		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Authorized Representative(s) Information (if applicable)				
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ■ Authorized representative

On File

SIGNATURE

Thomas R. Mooney

PRINT NAME

10/09/2019

DATE SIGNED

AFFIDAVIT

I, Susanne Torriente, being duly sworn, depose and say that I am the (Assistant) City Manager of the City of Miami Beach and as such, have been authorized by the City, to file the following application for a Planning Board public hearing:

PB 19-0327. Definition for Personal Service Establishment. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS", BY DELETING THE DEFINITIONS FOR 'ADULT CONGREGATE LIVING FACILITY' AND 'ADULT CONGREGATE LIVING FACILITY UNIT' AND BY CREATING A DEFINITION FOR 'PERSONAL SERVICE ESTABLISHMENT'; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This instrument is executed pursuant to the requirements of the Planning Department and attests to the accuracy of the above statement. Execution hereof does not constitute approval or disapproval of the application which it addresses.

(ASSISTANT) CITY MANAGER'S SIGNATURE

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

Sworn to and subscribed before me this 7th day of November, 2019. The foregoing instrument was acknowledged before me by Susanne Torriente, who is personally known to me and who did/did not take an oath.

My commission expires:

NOTARY PUBLIC
STATE OF FLORIDA
(type, print or stamp name)

NAIMA DE PINEDO
MY COMMISSION EXPIRES SEPTEMBER 26, 2022
#GG 222716
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Definition of Personal Service Establishment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Regulations include definitions pertaining to allowable uses; and

WHEREAS, on October 1, 1989, the city adopted Ordinance No. 89-2665, which included new regulations on adult congregate living facilities (ACLFs); and

WHEREAS, on January 17, 2018, the Mayor and City Commission adopted Ordinance No, 2018-4170, which set forth comprehensive regulations pertaining to assisted living and medical uses in the City; and

WHEREAS, the term "adult congregate living facility" or "ACLF" is no longer used by the State of Florida for licensure purposes; and

WHEREAS, it is necessary and appropriate to remove outdated terms from the Land Development Regulations; and

WHEREAS, the current definition for "personal service" pertains more to necessary assistive services for individuals living in assisted living facilities; and

WHEREAS, additionally, the Land Development Regulations include references to the term "personal service establishment," which is not defined, but is intended to apply to a standalone or accessory use that is not related to, or part of, an assisted living facility; and

WHEREAS, in order to clarify the Land Development Regulations, it is necessary and appropriate to create a definition for personal service establishment.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 114, "General Provisions" is hereby amended as follows:

CHAPTER 114 – GENERAL PROVISIONS

Sec. 114-1. – Definitions

* * *

~~*Adult congregate living facility* means any state licensed institution, building, residence, private home, boarding home, home for the aged, or other place whether operated for profit or not, which undertakes through its ownership or management to provide for a period exceeding 24 hours, one or more personal services for four or more adults, not related to the owner or administrator by blood or marriage, who require such services. A facility offering personal services for fewer than four adults shall be within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services.~~

~~*Adult congregate living facility unit* means any room, or inter-connected rooms with one main entrance, in an adult congregate living facility, containing one or more beds.~~

* * *

Personal service means any services in addition to housing and food service, which include, but are not limited to, personal assistance with bathing, dressing, ambulation, housekeeping, supervision, emotional security, eating, supervision of self-administered medications, and assistance with securing health care from appropriate sources. This definition shall only be applicable to assisted living facilities as defined in Article 5, Division 2 of Chapter 142.

Personal service establishment means a licensed establishment providing non-retail, non-medical services, for persons, such as pedicures, manicures, hair styling, barber services, massages, facials, tailoring services, and similar person-oriented services, as determined by the planning director.

* * *

SECTION 2. Repealer.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. Codification.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect the ____ day of _____, 2020.

PASSED AND ADOPTED this _____ day of _____, 2020.

_____

Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2019
Second Reading: _____, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH

LAND USE BOARDS

FILE NO.
PB 19-0328

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS", DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT", BY MODIFYING THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo
Application	Memo
First Reading	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0328. Prohibited Uses Along 71st Street and Normandy Drive.**

REQUEST

PB 19-0328. **Prohibited Uses Along 71st Street and Normandy Drive.** **AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT, AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

HISTORY

On September 11, 2019, at the request of Commissioner Micky Steinberg, the City Commission referred a discussion item to the Land Use and Development Committee (LUDC) pertaining to a proposed ordinance to expand prohibited uses along 71st Street and Normandy Drive to include package stores, vaping and smoke stores, tattoo parlors and related uses (item C4 X).

On September 18, 2019 the LUDC discussed the proposal and recommended that the City Commission refer the attached ordinance to the Planning Board for consideration.

On October 16, 2019 the City Commission referred the item to the Planning Board for review and recommendation (item C4 N).

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Not applicable – The proposed amendment does not modify district boundaries.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Consistent - The proposed ordinance amendment is not out of scale with the surrounding neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Consistent – The proposed ordinance will not affect the load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Not applicable. – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – The need to ensure that the quality of retail in the affected area enhances the surrounding neighborhood makes passage of the proposed change necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Consistent – The proposed ordinance amendment will not adversely affect living conditions in the neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

   Consistent – The proposed change will not create or increase traffic congestion from what is currently permitted.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

   Consistent – The proposed change will not seriously reduce light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

    Consistent – The proposed change should not be a deterrent to the improvement or development of properties in the City.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

    Not applicable.

13. **Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

    Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) **Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

    Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) **Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

    Consistent – The proposal will not affect the resiliency of the City with respect to sea level rise.

(3) **Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

    Consistent – The proposal does not diminish and is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

Certain nuisance uses such as pawnshops, souvenir and t-shirt shops, tattoo studios, fortune tellers (occult science establishments), and package liquor stores affect the character of neighborhoods in a negative way, as they detract from the experience that tourists and residents are seeking. Businesses which provide greater economic opportunity, such as restaurants, retail, and offices are detracted because of the negative curb appeal created by the aforementioned uses. Residential development opportunities may also be reduced because of the negative connotations created by such uses.

The City is trying to encourage revitalization of the North Beach area. It is the goal of the City to

create an area for residents to live, work, and play, in addition to providing for economic development. In order to enhance the conditions for such revitalization, it is beneficial that the aforementioned uses not be permitted in the area.

Recently, legislation was adopted by the City Commission prohibiting tobacco/vape dealer uses along 41st Street and Lincoln Road. In order to preserve and enhance the retail and pedestrian character of 71st Street and Normandy Drive in the RM-3, TC-C and CD-2 districts, the LUDC held a discussion on September 18, 2019, pertaining to a similar ordinance for areas within North Beach.

The LUDC recommended that the following uses be prohibited within the TC-C district, as well as the CD-2 district along Normandy Drive:

1. Tobacco and vape dealers;
2. Package liquor stores;
3. Check cashing stores;
4. Occult science establishments;
5. Tattoo studios.

Similar prohibitions or limitations exist along Lincoln Road and within Art Deco/MiMo Commercial Character Overlay District, which generally includes the Ocean Terrace area and the South Beach MXE district.

The attached draft ordinance contains the aforementioned prohibitions within the applicable districts.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

Prohibited Uses Along 71st Street and Normandy Drive

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT, AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City's land development regulations include regulations for permitted, accessory, conditional, and prohibited uses in the CD-2 and TC-C districts; and

WHEREAS, provisions for certain types of uses within the CD-2 and TC-C districts in North Beach are necessary and desirable; and

WHEREAS, the City seeks to encourage the revitalization of the North Beach Town Center and Normandy Drive area by providing residents and visitors with a unique cultural, retail, and dining experience and are vital to Miami Beach's economy, especially the tourism industry; and

WHEREAS, tobacco and vape dealers, check cashing stores, pawnshops, souvenir and t-shirt shops, tattoo studios, fortune tellers (occult science establishments), and package liquor stores are uses which negatively affect surrounding areas and detract from the unique cultural, retail, and dining experiences which are envisioned for the North Beach area; and

WHEREAS, the aforementioned uses limit the attractiveness of an area to other retail and restaurant uses which are more desirable for the North Beach area; and

WHEREAS, it is the intent of the City to limit the proliferation of establishments which may negatively affect surrounding areas in the North Beach area where revitalization is sought; and

WHEREAS, the proposed changes are necessary in order to promote sustainable mixed-use development within the CD-2 and TC-C districts in North Beach.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II. "District Regulations," Division 5. "CD-2 Commercial, Medium Intensity District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 5. - CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

* * *

Sec. 142-305. - Prohibited uses.

The prohibited uses in the CD-2 commercial, medium intensity district are accessory outdoor bar counters, except as provided in article IV, division 2 of this chapter and in chapter 6. Except as otherwise provided in these land development regulations, prohibited uses in the CD-2 commercial medium intensity district also include the following:

(a) ~~i~~In the Sunset Harbour Neighborhood, generally bounded by Purdy Avenue, 20th Street, Alton Road and Dade Boulevard, ~~also include~~ hostels, outdoor entertainment establishments, neighborhood impact establishments, open air entertainment establishments, bars, dance halls, and entertainment establishments (as defined in section 114-1 of this Code).

(b) Along Normandy Drive, tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments, and tattoo studios.

* * *

SECTION 2. Chapter 142, "Zoning Districts and Regulations," Article II. "District Regulations," Division 21. "Town Center-Central Core (TC-C) District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 21. - TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT

* * *

Sec. 142-741. - Main permitted uses, accessory uses, exception uses, special exception uses, conditional uses, and prohibited uses and supplemental use regulations.

Land uses in the TC-C district shall be regulated as follows:

(a) The main permitted, accessory, conditional, and prohibited uses are as follows:

General Use Category	
Residential Uses	
Apartments and townhomes	P
Co-living	P
Live-work	P
Single-family detached dwelling	P
Hotel Uses	
Hotel	P
Micro-hotel	P
Commercial Uses	
Alcoholic beverage establishments	P
Artisanal retail for on-site sales only	P
Grocery store	P
Indoor entertainment establishment	P
Neighborhood fulfillment center	P
Offices	P
Restaurants	P
Retail	P
Outdoor café	P
Outdoor bar counter	A
Sidewalk café	A
Artisanal retail with off-site sales	C
Day care facility	C
Public and private institutions	C
Religious institution	C
Schools	C
Commercial establishment over 25,000 SF	C
Retail establishment over 25,000 SF	C
Neighborhood impact establishment	C
Outdoor and open air entertainment establishment	C
Pawnshop, tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments, and tattoo studios.	N

P = Main Permitted Use,
C = Conditional Use,
N = Prohibited Use,
A = Accessory only

* * *

SECTION 3. Repealer.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 4. Codification.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 6. Effective Date.

This Ordinance shall take effect the ____ day of _____, 2020.

PASSED AND ADOPTED this _____ day of _____, 2020.

_____
Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

_____
City Attorney Date

First Reading: _____, 2019

Second Reading: _____, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

MIAMIBEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
PB19-0328	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order
Planning Board	**Historic Preservation Board**
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
■ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY

N/A

FOLIO NUMBER(S)

Property Owner Information

PROPERTY OWNER NAME

N/A

ADDRESS	CITY	STATE	ZIPCODE

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS

Applicant Information (if different than owner)

APPLICANT NAME

City of Miami Beach

ADDRESS	CITY	STATE	ZIPCODE
1700 Convention Center Drive	Miami Beach	FL	33139

BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS
3056737550		N/A

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST

SEE AFFIDAVIT

Project Information		
Is there an existing building(s) on the site?	☐ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	☐ No
Does the project include interior or exterior demolition?	☐ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design				
NAME		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Authorized Representative(s) Information (if applicable)				
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ■ Authorized representative

On File

SIGNATURE

Thomas R. Mooney

PRINT NAME

10/09/2019

DATE SIGNED

AFFIDAVIT

I, Susanne Torriente, being duly sworn, depose and say that I am the (Assistant) City Manager of the City of Miami Beach and as such, have been authorized by the City, to file the following application for a Planning Board public hearing:

PB 19-0328. **Prohibited Uses Along 71st Street and Normandy Drive.** **AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS", DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT", BY MODIFYING THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This instrument is executed pursuant to the requirements of the Planning Department and attests to the accuracy of the above statement. Execution hereof does not constitute approval or disapproval of the application which it addresses.

(ASSISTANT) CITY MANAGER'S SIGNATURE

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

Sworn to and subscribed before me this 7th day of November, 2019. The foregoing instrument was acknowledged before me by Susanne Torriente, who is personally known to me and who did/did not take an oath.

My commission expires:

NOTARY PUBLIC
STATE OF FLORIDA
(type, print or stamp name)

NAIMA DE PINEDO
MY COMMISSION EXPIRES SEPTEMBER 26, 2022
#GG 222716
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Prohibited Uses Along 71st Street and Normandy Drive

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT,"; AND BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City's Land Development Regulations include definitions pertaining to allowable uses; and

WHEREAS, on October 1, 1989, the city adopted Ordinance No. 89-2665, which included new regulations on adult congregate living facilities (ACLFs); and

WHEREAS, on January 17, 2018, the Mayor and City Commission adopted Ordinance No, 2018-4170, which set forth comprehensive regulations pertaining to assisted living and medical uses in the City; and

WHEREAS, the term "adult congregate living facility" or "ACLF" is no longer used by the State of Florida for licensure purposes; and

WHEREAS, it is necessary and appropriate to remove outdated terms from the Land Development Regulations; and

WHEREAS, the current definition in the Land Development Regulations for "personal service" pertains more to necessary assistive services for individuals living in assisted living facilities; and

WHEREAS, additionally, the Land Development Regulations include references to the term "personal service establishment," which is not defined, but is intended to apply to a standalone or accessory use that is not related to, or part of, an assisted living facility; and

WHEREAS, in order to clarify the Land Development Regulations, it is necessary and appropriate to create a definition for personal service establishment; and

WHEREAS, the City's Land Development Regulations include regulations for permitted, accessory, conditional, and prohibited uses in the CD-2 and TC-C districts; and

WHEREAS, provisions for certain types of uses within the CD-2 and TC-C districts in North Beach are necessary and desirable; and

WHEREAS, the City seeks to encourage the revitalization of the North Beach Town Center and Normandy Drive area by providing residents and visitors with a unique cultural, retail, and dining experience and are vital to Miami Beach's economy, especially the tourism industry; and

WHEREAS, tobacco and vape dealers, check cashing stores, pawnshops, souvenir and t-shirt shops, tattoo studios, fortune tellers (occult science establishments), and package liquor stores are uses which negatively affect surrounding areas and detract from the unique cultural, retail, and dining experiences which are envisioned for the North Beach area; and

WHEREAS, the aforementioned uses limit the attractiveness of an area to other retail and restaurant uses which are more desirable for the North Beach area; and

WHEREAS, it is the intent of the City to limit the proliferation of establishments which may negatively affect surrounding areas in the North Beach area where revitalization is sought; and

WHEREAS, the proposed changes are necessary in order to promote sustainable mixed-use development within the CD-2 and TC-C districts in North Beach.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 114, "General Provisions" is hereby amended as follows:

CHAPTER 114 – GENERAL PROVISIONS

Sec. 114-1. – Definitions

* * *

~~*Adult congregate living facility* means any state licensed institution, building, residence, private home, boarding home, home for the aged, or other place whether operated for profit or not, which undertakes through its ownership or management to provide for a period exceeding 24 hours, one or more personal services for four or more adults, not related to the owner or administrator by blood or marriage, who require such services. A facility offering personal services for fewer than four adults shall be within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services.~~

~~*Adult congregate living facility unit* means any room, or inter-connected rooms with one main entrance, in an adult congregate living facility, containing one or more beds.~~

* * *

Personal service means any services in addition to housing and food service, which include, but are not limited to, personal assistance with bathing, dressing, ambulation, housekeeping, supervision, emotional security, eating, supervision of self-administered medications, and assistance with securing health care from appropriate sources. This definition shall only be applicable to assisted living facilities as defined in Article 5, Division 2 of Chapter 142.

Personal service establishment means a licensed establishment providing non-medical services for persons, such as pedicures, manicures, hair styling, barber services, massages, facials, tailoring services, and similar person-oriented services, as determined by the planning director.

SECTION 2. Chapter 142, "Zoning Districts and Regulations," Article II. "District Regulations," Division 5. "CD-2 Commercial, Medium Intensity District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 5. - CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

* * *

Sec. 142-302. - Main permitted uses.

The main permitted uses in the CD-2 commercial, medium intensity district are commercial uses (including, for example, personal service establishments); apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to section 142-1105 of this chapter); religious institutions with an occupancy of 199 persons or less and alcoholic beverages establishments pursuant to the regulations set forth in chapter 6. Alcoholic beverage establishments located in the following geographic areas within the CD-2 commercial, medium intensity district shall be subject to the additional requirements set forth in section 142-310:

(a) *Alton Road corridor.* Properties on the west side of Alton Road and east of Alton Court, between 5th Street and 11th Street, and between 14th Street and Collins Canal; and properties on the east side of West Avenue, between Lincoln Road and 17th Street, except alcoholic beverage establishments fronting Lincoln Road between West Avenue and Alton Road.

(b) *Sunset Harbour neighborhood.* The geographic area generally bounded by Purdy Avenue to the west, 20th Street and the waterway to the north, Alton Road to the east, and Dade Boulevard to the south.

* * *

Sec. 142-305. Prohibited uses.

The prohibited uses in the CD-2 commercial, medium intensity district are accessory outdoor bar counters, except as provided in article IV, division 2 of this chapter and in chapter 6. Except as otherwise provided in these land development regulations, prohibited uses in the CD-2 commercial medium intensity district also include the following:

(a) ~~i~~In the Sunset Harbour Neighborhood, generally bounded by Purdy Avenue, 20th Street, Alton Road and Dade Boulevard, ~~also include~~ hostels, outdoor entertainment establishments, neighborhood impact establishments, open air entertainment establishments, bars, dance halls, and entertainment establishments (as defined in section 114-1 of this Code).

(b) Along Normandy Drive and 71st Street, tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments, and tattoo studios.

SECTION 3. Chapter 142, "Zoning Districts and Regulations," Article II. "District Regulations," Division 21. "Town Center-Central Core (TC-C) District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 21. - TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT

* * *

Sec. 142-741. - Main permitted uses, accessory uses, exception uses, special exception uses, conditional uses, and prohibited uses and supplemental use regulations.

Land uses in the TC-C district shall be regulated as follows:

(a) The main permitted, accessory, conditional, and prohibited uses are as follows:

General Use Category	
Residential Uses	
Apartments and townhomes	P
Co-living	P
Live-work	P
Single-family detached dwelling	P
Hotel Uses	
Hotel	P
Micro-hotel	P
Commercial Uses	
Alcoholic beverage establishments	P
Artisanal retail for on-site sales only	P
Grocery store	P
Indoor entertainment establishment	P
Neighborhood fulfillment center	P
Offices	P
Restaurants	P
Retail (including, for example, personal service establishments)	P
Outdoor café	P
Outdoor bar counter	A
Sidewalk café	A
Artisanal retail with off-site sales	C
Day care facility	C
Public and private institutions	C
Religious institution	C
Schools	C
Commercial establishment over 25,000 SF	C
Retail establishment over 25,000 SF	C
Neighborhood impact establishment	C
Outdoor and open air entertainment establishment	C
Pawnshop, tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments, and tattoo studios.	N

P = Main Permitted Use,
C = Conditional Use,
N = Prohibited Use,
A = Accessory only

* * *

SECTION 4. Repealer.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 5. Codification.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 6. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 7. Effective Date.

This Ordinance shall take effect the ____ day of _____, 2020.

PASSED AND ADOPTED this _____ day of _____, 2020.

_____
Dan Gelber, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

1-6-20
City Attorney Date
NK

First Reading: January 15, 2020

Second Reading: February 12, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

T:\Agenda\2020\01 January\Planning\Prohibited Uses 71st Street and Normandy Drive - First Reading ORD.docx

MIAMIBEACH
LAND USE BOARDS

FILE NO.
PB 19-0329

APPLICANT:

MEETING DATE:
11/19/2019

IN RE:
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE"; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

PRIOR ORDER NUMBER:

Is this a Resident Right to Know item?	Does this item utilize G.O. Bond Funds?
Yes	No

ATTACHMENTS:

Description	Type
Staff Report	Memo
Application	Memo

MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation — PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: November 19, 2019

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 19-0329. Certificates of Use**

REQUEST

PB 19-0329. **Certificates of Use. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE"; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

RECOMMENDATION

Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

HISTORY

On October 16, 2019 the City Commission referred the item to the Planning Board for review and recommendation (item C4 P).

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Not applicable – The proposed amendment does not modify district boundaries.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Not applicable - The proposed ordinance amendment does modify the scale of development in the City.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Consistent – The proposed ordinance will not affect the load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Not applicable. – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – The need to address the complexity of the City's BTR process and facilitate a streamlines process of obtaining a certificate of use makes the passage of the proposed change necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Not Applicable – The proposed ordinance amendment will not affect living conditions in the city.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

   Not Applicable – The proposed change will not create or increase traffic congestion from what is currently permitted.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

   Not Applicable – The proposed change will not affect light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

Not Applicable – The proposed change will not have any impact on property values.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Not Applicable – The proposed change should will not affect the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Not Applicable – The proposal will have no effect on the resiliency of the City with respect to sea level rise.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Not Applicable – The proposal does not affect the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The City has received various customer complaints regarding the complexity of the City's Business Tax Receipt ("BTR") process, and the impact it has had on the multitude of business operations in the City. After an evaluation by staff, it was determined that the combined processes, compared to the surrounding municipalities, confused the timeline for review and issuance. This confusion resulted in complaints and non-compliance. To remediate and provide clarity, the BTR should be assessed and collected solely as tax for doing business in the city. Bifurcating it from the Certificate of Use ("CU") allows a business' "use" to be reviewed separate from the collection of BTR fees and establishes the CU as the mechanism for enforcement.

In order to provide customers with clear steps, expectations, and a thorough explanation of their

requirements for properly operating within the City, the application process is being bifurcated to clearly delineate the distinctions between a BTR and a CU. To properly facilitate a streamlined process of obtaining a CU and a BTR, the amendments to the City's Land Development Regulations ("LDR") are necessary to accomplish the above objectives. In summary, those provisions of the LDR which have been modified, deleted, or otherwise altered in order to streamline and clarify the process of obtaining a certificate of use, are proposed as follows:

1. The term "certificate of use," as defined in Section 114-1 of the City Code, was modified to grant the city manager or designee the sole authority to issue a certificate of use. Consequently, Section 118-356(d) was amended to replace "code compliance director (or his/her successor in interest with respect to the issuance of occupation licenses and certificates of use" with "the city manager or designee" to reflect the modification in Section 114-1.

2. Section 118-2 of the City Code, entitled "Certificated of occupancy and certificate of use" was amended to create subsection 118-2(2) to provide for types of buildings or premises or part thereof that require a certificate of use. Consequently, for consistency, Sections 102-371 and 102-372 of the City Code were amended to replace an outdated section of the City Code referring to a certificate of use with the newly created Section 118-2(2) of the City Code.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE"; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City has received various customer complaints regarding the complexity of the City's Business Tax Receipt ("BTR") process, and the impact it has had on the multitude of business operations in the City; and

WHEREAS, in order to provide customers with clear steps, expectations, and a thorough explanation of their requirements for properly operating within the City, application process is being bifurcated to clearly delineate the distinctions between a BTR and a Certificate of Use ("CU"); and

WHEREAS, to properly facilitate a streamlined process of obtaining a CU and a BTR, the amendments to the City's Ordinances is necessary to accomplish the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. That Section 114-1 of Chapter 114 of the Code of the City of Miami Beach is hereby amended as follows:

CHAPTER 114

GENERAL PROVISIONS

Sec. 114-1. Definitions.

* * *

Certificate of occupancy means a document issued by the building official allowing the occupancy of a building and certifying that the structure has been constructed in compliance with all applicable codes, regulations and ordinances.

Certificate of use means a document issued by the city manager or designee ~~fire department, department of code compliance~~ allowing the use of a building and certifying that the use is in compliance with all applicable city codes, regulations and ordinances.

* * *

SECTION 2. That Sections 118-2 and 118-356 of Chapter 118 of the Code of the City of Miami Beach are hereby amended as follows:

CHAPTER 118

ADMINISTRATION AND REVIEW PROCEDURES

ARTICLE I. In General

* * *

Sec. 118-2. Certificates of occupancy and certificate of use.

(1) General.

(a) No building or structure, or part thereof, or premises, which are hereafter erected or altered, or changed in occupancy, or land upon which a new or different use is established, shall be occupied or used until a certificate of occupancy and certificate of use shall have been applied for and issued.

(b) Certificates of occupancy and certificates of use shall not be issued until the premises have been inspected and found to comply with all requirements of the Code of the city and of these land development regulations, and with the requirements of all other agencies having regulatory authority over the project.

(c) A record of all certificates of occupancy issued hereunder shall be kept on file in the office of the building official.

(d) A record of all certificates of use issued hereunder shall be kept on file in the department of code compliance.

(e) All applications for certificates of occupancy shall be approved or disapproved within three days following application.

(2) Certificate of use.

(a) No new building or premises or part thereof, except one-family and two-family residences, shall be occupied until a certificate of use is issued by the city. Certificates of use shall not be issued until the premises have been inspected and found to comply with all requirements of this Code.

1. Apartment buildings, hotels and other multiple residential occupancies containing three or more units and occupied by only residential tenants shall require one certificate of use. Where these occupancies contain commercial activities in addition to residential tenants, an additional certificate of use for each commercial activity contained in the building shall be required.

2. Industrial, office and commercial buildings being occupied by a single tenant shall require one certificate of use. If an industrial, office or commercial building contains more than one tenant, an additional certificate of use shall be required for each unit occupied therein.

* * *

ARTICLE VIII. Procedure for Variances and Administrative Appeals

* * *

Sec. 118-356. Revocation or modification of variance.

(a) The applicable board may revoke or modify a variance pursuant to the following procedures:

(1) The planning director shall notify the applicant by certified mail of the failure to comply with the conditions of the variance.

(2) If, after expiration of a 15-day cure period (commencing on the date of the notice), the applicant fails to comply with the conditions, or the applicant has exhibited repeated or intermittent noncompliance with the conditions prior to the cure period and the planning director is concerned about further repeated or intermittent noncompliance, the planning director shall advise the board at the next meeting and the board may consider setting a public hearing for the purpose of examining the noncompliance issues.

(3) If the board elects to set a public hearing, the planning director shall place the matter on the board's agenda in a timely manner and all notice requirements imposed for variance applications as set forth in section 118-134 shall be applicable, with the addition of notice to the applicant.

(4) The applicable board shall hold a public hearing to consider the issue of noncompliance and the possible revocation or modification of the variance, and, based on substantial competent evidence, the board may revoke the variance, modify the conditions thereof, or impose additional or supplemental conditions.

(b) In determining whether substantial competent evidence exist to support revocation, modification or the imposition of additional or supplemental conditions to the variance, intermittent noncompliance with the conditions, as well as the frequency, degree and adverse impact of such intermittent noncompliance, may be considered by the board.

(c) In the event the board takes any of the enforcement actions authorized in this subsection, the applicant shall reimburse the planning department for all monies expended to satisfy notice requirements and to copy, prepare or distribute materials in anticipation of the public hearing. The applicant shall not be permitted to submit a new application (for related or unrelated matters), nor shall an application be accepted affecting the subject property (for related or unrelated matters), for consideration by the board of adjustment, planning board, design review board, or historic preservation board, or the design review/historic preservation board until repayment in full of all monies due and payable pursuant to this subsection (c).

(d) In addition to all other enforcement actions available to the board, based upon a board finding that the applicant has failed to comply with the conditions of the variance, the board may recommend that the city manager or designee ~~code compliance director (or his/her successor in interest with respect to the issuance of occupational licenses and certificates of use)~~, in his/her discretion, revoke or suspend the certificate of use for the subject property and/or the applicant's occupational license applicable to the business conducted at the subject property.

* * *

SECTION 3. That Sections 102-371 and 102-372 of Article V of Chapter 102 of the Code of the City of Miami Beach are hereby amended as follows:

CHAPTER 102

TAXATION

* * *

ARTICLE V. Local Business Tax

* * *

Sec. 102-371. - Application procedures.

* * *

(f) *Obtaining certificate of use prior to issuance of business tax receipt.* Those businesses required to obtain a certificate of use pursuant to subsection 118-2(2) ~~14-66(3)~~ of this Code must do so prior to the issuance of a business tax receipt. An issued certificate of use will expire should the applicant fail to obtain a business tax receipt within 90 days from the issuance of the certificate of use.

* * *

Sec. 102-372. Grounds for denial.

* * *

(6) That the applicant has failed to obtain a certificate of use as required by subsection 118-2(2) ~~14-66(3)~~ of this Code.

* * *

SECTION 4. That Section 14-404 of Article VII of Chapter 14 of the Code of the City of Miami Beach is hereby amended as follows:

CHAPTER 14

BUILDING REGULATIONS

* * *

ARTICLE VII. Permits Applied For on or After March 1, 2002

* * *

Sec. 14-404. Grounds for suspension or revocation.

The city manager or designee ~~special master~~ shall either revoke or temporarily suspend the certificate of use of any owner/applicant where it is determined by the city manager or designee ~~special master~~ that:

(1) The owner/applicant has misrepresented or failed to disclose material information required by this article to be included in the certificate of use application form.

(2) The owner/applicant, as part of the owner/applicant's business activity within the city, is engaged in conduct that is an actual threat to the public health, welfare or safety.

(3) The owner/applicant is conducting business from premises that do not possess a valid and current certificate of occupancy as may be required by city or county laws.

(4) Habitual conduct has occurred at the owner/applicant's premises that violates city, county or state law.

(5) The certificate of use issued by the city depended upon the owner/applicant's compliance with specific provisions of federal, state, city or county law, and the owner/applicant has violated such specific provisions of law.

(6) The owner/applicant has violated any provision of this article and has failed or refused to cease or correct the violation after notification thereof.

(7) The owner/applicant, as part of the owner/applicant's business activity within the city, knowingly lets, leases or gives space for unlawful gambling purposes at the owner/applicant's premises.

(8) The owner/applicant, within the preceding five years in this state, any other state, or the United States, has been adjudicated guilty of or forfeited a bond when charged with soliciting for prostitution, pandering, letting premises for prostitution, keeping a disorderly place, or illegally dealing in narcotics.

(9) The premises have been condemned by the local health authority for failure to meet sanitation standards or the premises have been condemned by the local authority because the premises are unsafe or unfit for human habitation.

(10) The owner/applicant's premises have been found to constitute a public nuisance by the nuisance abatement board.

The suspension or revocation shall be of the certificate of use in effect at the date of such suspension or revocation, even though it may have been issued to an owner/applicant other than the person who held the certificate of use at the time the cause for such suspension or revocation arose. No certificate of use shall be suspended or revoked under this section for a period of more than 12 months. No new certificate of use shall be issued to the owner/applicant, or to any other firm in which the owner/applicant or any of its general partners, limited partners or shareholders owning 20 percent or more of its shares, or its agents or employees when such persons are actively involved in the business under revocation/suspension and had knowledge of the violations which caused the suspension/regulation is interested, for any premises during the term of such suspension or revocation. At the end of such period of suspension or revocation, the owner/applicant may apply for a new certificate of use.

* * *

SECTION 5. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," article," or other appropriate word.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect on the ____ day of _____, 2020.

PASSED AND ADOPTED this _____ day of _____, 2020.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Vice-Mayor Ricky Arriola)

MIAMIBEACH

PLANNING DEPARTMENT
1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information

FILE NUMBER	Is the property the primary residence & homestead of the applicant/property owner? ☐ Yes ■ No (if "Yes," provide office of the property appraiser summary report)
PB19-0329	

Board of Adjustment	Design Review Board
☐ Variance from a provision of the Land Development Regulations	☐ Design review approval
☐ Appeal of an administrative decision	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order
Planning Board	**Historic Preservation Board**
☐ Conditional Use Permit	☐ Certificate of Appropriateness for design
☐ Lot Split	☐ Certificate of Appropriateness for demolition
■ Amendment to the Land Development Regulations or Zoning Map	☐ Historic District/Site Designation
☐ Amendment to the Comprehensive Plan or Future Land Use Map	☐ Variance
☐ Modification of existing Board Order	☐ Modification of existing Board Order

☐ **Other:**

Property Information – Please attach Legal Description as "Exhibit A"

ADDRESS OF PROPERTY
N/A

FOLIO NUMBER(S)

Property Owner Information

PROPERTY OWNER NAME
N/A

ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Applicant Information (if different than owner)

APPLICANT NAME
City of Miami Beach

ADDRESS		CITY	STATE	ZIPCODE
1700 Convention Center Drive		Miami Beach	FL	33139
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
3056737550		N/A		

Summary of Request

PROVIDE A BRIEF SCOPE OF REQUEST
SEE AFFIDAVIT

Project Information		
Is there an existing building(s) on the site?	☐ Yes	☐ No
If previous answer is "Yes", is the building architecturally significant per sec. 142-108?	☐ Yes	☐ No
Does the project include interior or exterior demolition?	☐ Yes	☐ No
Provide the total floor area of the new construction.		SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).		SQ. FT.

Party responsible for project design				
NAME		☐ Architect ☐ Contractor ☐ Landscape Architect ☐ Engineer ☐ Tenant ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Authorized Representative(s) Information (if applicable)				
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		
NAME		☐ Attorney ☐ Contact ☐ Agent ☐ Other_____		
ADDRESS		CITY	STATE	ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS		

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".

- All disclosures must be submitted in CMB Application format and be consistent with CMB Code Sub-part A Section 2-482(c):
  (c) If the lobbyist represents a corporation, partnership or trust, the chief officer, partner or beneficiary shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five percent or more ownership interest in such corporation, partnership, or trust.

- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.

- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.

- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the forgoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.

- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by: ■ Owner of the subject property ■ Authorized representative

On File

SIGNATURE

Thomas R. Mooney

PRINT NAME

10/09/2019

DATE SIGNED

AFFIDAVIT

I, Susanne Torriente, being duly sworn, depose and say that I am the (Assistant) City Manager of the City of Miami Beach and as such, have been authorized by the City, to file the following application for a Planning Board public hearing:

PB 19-0329. Certificate of Use modifications. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE"; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

This instrument is executed pursuant to the requirements of the Planning Department and attests to the accuracy of the above statement. Execution hereof does not constitute approval or disapproval of the application which it addresses.

(ASSISTANT) CITY MANAGER'S SIGNATURE

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

Sworn to and subscribed before me this 7th day of November, 2019. The foregoing instrument was acknowledged before me by Susanne Torriente, who is personally known to me and who did/did not take an oath.

My commission expires:

NOTARY PUBLIC
STATE OF FLORIDA
(type, print or stamp name)

NAIMA DE PINEDO
MY COMMISSION EXPIRES SEPTEMBER 26, 2022
#GG 222716
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA