



MIAMI SHORES VILLAGE
DEPARTMENT OF PLANNING & ZONING
10050 NE 2nd Avenue
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Travis Kendall, Director

MIAMI SHORES VILLAGE PLANNING BOARD MEETING
Village Hall Council Chambers
10050 NE 2nd Avenue, Miami Shores

January 25, 2018
THURSDAY, 6:30 P.M.

In attendance:

Travis Kendall, Planning and Zoning Director

Jesus Suarez, Assistant Village Attorney

Mariana Gracia, Clerk

I) CALL TO ORDER

1) Roll Call

Present: Mr. Daniel Brady, Mr. Harrison Bergman, Ms. Irene Hegedus, Vice Chairman
David Snow.

Absent: Chairman John Busta

II) BOARD MEMBER DISCLOSURES

Vice Chairman Snow visited item #14 – 52 NW 98th Street and also Item #4 – 29 NE 98th Street.

Mr. Bergman visited New Item #5 – 1250 NE 91 Terrace

III) SWEARING IN OF WITNESSES

1) SWEARING IN OF WITNESSES BY VILLAGE ATTORNEY:

“Do you solemnly swear or affirm that the testimony you are about to give will
be the truth, the whole truth, and nothing but the truth.”

IV) ACTION ITEMS: PUBLIC HEARINGS;

I) CONTINUED ITEMS:

1) None

II) MINUTES

1) December 14, 2017

Mr. Brady made a Motion to approve the minutes as written, Mr. Bergman Seconded the
Motion and the Motion passed 4-0.

III) TABLED ITEMS

1) None

IV) NEW ITEMS

- 1) PZ-1-25-18-01 575 NE 95th Street, Thomas & Maria Conway (Owners), have filed an application for site plan review before the Planning Board on the above property. The applicants seek approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required, exterior and interior renovation.

Motion to approve subject to Staff recommendations by Mr. Brady, Seconded by Mr. Bergman and the Motion passed 4-0.

- 2) PZ-1-25-18-02 68 NE 91st Street, Floyd Gonzales (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required, exterior and interior renovation.

Motion to approve subject to Staff recommendations by Ms. Hegedus, Seconded by Mr. Brady and the Motion passed 4-0.

- 3) PZ-1-25-18-03 77 NE 105th Street, Miami Shores FL 33161, (Owners) Jessica Schilling and Ezequil Zylberberg (Agent) None; Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required for a garage conversion.

Motion to approve subject to Staff recommendations by Ms. Hegedus with a condition that the plans match the East side of the property with the same type of window, and a covenant that it remains single family. Seconded by Mr. Bergman and the Motion passed 4-0.

- 4) PZ-1-25-18-04 29 NE 98th Street, (Owner) Glenn Daidone (Agent) None; Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review for a garage conversion.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Ms. Hegedus and the Motion passed 4-0.

- 5) PZ-1-25-18-05 1250 NE 91st Terrace, Greg Baumann (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required, exterior and interior renovation.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Ms. Hegedus and the Motion passed 4-0.

- 6) PZ-1-25-18-06 122 NE 105th Street, Margaret and Roy Mevers (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required, exterior and interior renovations.

Motion to table until next hearing on February 22, 2018 at 6:30. Motion made by Mr. Brady, seconded by Mr. Bergman and the Motion passed 4-0.

Motion to remove from Tabled by Ms. Hegedus, seconded by Mr. Brady and the Motion passed 4-0.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Mr. Bergman and the Motion passed 4-0.

- 7) PZ-1-25-18-07 128 NE 94th Street, Salvatore Investments Inc. (Owner), have filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Mr. Bergman and the Motion passed 3-1 with Ms. Hegedus voting against the Motion.

- 8) PZ-1-25-18-08 180 NE 99th Street, Miami Shores LLC (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Ms. Hegedus and the Motion passed 4-0.

- 9) PZ-1-25-18-09 1234 NE 94th Street, Eli Bravo and Gabriela Contreras (Owners), have filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review.

Motion to approve subject to Staff recommendations by Ms. Hegedus, seconded by Mr. Bergman and the Motion passed 4-0.

- 10) PZ-1-25-18-10 875 NE 92nd Street, Wesley Castellanos (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required.

Motion to approve subject to Staff recommendations by Ms. Hegedus, seconded by Mr. Brady and the Motion passed 4-0.

- 11) PZ-1-25-18-11 1257 NE 94th Street, Sid and Karen Bass (Owners), have filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review for a garage conversion.

Motion to approve subject to Staff recommendations by Mr. Bergman, seconded by Ms. Hegedus and the Motion passed 4-0.

- 12) PZ-1-25-18-12: 9545 NE 2nd Avenue , (Owner) DVS LLC, (Applicant) Dunkin Donuts, (Agent) Sign Effex; Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations, Sec. 504. (f), (g) (2) and Sec. 600. Site plan review and approval required. Signs.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Mr. Bergman and the Motion passed 4-0.

- 13) PZ-1-25-18-13 321 NE 93rd Street, Elizabeth Cowen (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review for an addition.

Motion to approve subject to Staff recommendations by Ms. Hegedus, seconded by Mr. Brady and the Motion passed 4-0.

- 14) PZ-1-25-18-14 52 NW 98th Street, Glen Amoruso (Owner), has filed an application for site plan review before the Planning Board on the above property. The applicant seeks approval: Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review for an addition, outdoor patio area.

Motion to approve subject to Staff recommendations by Mr. Brady, seconded by Ms. Hegedus and the Motion passed 4-0.

V) PUBLIC HEARING ITEMS

a) 2025 Comprehensive Plan

Mr. Travis Kendall thanked all of the Board members for taking the time to meet with him and bring forth all of the questions and changes they had about the Plan. Mr. Kendall stated that he did try to incorporate all of these changes into the new document. Mr. Kendall disclosed that Mr. Brady had emailed him with additional questions, one that had to do with HRS, the second with age friendly initiative which has been incorporated into the Plan the Board has now. Mr. Kendall opened up the floor for questions and comments from the Board.

There were no members of the Public present at this time.

Ms. Hegedus has some questions about some changes in density in the original document and she would like to understand a little more about this. Ms. Hegedus went to Page 1 under single residential, why are we saying 2.5 acres dwelling units?

Mr. Kendall responded that we can certainly change that. The Board can make a recommendation to change that.

Vice Chairman Snow had some comments about this. Ms. Hegedus pointed out that initially is used to be 2.9 and it was changed to 2.5.

Mr. Kendall said that he found 2.5 to be more consistent with the neighborhood.

Mr. Snow thanked Staff for working with the Board to improve the Plan.

Mr. Snow had comments regarding restricted commercial and general commercial.

There was some discussion about this issue between the Board and Staff.

Ms. Hegedus requested that the word "food establishment" be inserted instead of the language that is there now.

Staff directs the Board to make their specific recommendations and come to a consensus on each item being changed.

Mixed use – The Board asked of Staff to indicate what this is.

Ms. Hegedus addressed the following items:

Page 2 Recreation – complimentary use changed to "incidental uses".

Page 3 – Barricades – Miami Dade is prohibited. Staff addressed this.

This was discussed by the Board at some length.

Mr. Snow brought up Section 1.7- Has this been accomplished. He read into the record the written document.

Mr. Kendall answered that this is something that is being done now.

Mr. Snow. Policy 1.8 – Transit/Relationship Report – was this completed?

Staff said that we do report it.

Mr. Snow – Objective 3 – Special Mixed Use Redevelopment Areas.

Staff said that this is still the same – it has not been changed since it was previously approved.

Mr. Snow – His main comment about this is the word “blited” what is the meaning of the word in the Plan. It is not clear what the word means in the Comp. Plan.

Above policy 3.1- Page 4 – add the following per Mr. Snow’s request. “The Village defines blighted neighborhoods as areas characterized by a prevalence of older structures with major deficiencies and deterioration of potential high residential vacancies, wide spread abandonment of properties, litter and poor maintenance of the property.” To define blighted.

Mr. Bergman had comments regarding this definition.

Staff states that if the Board is in agreement this can be added.

Mr. Snow – Description of Development – would like for the document to be more specific of what it means. Reference Mixed Use or Multi use.

Mr. Snow - To be added at the end of Page 4 – Make it Policy 3.5 – The Description of Development “That development promote new development as well designed mixed use neighborhood with a variety of uses, walkable area in accordance with neighborhood design and development standards” this is in reference to mixed multi use.

Mr. Snow asked the Assistant Village Attorney how the Board should go about agreeing to the changes in this document. Mr. Suarez said that the Board should voice if there is no objection, if there is no objection to the new language being added please say no objection.

Mr. Snow - Page 5 – Number 3 – The second Number 3 – change it to read “Land development regulations and policies that will allow the development and redevelopment of well-designed mixed use neighborhoods that provide a full range of residential office, commercial spaces, neighborhood retail and community facilities in a walkable area and that are amendable to a variety of transportation modes including pedestrian and bicycles, automotive and mass transit.”

Mr. Kendall – Staff respectfully disagrees. The recommendation gets very specific, and if somebody wanted to use any other means of transportation and it’s not specifically there is prohibited by our current code. So, while getting to the means and mode, while Staff understands the intent the current master plan by its nature allows for development to occur. I would recommend that we keep this section as proposed.

Mr. Snow asked for clarification.

Ms. Hegedus – Item number 2 – Is too verbiage she adds as she read it into the record.

Single purpose – is it single use?

Mr. Kendall - Staff is not opposed to removing Item number 2 if the Board agrees.

Page 5 – Item #2 (the second 2) will be removed as the Board agreed.

Mr. Snow – Asked about the Special misuse district – Are those identified in the map.

Mr. Kendall – Yes, they are the grey area that appear on the map – There was a map that the Board looked at. Staff explained the areas of special use which are only on 2nd Avenue.

Mr. Snow – main street comments.

Mr. Kendall – The Board may want to reconsider this in the future. To come back and revisit some of the areas.

Ms. Hegedus – Page 6 – Policy 4.2 – She read into the record the policy about non-conforming uses – perhaps it needs to be a zoning issue. Phase out existing uses.

Mr. Kendall – In essence, you cannot phase out existing legal non-conforming uses.

There was some discussion between Ms. Hegedus and Mr. Kendall about this issue.

Mr. Kendall - This needs to be deferred to the Legal Department.

Ms. Hegedus – Additionally, for how long can you have a BTR expired –

Mr. Kendall - and the Board answered that it is 6 months.

The Legal Department will address this issue with Staff.

Ms. Hegedus – Policy 1.4 - spoke about development putting a burden in our infrastructure – the original document had the language needed.

Mr. Kendall – We don't collect an impact fee through our municipality. The language was eliminated because its unnecessary.

Mr. Snow – we need to keep the language as stated.

Mr. Kendall is in agreement and will add the language back in under the Transportation policy.

Mr. Snow – Page 13 – Policy 1.9 – What have we taken from that as far as bicycle planning.

Mr. Kendall – There is an overall plan in the back of the Comp Plan.

Mr. Snow – recommends a future bicycle plan with a master plan.

Mr. Kendall – Page 83, 84 – Master Plan incorporated into it, and set aside in the Plan. We could revisit this in the future.

Mr. Snow – Policy 1.9 – would like to see a reference to the FEC corridor.

Mr. Brady – States that he had a very long talk with Staff regarding this.

Mr. Snow – The Greenway connected with the City of Miami is a network that should be completed.

Mr. Kendall – This should be brought up in the future.

Mr. Kendall – 1.9.2, 1.9.3 -

Mr. Snow – This language should be added to 1.9.1 “The Village will continue to work with transient agencies and coordinate the park system and pedestrian connections with opportunities to improve and expand new FEC Greenway trail.

Mr. Snow – 1.9.2 – he recommends “The Village will continue to work with transportation agencies to implement the Flagler trail which is known as the FEC Greenway or FEC corridor greenway improvements.

Mr. Snow – 1.9.3 – “The Village will work with Miami-Dade County and other groups to ensure that the greenway and parks and systems within the Village effectively linked to proposed regional trails such as Venetian Connector, Unity Trail, Prelim Trail, Lovelam Trail and the East West Trail. The Village will continue to advocate for funding for these trails identified in the Miami-Dade Planning Organization 2030 Long Range Transportation Plan.”

Mr. Kendall – Its TPO – in 1.9.3 – I would remove the word ensure. He asked Mr. Snow to provide this verbiage to incorporate it into the Comp Plan.

There was no objection by the Board.

Mr. Snow – Policy 1.10 – On site Parking requirements – Staff will remove and renumber the section.

Mr. Snow - Page 16 – Section 7.3 – The Village shall monitor Miami Dade County and Miami Dade County Transit making rapid transit a reality on the Florida East Coast right of way in Miami Shores.

Ms. Hegedus – Gave a brief explanation about this section.

Mr. Kendall – Staff supports changing Section 7.3 to read as follows: The Village shall monitor making rail rapid transit a reality along the FEC right of way in Miami Shores.

The Board is in agreement with this change.

Mr. Brady went over the phone call he had with Mr. Kendall – Mr. Kendall explained their conversation.

There was some discussion about the railroad by the Board members and Staff.

Mr. Snow – Page 43 – Policy 6.11– Climate change vulnerability – There is a study being done – We should be engaged in doing a Climate Change or Vulnerability Study.

Mr. Kendall – The Village Manager and Staff are currently pursuing a Climate Change Study. There are studies currently being done.

Mr. Snow – Page 46 – Section 8 – Recreational Element – Has the Village ever engaged in a Park and open space master plan?

Mr. Kendall – To the best of my knowledge – no there has not been one.

Mr. Snow – A master plan should be done –

Mr. Kendall – If the Board would recommend that the Village conduct a Public Works Master Plan I would need the Board's direction to bring it up at the next Council Meeting.

Mr. Snow – I would make that recommendation – Seconded by Mr. Bergman. The Board was in agreement.

Mr. Kendall – I will bring it up in our next Agenda with Council – As soon as I can.

Discussion took place at this time.

Motion to approve subject to all the recommendations by this Board made at this meeting by Ms. Hegedus, seconded by Mr. Brady and the Motion passed 4-0.

The Board had a brief discussion about the Flood Map. Mr. Kendall gave all the details about the Flood Plain District Map.

b) Repairs to Chain Link Fences of less than 20%

There were no members of the public present.

Staff and the Board discussed the item briefly.

Motion to approve subject to Staff recommendations, seconded by Mr. Bergman and the Motion passed 4-0.

- c) A ban on Marijuana distribution centers as permitted by State Statutes

There were no members of the public present.

The Board discussed the item briefly and they spoke about seeing what other municipalities are doing about this item.

The Board would like to table the matter. Staff explained that this is being directed by the Legal Department. The Board discussed further.

Motion to approve the ban on Medical Marijuana distribution center today but to allow for changes if deemed needed in the future, Motion by Mr. Brady, seconded by Ms. Hegedus and the Motion passed 3-1 with Mr. Bergman voting against the Motion.

- d) Subdivision of Lots

Motion to table until next meeting as the first item on the agenda, Motion made by Mr. Bergman, seconded by Mr. Brady and the Motion passed 4.0.

VII) DISCUSSION

- a) None

VIII) NEXT REGULAR BOARD HEARING –FEBRUARY 22, 2018.

IX) ADJOURNMENT

Pursuant to Chapter 286.0105, Florida Statutes, if person decides to appeal any matter considered at such meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Miami Shores Village complies with the provisions of the American with Disability Act. If you are a disabled person requiring any accommodations or assistance, including materials in accessible format, a sign language interpreter (5 days' notice required), or information, please notify the Village Clerk's office of such need at least 72 hours (3 days) in advance.