



City of North Miami Beach, Florida

Community Development Department – Planning & Zoning Division

PHONE: (305) 354-4456 - 17050 NE 19TH AVENUE 1ST FLOOR NORTH MIAMI BEACH, FLORIDA 33162

PLANNING AND ZONING BOARD

Meeting: 04/11/2022

File No: 22-13

Application Name: Jungle Boys

General Data:

Owner(s) of Property: BH 1025 LTD
Agent(s): Ian Bacheikov and Wesley Hevia
 on behalf of Green Ops Group FL, LLC
Architect: David A. Levy and Associates
Location: 3495 North Miami Beach Boulevard
Folios: 07-2215-001-0940
Property Size: 2.515 acres
FLUM: Mixed-Use (MU/CS)
Zoning: B-2, General Business District
Adjacent Zoning:
 ○ **North:** CON, Conservation and RS-1, Residential Single-Family District
 ○ **East:** MU/EWF, Eastern Mixed-Use Waterfront District
 ○ **South:** Oleta State Park
 ○ **West:** B-2 General Business District
Approved Land Use: Medical Marijuana Dispensary
Gross Floor Area: 3,339 sq. ft.

Location Map



Item before the Board:

The applicants, Ian Bacheikov and Wesley Hevia on behalf of Green Ops Group FL, LLC, request a Minor Site Plan Modification to the approval granted under Resolution No. 2019-111 for elevations changes to the Jungle Boys Medical Marijuana Dispensary located at 3495 North Miami Beach Boulevard. The proposed elevations include new paint colors, exterior finishes, accent lighting, and a new parapet design.

Optional Board Motions for Action Items:

1. **Move to continue with direction.**
2. **Move approval** of the Minor Site Plan Modification (File #21-13) for the elevation changes to the Jungle Boys Medical Marijuana Dispensary located at 3495 North Miami Beach Boulevard by finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Zoning and Land Development Regulations.
3. **Move denial** of the Minor Site Plan Modification (File #21-13) for the elevation changes to the Jungle Boys Medical Marijuana Dispensary located at 3495 North Miami Beach Boulevard by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria outlined in the Zoning and Land Development Regulations.

The Site:

The site is currently developed with a 30,700 square foot one-story shopping center constructed in 1981. The total lot area is 109,543 square feet or approximately 2.515 acres.

Summary:

The applicants request elevations changes from the previously approved Site Plan and Conditional Use (Resolution 2019-111). The previous approval consists of the renovation of an existing 3,339 square foot retail bay for the operation of a medical marijuana dispensary. The exterior alterations were limited to the removal of an existing awning, wood-look cladding on a portion of the façade, new exterior paint for the existing columns at each side of the front doors, and security window films applied to the existing glazing. The subject request proposes a variety of exterior cladding materials that include wood-look planks, perforated metal

Project Planner:

Abraham Fogel
 Senior Planner
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Review Dates:

Planning & Zoning Board: April 11, 2022
 City Commission: (TBD)

Attachments

1. Draft Resolution
2. Application
3. Letter of Intent
4. Plans

panels, and corrugated metal panels. In addition, the structure's southeast rounded corner will achieve a 90-degree edge with the use of the new exterior cladding which will provide space for accent lighting. A new parapet detail is proposed above the front doors that will give prominence to the entrance. The draft resolution includes conditions of approval that indicate the signage shall conform to Section 24-147.1, Permanent Signs Allowed and Article XIII, Signs. All signage is reviewed during the building permit phase of development. In addition, the accent lighting shall be oriented as to prevent any direct glare or nuisance of any kind on or to adjacent properties or public right-of-way.

The comparison of the existing, previously approved, and proposed elevations are provided below:



Existing Elevations.



Previously approved elevations per Resolution 2019-111.



Proposed Elevations.

Analysis:

Compliance with the Zoning and Land Development Regulations

Items identified in the ZLDC Regulations shall be specifically addressed by the body taking final action on the site and development application/request.

- The Zoning and Land Development Code (ZLDC), Article XV, “Other Development Review Procedure” Section 24-172 Site Plan Review, Subsection (K) stipulates “Limited Administrative Authority for Site Plan Amendments” as under:

Any insubstantial or minor changes to plans or site plans are within the discretion of the City Manager. However, under no circumstances, may any plans, site plans be administratively altered greater than five (5%) percent. Any site plans which cannot be resolved administratively shall be returned to the Mayor and City Commission for a formal review.

The proposed changes to the exterior alterations exceed the 5% threshold for administrative approval and require review through the public hearing process.

- Section 24-172 Site Plan Review, Subsection (G)(5) stipulates that all buildings and structures proposed to be located within a development shall be oriented and designed in such a manner as to enhance, rather than detract, from the overall quality of the environment.

It is staff's analysis that the proposed elevation changes will not cause a negative detrimental impact to the surrounding neighborhood.

- Per Section 24-79 Paint Colors, Subsection (A) All buildings located in commercial Zoning Districts (B-1, B-2, B-3, B-4, B-5, and FCC) are required to obtain a permit to paint building exteriors. Allowable paint colors are as follows:
 - (1) Base: Must have a light reflectance value (LRV) of 35 or greater.
 - (2) Trim: May be any solid color.

The proposed exterior colors (Benjamin Moore Icicle and Sabre Gray) have an LRV greater than 35 in compliance with the requirement noted above.

Community Development Department:

The Planning and Zoning staff has reviewed the application for consideration by the Planning and Zoning Board; in this report, staff confirmed compliance with the applicable Zoning and Land Development Code regulations with conditions of approval for the consideration of the Planning and Zoning Board and City Commission.

Conditions of Approval (Draft Resolution):

1. All the Conditions of Approval provided under the City Council Resolution NO. R2019-111 will remain effective and binding.
2. Signage shall conform to Section 24-147.1, Permanent Signs Allowed and Article XIII, Signs. All signage is reviewed during the building permit phase of development.
3. The accent lighting shall be oriented as to prevent any direct glare or nuisance of any kind on or to adjacent properties or public right-of-way.

Public Notices:

- ✓ Public Notice was posted at the property by **April 1, 2022**, at least 10 days prior to the meeting.
- ✓ Courtesy notices were mailed to property owners within a 500-foot radius by **April 1, 2022**, at least 10 days before the meeting date.
- ✓ The agenda was posted to the City's website by **April 4, 2022**, at least 7 days prior to the meeting date
- ✓ Public Notice was posted in the main lobby at City Hall by **April 1, 2022**, at least 10 days prior to the meeting date.