



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD AND DESIGN REVIEW BOARD
AGENDA
DECEMBER 4, 2012
7:00PM**

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:00 p.m.

2. ROLL CALL

Recording Clerk Anastacia Deleon called the roll with the following Members present: Chair Lindsay Lecour, Vice-chair Peter Glynn, Board Member Armando Castellanos, Board Member Jorge Gutierrez, Board Member Carli Koshal and Board Member Jennifer Dray. Also in attendance: Town Manager Roger Carlton; Town Planner Sarah Sinatra; Interim Attorney Miriam Maer and Mayor Daniel Dietch.

In the audience, Commissioners Joe Graubart, Marta Olchyk and Vice Mayor Karukin

3. APPROVAL OF MINUTES: September 27, 2012 Planning and Zoning Minutes

Board Member Jorge Gutierrez made a motion to approve the Planning and Zoning Minutes for September 27, 2012. The motion received a second from Board Member Carli Koshal and all voted in favor.

4. QUASI-JUDICIAL HEARINGS:

Please be advised that the following items on the Agenda are Quasi-Judicial in nature. If you wish to object or comment upon an item, please complete a Public Speaker's Card indicating the agenda item number on which you would like to comment. You must be sworn before addressing the Board and you may be subject to cross-examination. If you refuse to submit to cross-examination, the board will not consider your comments in its final deliberation. Please also disclose any Ex-Parte communications you may have had with any Board member. Board members must also do the same.

Chateau Ocean Residences Site Plan application (*Item discussed during the 5:00 pm Design Review Board meeting*)

The Applicant is proposing an application for site approval for a multi-family residential building consisting of up to 85 units, 456,265 square feet of gross floor area and a conditional use for a lobby bar, poolside bar and outdoor dining facilities.

Interim Attorney Miriam Maer recommended that the Chateau Application be deferred for future discussion in the best interest of the Town. She elaborated her concerns specifically. She did not feel that all items had been adequately addressed.

Town Manager Roger M Carlton stated that the Administration did not agree and asked the Board to consider the item and add language as they deem necessary to allay those concerns as necessary by the Interim Town Attorney.

Chair Lindsay Lecour disclosed *Ex-Parte* communications with Attorney Niesen Kasdin and Esteban Koffsman.

Chair Lindsay Lecour asked if any Member wished to defer and no Member responded in the affirmative.

Recording Clerk Anastacia Deleon swore in all members of the public.

Town Planner Sarah Sinatra Gould presented the item. Sarah Sinatra explained how the project meets all Town requirements and there were no variances required. She recommended that the Planning and Zoning Board /Design Review Board recommend approval of site plan to the Town Commission.

Attorney Neisen Kasdin spoke on behalf of the applicant. Mr. Kasdin mentioned that the project is consistent with the Comprehensive Plan and Zoning Code. The project does not require any variances. The project will create property tax revenue and will also create temporary construction jobs and permanent jobs to the Town. There is also \$1.1million of voluntary proffers to assist the Town with mitigating the impacts of the project. Mr. Kasdin on behalf of the applicant submitted letters of support (Exhibits A & B) from the Boards of the two contiguous buildings.

Manuel Grosskopf of Chateau Group presented a Power Pont presentation of projects locally and all over the world built by the applicant.

Bernardo Fort Brescia of Arquitectonica presented local projects as well as projects all over the world designed by his firm

The Public Hearing was opened.

Several members of the public spoke in favor of project. There were no speakers in opposition.

Town Manager Roger M. Carlton advised the Board to include a new condition that would resolve the hard pack easement public access concern of Ms. Maer. The Town Manager further suggested that two existing conditions could be clarified, as part of the Board's recommendation to the Town Commission. The language was agreed upon and the condition was added. The two minor modifications were discussed and direction was given to work out these issues prior to Town Commission meeting.

Board Member Jorge Gutierrez moved to approve Site Plan and Conditional Use Application for a multi-family residential Building consisting of no to exceed 85 units and 456,265 square feet of gross floor area and for a member and guest only lobby bar, poolside bar and outdoor dining facilities. The motion received a second from Board Member Carli Koshal and all voted in favor.

5. DESIGN REVIEW BOARD:

**** The following items were initially heard at 5:00 p.m. Voting on said items occurred at the 7:00 p.m. meeting. ****

A. Request of the Tenant of Property located at 9415 Harding Avenue *(Item discussed during the 5:00 pm Design Review Board meeting)*

The applicant is requesting to install a new reverse channel lettering sign in the front of the store.

Town Planner Sarah Sinatra Gould presented the item.

The Applicant was present.

Board Member Jorge Gutierrez disclosed he was the architect for the façade renovations and is not involved in the design of signage.

Board Member Armando Castellanos made a motion to approve. The motion received a second from Board Member Jorge Gutierrez and all voted in favor.

B. Request of the Owner of Property located at 1036-88th Street *(Item discussed during the 5:00 pm Design Review Board meeting)*

The applicant is requesting to install a white carport canopy.

Town Planner Sarah Sinatra Gould presented the item.

Applicant was not present. Board discussed item.

Board Member Jorge Gutierrez moved to approve request with the modification that the Applicant have the frame work powder coated white or a complementary color and follow Staff height recommendations. The motion received a second from Vice-chair Peter Glynn and all voted in favor.

C. Request of the Owner of Property located at 9000 Bay Drive *(Item discussed during the 5:00 pm Design Review Board meeting)*

The Applicant wishes to add two covered terraces and a pergola.

Town Planner Sarah Sinatra Gould reported that staff recommends item approval with no conditions.

Gordon Loder of 4220 Post Avenue, Miami Beach presented the pergola and covered terraces project on behalf of the Applicant.

Board Member Jorge Gutierrez moved to approve request to add two covered terraces and a pergola. The motion received a second from Vice-chair Peter Glynn and all voted in favor.

D. Starbucks - Discussion Item Only *(Item discussed during the 5:00 pm Design Review Board Meeting)*

The applicant wishes to introduce the project to the Design Review Board to be formally reviewed at a later date.

Town Manager Roger M. Carlton presented the item.

Mr. Brian Plewinski on behalf of Starbucks spoke regarding the project.

The Architect for Starbucks spoke of interior and exterior changes to the façade of the existing space.

As a resident and not as a Town Commissioner Ms. Marta Olchyk asked for clarification regarding the indoor and outdoor seating.

Mr. Plewinski explained the outdoor patio of the store and the interior and exterior changes in the façade.

Town Planner Sarah Sinatra Gould explained that a site plan review had not been done and that the item was brought before the Board for feedback. The applicant would meet with staff to further discuss and refine the project.

Board members agreed that Starbucks will be a great addition to downtown.

*Item 5 D Discussion Item (No action taken).

ADJOURNMENT at 6:33PM

6. PLANNING AND ZONING ORDINANCES:

A. Building Frontage Ordinance [Proposed Ordinance attached]

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING THE TOWN OF SURFSIDE CODE OF ORDINANCES BY AMENDING CHAPTER 90 ZONING; SECTION 90-51 MAXIMUM FRONTAGE OF BUILDINGS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planner Sarah Sinatra Gould explained that Item 6A was discussed and presented by Vice Mayor Karukin at the 5:00p.m. meeting. Vice Mayor Karukin requested that Building Frontage Ordinance language be amended to reflect building length restrictions and the Code amendments would apply to applications filed after the adoption of the ordinance.

Vice-chair Peter Glynn moved to recommend amending the ordinance. The motion received a second from Board Member Armando Castellanos and all voted in favor. No Board member opposed.

B. Combining the P&Z/DRB Ordinance [Proposed Ordinance attached]

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90“ZONING”BY DISSOLVING THE DESIGN REVIEW BOARD AND CONSOLIDATING THE DESIGN REVIEW FUNCTION INTO THE EXISTING FUNCTIONS OF THE PLANNING AND ZONING BOARD, CHANGING MEMBERSHIP REQUIREMENTS FOR PLANNING & ZONING BOARD; AND PROVIDING FOR FILLING OF VACANCIES; INCLUDING A TRANSITIONAL PROVISION; PROVIDING FOR SEVERABILITY; PROVIDING

FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice-chair Peter Glynn moved to defer Item 6B to another Agenda. The motion received a second from Board Member Armando Castellanos and all voted in favor. No Board member opposed.

7. DISCUSSION REGARDING LEGISLATIVE ITEMS FOR P & Z CONSIDERATION EITHER AT ITS OWN OR AS A JOINT MEETING WITH THE TOWN COMMISSION

The item was not discussed.

8. JOINT REPORT OF PERMITS ISSUED FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2012

Building Official, Paul Gioia not present.

9. ADJOURNMENT

Meeting Adjourned at 9:07PM

Board Member Jorge Gutierrez moved to adjourn. The motion received a second from Vice-chair Peter Glynn and all voted in favor.