

City of Miami

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com



Meeting Minutes

Wednesday, March 01, 2017

6:30 PM

Regular Meeting

City Hall

Planning, Zoning and Appeals Board

Charles Garavaglia, Chair
Daniel Alexander Milian, Vice Chair
Andres Althabe, Board Member
Adam J Gersten, Member
Maria Beatriz Gutierrez, Member
Maria Lievano-Cruz, Member
Anthony Parrish, Board Member
Juvenal Pina, Member
Melody Torrens, Member
Manuel Vadillo, Member
Chris Collins, Alternate Member

CALL TO ORDER

Attendee Name	Title	Status	Arrived
Charles Garavaglia	Chair	Present	
Daniel Alexander Milian	Vice Chair	Present	
Andres Althabe	Board Member	Present	
Adam J Gersten	Member	Present	
Maria Beatriz Gutierrez	Member	Present	
Maria Lievano-Cruz	Member	Present	
Anthony Parrish	Board Member	Present	
Juvenal Pina	Member	Excused	
Melody Torrens	Member	Present	
Manuel Vadillo	Member	Present	
Chris Collins	Alternate Member	Absent	

Board Member Juvenal Pina, requested an excused absence for an illness. The Board motioned an approval of an excused absence for Mr. Pina’s absence.

Minutes Approval

- 1 Minutes Approval for the PZAB Regular Meeting of February 15, 2017

RESULT:	ACCEPTED AS AMENDED [7 TO 0]
MOVER:	Maria Beatriz Gutierrez, Member
AYES:	Garavaglia, Althabe, Gersten, Gutierrez, Parrish, Torrens, Vadillo
ABSENT:	Collins
EXCUSED:	Pina
AWAY:	Milian, Lievano-Cruz

PZAB RESOLUTIONS

PZAB.1

File ID# 1640

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD RECOMMENDING APPROVAL OR DENIAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION OF 1.03± ACRES OF REAL PROPERTY LOCATED APPROXIMATELY AT 2890 VIRGINIA STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" AND "DUPLEX RESIDENTIAL" TO "MEDIUM DENSITY RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

LOCATION: 2890 Virginia St. [Commissioner Russell - District 2]

APPLICANT(S): Carlos R. Lago, Esquire, on behalf of Virginia Miami Realty LLC.

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommends approval.

PURPOSE: This will change the above property from "Medium Density Multifamily Residential" and "Duplex Residential" to "Medium Density Restricted Commercial".

Attachments:File ID 1640 03/01/2017 PZAB Staff Analysis & Maps
File ID 1640 03/01/2017 PZAB Application

Board Member Manuel Vadillo recused himself from PZAB.1 File ID 1640 due to a voting conflict. Mr. Vadillo completed Form 8B for submission on the record.

RESULT:	DEFERRED [8 TO 0]	Next: 4/19/2017 6:30 PM
MOVER:	Maria Lievano-Cruz, Member	
SECONDER:	Daniel Alexander Milian, Vice Chair	
AYES:	Garavaglia, Milian, Althabe, Gersten, Gutierrez, Lievano-Cruz, Parrish, Torrens	
ABSENT:	Collins	
EXCUSED:	Pina	
RECUSED:	Vadillo	

PZAB.2
File ID# 1644

A RESOLUTION OF THE MIAMI PLANNING, ZONING, AND APPEALS BOARD RECOMMENDING APPROVAL OR DENIAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING THE ZONING ATLAS OF ORDINANCE NO. 13114, AS AMENDED, BY CHANGING THE ZONING CLASSIFICATION OF THE SOUTHERN PORTION OF THE PROPERTIES LOCATED AT 3252 SOUTHWEST 22 STREET, MIAMI, FLORIDA, AND 3277 SOUTHWEST 22 TERRACE, MIAMI, FLORIDA, FROM "T4-R" URBAN GENERAL RESTRICTED " TO "T4-L" URBAN GENERAL LIMITED "; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

LOCATION: 3252 SW 22 St & 3277 SW 22 Terr [Francis Suarez - District 4]

APPLICANT(S): Javier L. Vazquez, Esquire, on behalf of Coral Way Acquisition Properties, LLC.

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommends denial.

PURPOSE: This will change the southern portion of the property at 3252 SW 22 Street and the entire property at 3277 SW 22 Terrace currently zoned "T4-R" to "T4-L" Urban General Limited.

Attachments:File ID 1644 03/01/2017 PZAB Staff Analysis & Maps
 File ID 1644 03/01/2017 PZAB Application

The Board has requested for the applicant to make modifications to the covenant which will be reviewed by staff for accuracy before the item is heard at City Commission. In addition, the Board has requested for the applicant to meet with the residence to explore the option of a pedestrian walk way entrance at the rear of the property. The applicant has agreed to the board's request on the record.

RESULT:	RECOMMENDED APPROVAL [8 TO 1]
MOVER:	Adam J Gersten, Member
SECONDER:	Daniel Alexander Milian, Vice Chair
AYES:	Milian, Althabe, Gersten, Gutierrez, Lievano-Cruz, Parrish, Torrens, Vadillo
NAYS:	Garavaglia
ABSENT:	Collins
EXCUSED:	Pina

Enactment No: PZAB-R-17-017

PZAB.3
File ID# 1787

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD RECOMMENDING APPROVAL OR DENIAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION TO AMEND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, AS AMENDED, SPECIFICALLY BY AMENDING ARTICLE 1, SECTION 1.5, ENTITLED "DEFINITIONS OF ART IN PUBLIC PLACES PROGRAM"; ARTICLE 3, SECTION 3.16, ENTITLED "PUBLIC ART REQUIREMENTS"; AND ARTICLE 11, ENTITLED "ART IN PUBLIC PLACES PROGRAM" TO PROVIDE FOR PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENTS; CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

LOCATION: Citywide

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami.

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommends approval.

PURPOSE: This will amend Article 1, Article 3 and Article 11 of Miami 21, to provide public art requirements for private development.

Attachments:File ID 1787 03/01/2017 PZAB Exhibit

RESULT:	CONTINUED [8 TO 1]	Next: 4/5/2017 6:30 PM
MOVER:	Maria Beatriz Gutierrez, Member	
SECONDER:	Maria Lievano-Cruz, Member	
AYES:	Milian, Althabe, Gersten, Gutierrez, Lievano-Cruz, Parrish, Torrens, Vadillo	
NAYS:	Garavaglia	
ABSENT:	Collins	
EXCUSED:	Pina	

PZAB.4
File ID# 1788

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD RECOMMENDING APPROVAL OR DENIAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE XVI OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "PLANNING AND ZONING / ART IN PUBLIC PLACES", TO PROVIDE FOR PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENT; CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

LOCATION: Citywide

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami.

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommends approval.

PURPOSE: This will amend Chapter 62/Article XVI of the Code of the City of Miami, to provide public art requirements for private development.

Attachments:File ID 1788 03/01/2017 PZAB Exhibit

RESULT:	CONTINUED [8 TO 1]	Next: 4/5/2017 6:30 PM
MOVER:	Maria Beatriz Gutierrez, Member	
SECONDER:	Maria Lievano-Cruz, Member	
AYES:	Milian, Althabe, Gersten, Gutierrez, Lievano-Cruz, Parrish, Torrens, Vadillo	
NAYS:	Garavaglia	
ABSENT:	Collins	
EXCUSED:	Pina	

PZAB.5
File ID# 1796

A RESOLUTION OF THE MIAMI PLANNING, ZONING, AND APPEALS BOARD RECOMMENDING APPROVAL OR DENIAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION TO AMEND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, AS AMENDED, SPECIFICALLY BY AMENDING ARTICLE 1, SECTION 1.2, ENTITLED "DEFINITIONS OF TERMS," TO ADD DEFINITIONS FOR COMMERCIAL SHORT-TERM RENTAL, HOME SHARE SHORT-TERM RENTAL, SHORT-TERM RENTAL, AND TEMPORARY SHORT TERM RENTAL; BY AMENDING ARTICLE 6, ENTITLED "SUPPLEMENTAL REGULATIONS," TO ADD SECTION 6.3.6, ENTITLED "SHORT-TERM RENTALS," TO ADD SUPPLEMENTAL REGULATIONS FOR MULTIPLE CATEGORIES OF SHORT-TERM RENTALS; AND BY AMENDING ARTICLE 7, ENTITLED "PROCEDURES AND NONCONFORMITIES," TO ADD SECTION 7.2.1.10, ENTITLED "SHORT-TERM RENTAL PERMIT," TO ESTABLISH AN APPLICATION PROCESS FOR SHORT-TERM RENTALS, AND AN ADMINISTRATIVE PROCESS TO TRACK AND REGULATE SHORT-TERM RENTALS; CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

LOCATION: Citywide

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami.

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommends approval.

PURPOSE: To regulate Short-Term Rentals: The categories of Short-Term Rentals, Home-Share Short-Term Rentals, Temporary Short-Term Rentals, and Commercial Short-Term Rentals are defined and provided supplemental regulations. This legislation establishes in which Transect Zones Short-Term Rentals are permitted. An administrative process to track and regulate Short-Term Rentals is established, and an appeal process is identified.

RESULT:	WITHDRAWN [UNANIMOUS]
AYES:	Garavaglia, Milian, Althabe, Gersten, Gutierrez, Lievano-Cruz, Parrish, Torrens, Vadillo
ABSENT:	Collins
EXCUSED:	Pina

PZAB DISCUSSION

PZAB.1

RECORDS REQUEST FOR THE CDD AND MUSP FILE 1537

File ID# 1783

Staff provided an update on the status of the records request made to the CDD. No information has been received back as of date in response to the City's request. The Board has requested for this item to be continued to March 15, 2017 PZAB agenda for a follow up.

PZAB.2

BOARD MEMBER MR. GERSTEN MADE A REQUEST FOR THE ORDINANCE CREATING "BOARD MEMBER'S COMPENSATION" AND THE BACKGROUND AND OR PURPOSE OF SUCH LANGUAGE BEING ADDED IN THE CODE. THIS ITEM WILL BE PLACED ON THE MARCH 1, 2017 FOR FOLLOW-UP DISCUSSION.

File ID# 1835

Staff has provided the Board with an electronic copy of the historical resolutions and ordinances in regards to "Board Member's Compensation" the Board has requested for this item to be deferred to March 15, 2017 PZAB agenda for discussion.