



# ***City of North Miami Beach, Florida***

## **COMMUNITY DEVELOPMENT DEPARTMENT**

---

### **Planning and Zoning Board Virtual Meeting Minutes**

Monday, July 13<sup>th</sup>, 2020- 6pm

#### **Attendees:**

##### **Board Members:**

Julian Kreisberg, Chair  
Larry Thompson, Vice Chair  
Joseph Litowich  
Mark St. Vil  
Norman Edwards  
Sharon Cino, P&Z Manager

##### **Staff:**

Esmond Scott, City Manager  
Horace McHugh, Assistant City Manager  
Justin Proffitt, Community Development Director  
Mario Duron, Associate Planner  
Daniel Espino, City Attorney

#### **1. Pledge of Allegiance**

Chair Kreisberg called the meeting to order at 6:11 p.m. The Pledge of Allegiance was recited.

#### **2. Roll Call of Board Members**

Roll was called. It was noted that a quorum was present.

#### **3. Approval of Minutes - Meeting of July 13<sup>th</sup>, 2020**

#### **4. Quasi-Judicial Public Hearings**

##### **A. Mixed-Use and Waterfront District (MU/EWF) Zoning Text Amendments Ordinance**

**Motion** made by Vice Chair Mr. Larry Thompson, seconded by Mark St. Vil. The motion to approve passed 5-2:

**Motion to Approve:**

<b>Chair - Julian Kreisberg</b>	<b>NO</b>
<b>Vice Chair Larry Thompson</b>	<b>YES</b>
<b>Larry Shinbaum</b>	<b>YES</b>
<b>Joseph Litowich</b>	<b>YES</b>
<b>Norman Edwards</b>	<b>NO</b>
<b>Marc St. Vil</b>	<b>YES</b>
<b>Donard St. Jean</b>	<b>YES</b>

**B.** Development Agreement and Conceptual Master Plan for the Redevelopment of the “Intracoastal Mall” by Dezer Intracoastal Mall LLC - 3501 Sunny Isles Blvd, 3745 NE 163rd ST, and 3909 NE 163rd ST

**Motion** made by Vice Chair, Mr. Larry Thompson, with three conditions (recommend to City Commission to direct staff to find an alternative funding mechanism for the water main improvement on NE 35<sup>th</sup> Avenue, holistically look at art in public places for the project, applicant to conduct heavy recruitment for employment within the City) seconded by Mr. Litowich. The **motion was passed to approve 4-3:**

**Motion to Approve:**

<b>Chair - Julian Kreisberg</b>	<b>NO</b>
<b>Vice Chair – Larry Thompson</b>	<b>YES</b>
<b>Larry Shinbaum</b>	<b>YES</b>
<b>Joseph Litowich</b>	<b>YES</b>
<b>Norman Edwards</b>	<b>NO</b>
<b>Marc St. Vil</b>	<b>YES</b>
<b>Donard St. Jean</b>	<b>NO</b>

**5. Legislation**

- None

**6. Discussion Items**

Rescheduling of Phase 2 Mixed Use Amendments from June 22<sup>nd</sup> meeting (newspaper error) to July 27<sup>th</sup> or July 30<sup>th</sup>. Or hold this meeting to the regular meeting on August 10<sup>th</sup>.

- Chair Kreisburg and Vice Chair Thompson would like to schedule the next PZB meeting for August 10<sup>th</sup>.

**7. Public/Citizen Comments** – Received public comments and read public comments from speakers who raised their hand to speak.

**Tucker Gibbs-** Attorney representing Eastern Shores Property Owners Association (ESPOA) Resident of Eastern Shores- Objection to master development agreement and proposed text amendment(s).

**Ranny Ben David-** Clarified that attorney does not represent all property owners from Eastern Shores. Ranny stated he likes the project.

**Carlos Dunak-** Resident does not agree with reshaping of land use causes a greater impact NE 35<sup>th</sup> Avenue. Traffic counts do not propose an adequate representation.

**Margo Berman-** The City wants to reach 50,000 residents for more federal aid at all costs. Eastern Shores pays the highest taxes than any other residents. We should not have a massive project in our neighborhood. Most visitors will use NE 35<sup>th</sup> Avenue, creating staking and doubling traffic. We need a suburban planner not a urban planner. Urban planners create cities. Give us the Mizner Park we were promised.

**Roda** – I am thrilled with this project and I think this is a fantastic idea. Would like to know how long before phase 1 will be completed.

**Bernard** -retired dentist. Would like to know why we are proposing 2,000 units. This is a flawed plan and please stop this.

**M Jean-** I do not agree with this project. I spoke with the FDEP and FFWC and they said there should be an environmental report. Would like to have the environmental report be made available to the public. If we wanted to live in Midtown that is where we would have lived. This is not midtown.

**Bruce Cousins-** This project does not belong here. There is a 36% increase in traffic. We have a level of service F as of now. You can't get any worse than an F. Please read the traffic report they gave you the numbers prove they are incorrect.

**Arthur Jenson-** Have you taken the Golds Dean figures into account.

**Jose Smith**- Former City attorney and he has a legal conflict of interest. The City attorney asked Mr. Smith that he seek an opinion from the Florida bar. Mr. Smith agreed to get a legal opinion from the Florida bar.

**David Templer** – You will need to open your participants tab to raise your hand to speak. 25-year resident of Eastern Shores. Object to traffic and the proposed 36<sup>th</sup> Avenue intersection and traffic problem occurring on NE 35<sup>th</sup> Avenue. There is no binding authority from entering into the developer agreement.

**Bruce Lamberto**- resident of eastern shores for 36 years. Give back to the resident by putting U-turn under the bridge. The state FDOT is owned by the state and the permitting is more difficult. Would like to find ways around to make it work. Opposition would drop by half.

**Liliana Rusty**- Oppose the project. This project belongs in Brickell and not here. Now we will have a commercial canal with water taxi service. This is invading our residential canal. Completely oppose.

**Ann Gordano** – This is a residential canal. Will there be any police service on the canal?

**Stephanie** - Great to have a waterfront area bringing jobs and a tax benefit to the community. I studied environmental science and was told the developer will be installing special glass on the buildings so that birds can see the windows. I think having more green space is a tradeoff.

**Samantha Schmidt** – In favor of the project and the economic benefits. Love the eastern shores community and would like to see job creation. I believe the project will divert traffic away from NE 356<sup>th</sup> and is in support of the project.

**Luleha** – 2123 - Resident is in support of the project. Please vote yes.

**Mr. Furman** – resident from eastern shores since 2004. The major problem with the project is regarding traffic. People that live in the area do not use public transportation. Suggestion is to not approve the project. Please ask the FDOT to prepare a new study with other options besides NE 35<sup>th</sup> Avenue.

**Patricia Bliss**- Concerned about the agreement's length of term. Oppose the residential use as an equivalent substitute of a supermarket. Supermarket should remain a requirement. Document showing N3 area is not a waterfront park if one can not see the water. What are the N3 promenade uses and restrictions? Please confirm if boat dockage is allowed? Agreement should only be for 20 years not 30 years. The real estate projections appear generous given the economy. The developer agreement should motivate the developer to do action now.

**Patricia Ellis** – resident of 25 years, opposed to the project. In season traffic on 163<sup>rd</sup> Avenue is terrible. I like the neighborhood the way it is now.

**Saul Smuckler** – The proposed additional lanes are overburdening and should not be allowed. SR 826 will create a large proportion of weaving vehicles creating dangerous weaving patterns. A triple turn lane would overburden 35<sup>th</sup> Avenue. Not in favor of the canal. Quite busy and quite choppy. Not in favor of what it appears to be a waterpark.

**Hector Morerro** – Disagree with the project. Hotel does not fit the model. Traffic will be a disaster. Develop has to complete the U-Turn. All of you know we do not need more fire sirens to wake me up at 2am. We should not have to live in a concrete jungle.

**Sam Alush** - All for the redevelopment except for the 2,000 residential units. We do not need any more residents living in this community. Winter months shading will occur. Proportion of the park is miniscule. When the railroad goes down traffic backs up all the way to the beach.

**Maylin Ganuzza** - resident of Eastern Shores for 25 years. This is a vulnerable coastline. Excited about the community center and park. Not in favor of the residential towers. Mr. Dezer should preserve the environment by scaling the development down.

**Randy Rose** - owner of several properties in eastern shores. The Texas U-Turn is a prerequisite and priority. Increase the residential height to at least 20 stories and 40 stories on the intracoastal. Zoom meeting not the proper platform for a major decision this should be face to face for public meetings.

**Alicia Stamatou** - Area of eastern shores is a non-urban environment. Inappropriate to cram an urban life down our throats. The traffic study is flawed. Mixing trucks with pedestrian not a good mix. Wall of 400 plus feet of concrete is not something we deserve.

**Frank Ruiz** - resident of 55 and older Eden Isles community. Main concern is traffic. It took me 45 minutes to get to Biscayne Boulevard when the bridge is up.

**Diane Serna** – as a longtime resident of eastern shores, concerned about entrance and exit way directly behind the intracoastal mall. Concerned about 18-wheeler delivery trucks entering and exiting same exit way that it is front of the residential guard gate. There was a major accident and crash into a tree on our home. This should be made safer to eastern shores residents.

## 8. City Commission Approval Update

- a. Deck Variance, 3261 NE 165th Street, June 16, 2020 – Approved

City of North Miami Beach  
Planning and Zoning Board Virtual Meeting Agenda  
July 1<sup>th</sup>, 2020

- b. Humane Society, 16101 W. Dixie Hwy, June 16, 2020 – Approved
- c. Regions Bank, 16051 W Dixie Hwy, June 16, 2020 – Approved
- d. Water Facilities Supply Workplan, First Reading, June 16, 2020 – Approve

**9. Adjournment**

*The next meeting will be August 10<sup>th</sup>, 2020.*