



City of North Miami Beach, Florida

Community Development Department

Planning and Zoning Board Virtual Meeting Minutes

Tuesday, October 12th, 2021 - 6:00 P.M.

Chair Larry Thompson called the meeting to order at 6:12pm

Attendees:

Board Members:

Larry Thompson, Chair
Marc St. Vil, Vice Chair
Joseph Litowich
Larry Shinbaum
Robert Dempster
Daniel Heisler

Staff:

Gedel Merzius, Assistant City Manager
Kent Walia, Community Development Director
Jethro Francois, Planner I
Hans Ottinot, City Attorney

Absent:

Donard St. Jean

1. Pledge of Allegiance

The Pledge of Allegiance was recited.

2. Roll Call of Board Members

Roll was called at 6:13pm. Donard St. Jean was absent. It was noted that a quorum was present.

3. Approval of Minutes - Meeting May 10th 2021

The July 12th meeting minutes were approved 6-0.

4. Quasi-Judicial Public Hearings

A. Site Plan Approval and Variance Requests - "851 NE 167th Street-Mixed Use Building (Echad)

- a. The architect, Kobi Karp, made a presentation at 6:24pm on behalf of the applicant. Staff followed with their own presentation, Community Development Director, Kent Walia, presented at 6:32pm.

- i. Public comments were sent via email concerning the traffic on NE 8th Ave. The resident was concerned with the new development



City of North Miami Beach, Florida

Community Development Department

- and if it would mitigate the existing traffic and the new traffic caused by the project.
- b. Daniel Heisler inquired about what type of retail was on the ground floor.
 - c. Robert Dempster questioned staff about the variance for the outdoor amenities.
 - d. Larry Shinbaum questioned who would be supplying the backflow preventer and the grease trap.
 - i. Inquired if the restaurants on the ground floor would have outdoor seating.
 - ii. Mr. Shinbaum had concerns with the definition of hotel/condo, the length of stay, and if units within the hotel/condo would operate as an Airbnb.
 - iii. William Riley, the attorney for the applicant, spoke at 6:52pm explaining the licensing to operate the hotel/condo and previously agreed to conditions with the city to obtain a license to operate as a hotel.
 - iv. Shinbaum asked about the demographics. William Riley answered that the demographics of the hotel would be those of the Jewish faith on High Holydays.
 - e. Joseph Litowich expressed concern with the traffic on 8th avenue and if the entry to the parking would only be on 8th avenue.
 - i. Suggested the modernization of the alleyway.
 - ii. Litowich asked the applicant to distinguish the specific group of the Jewish faith in which project would be more suitable.
 - f. Mark St. Vil was concerned with the operation of the hotel/condo and if units were going to be leased by individual ownerships or individual entities.
 - i. Stated that the city may have an issue with density if the definition of the hotel/condominium suggested that in certain functions it operates as a hotel and in others it would operate as a condominium.
 - ii. City Attorney, Hans Ottinot, clarified that these were transient stays and that the developer can operate under an honor system with the City of North Miami Beach.
 - iii. Mark St. Vil had concerns with the length of stays and the policing of the stays in order to guarantee the owners abide by the honor system.
 - iv. Mark St. Vil requested an updated traffic study that included the traffic from Jefferson plaza that will be located across the street on the south end of 167th street.
 - g. Larry Thompson mentioned improving the alleyway and questioned the operation system of the parking. Chairman Larry Thompson mentioned the idea of job availability for residents.
 - i. Attorney Hans Ottinot indicated that the city is implementing the community benefit ordinance that would result in mutual beneficial agreements between developers and the City of North Miami Beach.



City of North Miami Beach, Florida

Community Development Department

Motion made at 7:40pm by Joseph Litowich, seconded by Mark St. Vil to table the Site Plan Approval and Variance Requests - "851 NE 167th Street-Mixed Use Building (Echad).

Kobi Karp provided the traffic report update and the technical memorandum of the analysis at 7:44pm

Chaim Druin, the applicant commented at 7:55pm

Motion rescinded by Joseph Litowich 7:59pm

Mark St. Vil (Vice Chair) commented on the Technical Memorandum that was given and it did not rectify his concerns of providing an updated traffic study that included the new traffic from Jefferson Plaza.

Motion made at 8:03pm by Larry Shinbaum, seconded by Daniel Heisler to approve the Site Plan Approval and Variance Requests with conditions set by the board - "851 NE 167th Street-Mixed Use Building (Echad).

Motion to approve:

Chair, Larry Thompson	YES
Vice-Chair Marc St. Vil	NO
Donard St. Jean	ABSENT
Joseph Litowich	YES
Robert Dempster	YES
Daniel Heisler	YES
Larry Shinbaum	YES

5. Legislation

- A. Text Amendment - Ord. Section 24-172 (I) "Site Plan Expiration
 - a. Community Development Director, Kent Walia, made a presentation.
 - i. Graham Penn made a comment to the board concerning the text amendment. Stated that the text amendment is not consistent with the Florida State Statute and that it takes longer than a year to obtain a building permit.
 - b. Joseph Litowich made a comment about cost recovery for the city.



City of North Miami Beach, Florida

Community Development Department

- c. Daniel Heisler was concerned with the amount of time the developers had to obtain a building permit.
- d. Larry Thompson asked staff to explain the basket of rights that the city utilizes in certain mixed-use districts and its effect on the density.

Motion made at 8:03pm by Joseph Litowich, seconded by Larry Thompson to approve the Text amendment with a condition of cost recovery for the city.

Motion to approve:

Chair, Larry Thompson	YES
Vice-Chair Marc St. Vil	YES
Donard St. Jean	ABSENT
Joseph Litowich	YES
Robert Dempster	YES
Daniel Heisler	YES
Larry Shinbaum	YES

6. Public/Citizen Comments

Barbara Imberman

- Concerned with the alleyway on NE 8th avenue and explained that it does not open to NE 9th avenue but is closed off by another building. Concerned with the traffic on 168th and if there would be mitigation for the increased traffic due to the development.

Graham Penn

- Graham Penn commented about the legislation item and was concerned with the increase in the cost of extension fees. The cost of the site plan extension fee is proposed to increase from \$100 to \$1,250. Graham Penn expressed that the time allotted to applicants was not feasible to obtain a building permit. Stated that it goes against the Florida statute

7. City Commission Approval Update

- A. Andrew Plotkin, Director of Parks and Recreation presented and notified members about the city's application for the Florida Recreation Development Assistance Program (FRDAP) grant for the Washington Park Project. It is a \$400,000-dollar 50% match grant that would assist in the process of the new construction at Washington Park. Noted that the entire site would be demolished and newly built.



City of North Miami Beach, Florida

Community Development Department

- a. The Board members were supportive of the grant and of the Washington Park project.

- B. Canal Park West Site Plan application scheduled for City Commission on September 21, 2021

- C. Cookies Medical Marijuana Conditional Use application tentatively scheduled for City Commission on November 16, 2021

8. Adjournment

The next Planning & Zoning Board meeting is tentatively scheduled for Monday, November 8, 2021, at 6:00pm.