

# City of Miami

*City Hall*  
3500 Pan American Drive  
Miami, FL 33133  
[www.ci.miami.fl.us](http://www.ci.miami.fl.us)



## **Meeting Agenda**

**Thursday, March 24, 2005**

**9:00 AM**

**PLANNING AND ZONING**

**City Hall Commission Chambers**

## **City Commission**

*Manuel A. Diaz, Mayor*  
*Joe Sanchez, Chairman*  
*Angel González, Vice Chairman*  
*Johnny L. Winton, Commissioner District Two*  
*Tomas Regalado, Commissioner District Four*  
*Jeffery L. Allen, Commissioner District Five*  
*Joe Arriola, City Manager*  
*Jorge L. Fernandez, City Attorney*  
*Priscilla A. Thompson, City Clerk*

ANY PERSON WHO ACTS AS A LOBBYIST PURSUANT TO CITY OF MIAMI ORDINANCE NO. 11469, CODIFIED IN CHAPTER 2, ARTICLE VI OF THE CITY CODE, MUST REGISTER WITH THE CITY CLERK, PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, AND COMMITTEES AND THE CITY COMMISSION. A COPY OF SAID ORDINANCE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK, CITY HALL.

PURSUANT TO SECTION 4(g)(5) OF THE CHARTER OF MIAMI, FLORIDA, THE MAYOR MAY VETO CERTAIN ITEMS APPROVED BY THE CITY COMMISSION WITHIN TEN CALENDAR DAYS FOLLOWING THE COMMISSION ACTION. THE COMMISSION MAY, AFTER THE VETO OCCURS, OVERRIDE SUCH VETO BY A FOUR-FIFTHS VOTE OF THE COMMISSIONERS THEN PRESENT.

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THIS PRINTED AGENDA IS DISTRIBUTED AT LEAST FIVE DAYS BEFORE THE MEETING, AND THE MATERIAL IN CONNECTION WITH EACH ITEM APPEARING ON THE AGENDA IS AVAILABLE FOR INSPECTION DURING BUSINESS HOURS AT THE OFFICE OF THE CITY CLERK IN CITY HALL.

ANY PERSON WHO SEEKS TO ADDRESS THE CITY COMMISSION ON ANY ITEM APPEARING IN THE FOLLOWING PORTIONS OF THIS AGENDA: "CONSENT AGENDA", "PUBLIC HEARINGS", OR "PUBLIC DISCUSSION" IS INVITED TO DO SO AND SHALL AS SOON AS POSSIBLE INFORM THE CITY CLERK OF HIS/HER DESIRE TO SPEAK, GIVING THE CITY CLERK HIS/HER NAME. AT THE TIME THE ITEM IS HEARD, THAT PERSON SHOULD APPROACH THE MICROPHONE AND WAIT TO BE RECOGNIZED BY THE PRESIDING OFFICER.

\* \* \* \* \*

Formal action may be taken on any item discussed or added to this Agenda. Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Any person with a disability requiring auxiliary aids and services for meetings may call the City Clerk's Office, 250-5360, with requests at least two business days before the meeting date.

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The City Commission has established a policy that the lunch recess will begin at the conclusion of deliberations of the agenda item being considered at Noon; further, that Commission meetings shall adjourn (a) at the conclusion of deliberation of the agenda item being considered at 10:00 p.m., unless the time is extended by unanimous agreement of the members of the city commission then present or (b) at the conclusion of the regularly scheduled agenda, whichever occurs first. This rule does not apply when the city commission is engaged in its annual budget hearings (Ordinance 12586).

**CONTENTS**

Items may be heard in the numbered sequence or as announced by the Commission

**PR - PRESENTATIONS AND PROCLAMATIONS****MV - MAYORAL VETOES****AM - APPROVING MINUTES****CA - CONSENT AGENDA**

Item 1 which is comprised of items CA.1 through CA.21 may be heard in the number sequence or as announced by the Commission

**PA - PERSONAL APPEARANCES****M - MAYOR'S ITEMS****D1 - DISTRICT 1 ITEMS****D2 - DISTRICT 2 ITEMS****D3 - DISTRICT 3 ITEMS****D4 - DISTRICT 4 ITEMS****D5 - DISTRICT 5 ITEMS****PH - PUBLIC HEARINGS**

3:00 P.M. - PH.1 - Midtown CRA

**EM - EMERGENCY ORDINANCES****FR - FIRST READING ORDINANCES****DI - DISCUSSION ITEMS****ES - EXECUTIVE SESSION**

2:30 P.M. - ES.1 - Eva Nagymihaly vs. City of Miami

**PART B****PZ - PLANNING AND ZONING ITEMS**

The Planning and Zoning items shall not be considered before 10:00 am.

**9:00 A.M. INVOCATION AND PLEDGE OF ALLEGIANCE****PRESENTATIONS AND PROCLAMATIONS****PR.1      05-00255      CEREMONIAL ITEM**

<b>Name of Honoree</b>	<b>Presenter</b>	<b>Protocol Item</b>
Sean Moynahan	Commissioner Winton	Distinguished Sailor Certificate
Brian Kamilar	Commissioner Winton	Distinguished Sailor Certificate

**MAYORAL VETOES**

(Pursuant to Section 4(g)(5) of the charter of Miami, Florida, Item(s) vetoed by the Mayor shall be placed by the city clerk as the first substantive item(s) for the commission consideration.)

**APPROVING THE MINUTES OF THE FOLLOWING MEETING:**

Planning and Zoning Meeting of February 24, 2005

**CONSENT AGENDA**

Unless a member of the City Commission wishes to remove a specific item from this portion of the agenda, Items CA.1 through CA.21 constitute the Consent Agenda. These resolutions are self-explanatory and are not expected to require additional review or discussion. Each item will be recorded as individually numbered resolutions, adopted unanimously by the following motion.

"...that the Consent Agenda comprised of items CA.1 through CA.21 be adopted..."

The Presiding Officer or City Clerk shall state the following: "Before the vote on adopting items included in the Consent Agenda is taken, is there anyone present who is an objector or proponent that wishes to speak on any item in the Consent Agenda. Hearing none, the vote on the adoption of the Consent Agenda will now be taken.

**CA.1      05-00189      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF LIBRARY AND INFORMATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$500,000, FOR THE VIRRRICK PARK LIBRARY ADDITION PROJECT ("PROJECT"); ALLOCATING THE REQUIRED MATCHING FUNDS, IN AN AMOUNT NOT TO EXCEED \$500,000, FROM CAPITAL IMPROVEMENT PROJECT NO. B-30292, ENTITLED "VIRRRICK PARK LIBRARY ADDITION;" AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SUBMISSION OF THE GRANT APPLICATION FOR FISCAL YEAR 2005-2006, SUBJECT TO THE TERMS AND CONDITIONS OF SAID GRANT APPLICATION.

**CA.2      05-00190      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN COMPENSATION FOR THE PROFESSIONAL SERVICES OF METRIC ENGINEERING, INC., PREVIOUSLY APPROVED BY RESOLUTION NO. 03-1192, ADOPTED NOVEMBER 25, 2003, FURTHER AMENDED BY RESOLUTION NO. 04-0400, ADOPTED JUNE 24, 2004, FOR THE PROJECT ENTITLED "N.E. 71 STREET STORM SEWERS PROJECT, B-50690," FOR PROFESSIONAL ENGINEERING FEES, IN AN AMOUNT NOT TO EXCEED \$40,895.03, INCREASING COMPENSATION FROM \$95,250 TO \$136,145.03, BASED ON THE MODIFIED SCOPE OF SERVICES REQUIRED FOR SAID PROJECT; ALLOCATING FUNDS FOR SAID INCREASE, IN A TOTAL AMOUNT NOT TO EXCEED \$40,895.03, FOR SERVICES AND EXPENSES INCURRED BY THE CITY OF MIAMI, FROM CAPITAL IMPROVEMENTS PROGRAM PROJECT NO. 352216 ENTITLED "CITYWIDE LOCAL DRAINAGE PROJECTS FISCAL YEAR 2002-2006;" AUTHORIZING THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL WORK ORDER, IN SUBSTANTIALLY THE ATTACHED FORM; AMENDING RESOLUTION NO. 03-1192 TO REFLECT SAID INCREASE.

**CA.3      05-00191      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO ENVIRONMENTAL PERFORMANCE SYSTEMS, INC., PURSUANT TO RESOLUTION NO. 04-0212, ADOPTED APRIL 8, 2004, IN AN AMOUNT NOT TO EXCEED \$300,000, INCREASING THE CONTRACT AMOUNT FROM \$346,867 TO \$646,867 FOR ADDITIONAL WORK REQUIRED FOR MAINTENANCE SERVICES OF THE CITY OF MIAMI'S STORM WATER INFRASTRUCTURE; ALLOCATING FUNDS FOR SAID INCREASE FROM PUBLIC WORKS GENERAL OPERATING BUDGET ACCOUNT CODE NO. 001000.311003.6.340; AMENDING RESOLUTION NO. 04-0212, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**CA.4      05-00192      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO NCI CONSTRUCTION CO., PREVIOUSLY APPROVED PURSUANT TO RESOLUTION NO. 04-0259, ADOPTED APRIL 22, 2004, FOR THE PROJECT ENTITLED "LAWRENCE STORM WATER PUMP STATION UPGRADES (3RD BIDDING, ROOF) B-50652," FORMERLY B-5650B, FOR ADDITIONAL PROFESSIONAL SERVICES REQUIRED FOR PROJECT MODIFICATIONS REQUIRED FOR COMPLIANCE WITH NEW BUILDING CODES IN AN AMOUNT NOT TO EXCEED \$50,000, FROM \$202,047 TO \$252,047, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$304,793; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 352216 ENTITLED "CITYWIDE LOCAL DRAINAGE PROJECTS FISCAL YEARS 2002-2006;" AMENDING RESOLUTION NO. 04-0259 TO REFLECT SAID INCREASE REQUIRED FOR SAID PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**CA.5      05-00193      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO NCI CONSTRUCTION CO., PREVIOUSLY APPROVED PURSUANT TO RESOLUTION NO. 04-0260, ADOPTED APRIL 22, 2004, FOR THE PROJECT ENTITLED "ORANGE BOWL STORM WATER PUMP STATION UPGRADES (3RD BIDDING, ROOF) B-50653," FORMERLY B-5650C, FOR ADDITIONAL PROFESSIONAL SERVICES REQUIRED FOR PROJECT MODIFICATIONS REQUIRED FOR COMPLIANCE WITH NEW BUILDING CODES, INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$20,000, FROM \$278,127 TO \$298,127, FOR TOTAL PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$349,350; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 352216 ENTITLED "CITYWIDE LOCAL DRAINAGE PROJECTS FISCAL YEARS 2002-2006;" AMENDING

RESOLUTION NO. 04-0260 TO REFLECT SAID INCREASE REQUIRED FOR SAID PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**CA.6      05-00194**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO AUGUST CONSTRUCTION COMPANY, INC., PREVIOUSLY APPROVED PURSUANT TO RESOLUTION NO. 04-0257, ADOPTED APRIL 22, 2004, FOR THE PROJECT ENTITLED "RIVERVIEW STORMWATER PUMP STATION UPGRADES (3RD BIDDING, ROOF) B-50650," FORMERLY B-5650A, FOR ADDITIONAL PROFESSIONAL SERVICES FOR PROJECT MODIFICATIONS REQUIRED FOR COMPLIANCE WITH NEW BUILDING CODES, INCREASING THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000, FROM \$105,326 TO \$155,326; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 352216 ENTITLED "CITYWIDE LOCAL DRAINAGE PROJECTS FISCAL YEARS 2002-2006;" AMENDING RESOLUTION NO. 04-0257 TO REFLECT SAID INCREASE REQUIRED FOR SAID PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**CA.7      05-00195**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "PUBLIC ACCESS DEFIBRILLATION DEMONSTRATION PROJECTS ("PADDP") GRANT AWARD FUNDS," AND APPROPRIATING FUNDS, IN THE AMOUNT OF \$103,400, CONSISTING OF A PASS THROUGH GRANT AWARD FROM THE UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES AND APPORTIONED BY THE MIAMI-DADE COUNTY BOARD OF COMMISSIONERS COMMENCING OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, AND CONTINUING FOR THE NEXT THREE YEARS IF ANY ADDITIONAL FUNDING BECOMES AVAILABLE, TO INCREASE THE SURVIVABILITY OF SUDDEN CARDIAC ARREST VICTIMS THROUGHOUT THE CITY OF MIAMI ("CITY"); AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS, TO IMPLEMENT ACCEPTANCE OF SAID GRANT AWARD; AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT APPLICATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR AUTOMATIC EXTERNAL DEFIBRILLATOR PLACEMENT, WITH VARIOUS SELECTIVE ORGANIZATIONS WITHIN THE CITY JURISDICTION, IN ACCORDANCE WITH THE PADDP.

- CA.8**      **05-00196**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADOPTING THE CASH RECEIPTS POLICY AND PROCEDURES MANUAL OF THE CITY OF MIAMI, FLORIDA, ATTACHED AND INCORPORATED, RELATING TO THE MANAGEMENT, CONTINUING EVALUATION OF AND REPORTING ON ALL CASH RECEIPTS, PURSUANT TO THE STATE OF FLORIDA'S INVESTMENT OF PUBLIC FUNDS ACT TO ESTABLISH GUIDELINES FOR THE RECEIPT AND MANAGEMENT OF PUBLIC FUNDS; DIRECTING THE CITY MANAGER TO IMMEDIATELY IMPLEMENT THE GUIDELINES CONTAINED IN SAID MANUAL.
- CA.9**      **05-00197**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR TEMPORARY USE OF MIAMI-DADE COLLEGE FACILITIES, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI-DADE COLLEGE, FOR THE DEPARTMENT OF POLICE, FOR USE OF THE DRIVING RANGE PLUS TWO (2) SKID CARS TO CONDUCT DRIVING TRAINING OF LAW ENFORCEMENT PERSONNEL, FROM MARCH 1, 2005 THROUGH DECEMBER 31, 2005, IN AN AMOUNT NOT TO EXCEED \$6,585; ALLOCATING FUNDS FROM THE POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6 .270.
- CA.10**      **05-00198**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS, IN LAW OR IN EQUITY, TO PROSECUTE, PROTECT AND PRESERVE THE INTERESTS OF THE BAYFRONT PARK MANAGEMENT TRUST ("TRUST") TO OBTAIN ANY RELIEF OR REMEDY FOR RECOVERY OF DAMAGES SUSTAINED BY THE TRUST IN RELATION TO BREACHES OF A REVOCABLE AGREEMENT EXECUTED ON OR ABOUT NOVEMBER 26, 2002, BY UNIPRO GROUP, INC., A FLORIDA CORPORATION.
- CA.11**      **05-00199**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND"), WATERWAYS ASSISTANCE PROGRAM, FOR FUNDS IN AN AMOUNT NOT TO EXCEED \$1,000,000, FOR DREDGING OF THE BRENNAN CHANNEL AT DINNER KEY MARINA PROJECT ("PROJECT"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FOR TWENTY PERCENT (20%) OF PROJECT COSTS, IN AN AMOUNT NOT TO EXCEED \$200,000, FROM HOMELAND DEFENSE BOND CAPITAL IMPROVEMENT PROJECT NO. 326015, B-33511, ENTITLED "DINNER KEY MARINA DREDGING;" FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, FOR SUBMISSION OF THE FIND GRANT APPLICATION FOR FISCAL YEAR 2005-2006, SUBJECT TO THE TERMS AND CONDITIONS IN SAID GRANT APPLICATION.

- CA.12**      **05-00200**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") WATERWAYS ASSISTANCE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$62,700, FOR THE ASSOCIATED COSTS TO REPLACE THE SEMINOLE PUBLIC DINGHY DOCK AT DINNER KEY MARINA PROJECT ("PROJECT"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FOR THE PROJECT COSTS, IN AN AMOUNT NOT TO EXCEED \$34,350, FROM THE DEPARTMENT OF CONFERENCES, CONVENTIONS AND PUBLIC FACILITIES FISCAL YEAR 2005 GENERAL FUND OPERATING BUDGET ENTITLED "DINGHY DOCK REPLACEMENT;" FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, FOR SUBMISSION OF THE FIND GRANT APPLICATION FOR FISCAL YEAR 2005-2006, SUBJECT TO THE TERMS AND CONDITIONS OF SAID GRANT APPLICATION.
- CA.13**      **05-00201**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT WITH ONE OF THE THREE (3) FIRMS IDENTIFIED HEREIN, FOR THE PROVISION OF TOWN PLANNING/URBAN DESIGN PROFESSIONAL SERVICES TO BE USED FOR THE CREATION OF A LONG RANGE STRATEGIC PLAN ("LRSP") FOR THE PARKS AND RECREATION DEPARTMENT BY THE SELECTED FIRM, AT A TOTAL COST NOT TO EXCEED \$500,000, FUNDED BY HOMELAND DEFENSE NEIGHBORHOOD IMPROVEMENT BONDS AND INTEREST, AVAILABLE IN CAPITAL IMPROVEMENT PROJECT NO. 331419, B35895 PARKS MASTER PLAN.
- CA.14**      **05-00159**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY JULIANA RUIZ, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$50,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF JULIANA RUIZ VS. CITY OF MIAMI, IN THE CIRCUIT COURT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 04-4296 CA (21), UPON EXECUTING A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.653.
- CA.15**      **05-00202**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY TANGUY DELASSAGNE, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$38,500 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND

SERVANTS, IN THE CASE OF TANGUY DELASSAGNE V. CITY OF MIAMI, ET AL., IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, CASE NO.03-05563 CA (06), UPON EXECUTING A GENERAL RELEASE FOR THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.651.

**CA.16**      **05-00203**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE SUM OF \$600,000 TO SALE & KUEHNE, P.A., KENDALL COFFEY, P.A., GELLER, GELLER, GARFINKEL & FISHER AND GELLER, GELLER, BESKIN, SHIENVOLD FISHER AND GARFINKEL, L.L.P. , IN FULL SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, FOR ATTORNEYS' FEES AND COSTS INCURRED FOR THE REPRESENTATION OF JOE CAROLLO, IN STATE AND FEDERAL LITIGATION PROCEEDINGS RELATED TO THE NOVEMBER 1997 ELECTION FOR MAYOR OF THE CITY OF MIAMI, AND A SUBSEQUENT CONTESTED CHARTER AMENDMENT, UPON EXECUTION OF A GENERAL RELEASE ON A FORM ACCEPTABLE TO THE CITY ATTORNEY; ALLOCATING FUNDS FROM THE CITY OF MIAMI SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

**CA.17**      **05-00204**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0335, ADOPTED MAY 27, 2004, FOR THE PROVISION OF UNIFORMS AND ACCESSORIES, BY INCLUDING THE USE OF GRANTS AS AN ADDITIONAL FUNDING SOURCE FOR FUTURE FISCAL YEARS, SUBJECT ONLY TO BUDGETARY APPROVAL.

**CA.18**      **05-00206**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, RESCINDING RESOLUTION 04-0200 THAT AUTHORIZED THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT WITH MIAMI ROWING AND WATERSPORTS CENTER, INC. ("MRWC"); AUTHORIZING THE CITY MANAGER TO TERMINATE ANY AND ALL RIGHTS OF MRWC, WHETHER EXPRESS OR IMPLIED, FOR THE USE AND OCCUPANCY OF THE PROPERTY FROM JANUARY 1, 2004 - FEBRUARY 28, 2005; AND ACCEPTING \$85,339.31 FROM MRWC AND ITS PROGRAM OPERATOR SWIM GYM, INC. AS CONSIDERATION FOR OCCUPANCY AND USE OF CITY-OWNED PROPERTY LOCATED AT 3601 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA FOR THE PERIOD OF JANUARY 1, 2004 TO FEBRUARY 28, 2005.

**CA.19      05-00205      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AUTHORIZING THE CITY MANAGER TO EXECUTE REVOCABLE LICENSE AGREEMENTS (THE "AGREEMENTS"), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH SWIM GYM AQUATICS, INC. ("LICENSEE"), A FOR PROFIT CORPORATION, MIAMI ROWING AND WATERSPORTS CENTER, INC. ("LICENSEE"), A NOT FOR PROFIT CORPORATION, AND MIAMI OVERSEAS CHINESE ASSOCIATION, INC. ("LICENSEE"), A NOT FOR PROFIT CORPORATION, REVOCABLE AT-WILL, TO OCCUPY AND USE APPROXIMATELY 1.96 ACRES OF CITY-OWNED PROPERTY LOCATED AT 3601 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA, WHICH LICENSES SHALL PROVIDE: 1) THE USE AND OCCUPANCY OF THE PROPERTY FOR A PERIOD NOT TO EXCEED SEPTEMBER 30, 2005; 2) EACH LICENSEE TO HAVE THE AUTHORITY TO ENTER INTO PROFESSIONAL SERVICE AGREEMENTS TO PROVIDE WATER RECREATIONAL AND EDUCATIONAL OPPORTUNITIES, SUBJECT TO CITY MANAGER APPROVAL, WHICH APPROVAL MAY BE CONDITIONED OR WITHHELD IN HIS SOLE DISCRETION; 3) EACH LICENSEE TO PAY A MONTHLY USE FEE TO THE CITY IN THE AMOUNTS OF \$400.00, \$250.00 AND \$100.00 RESPECTIVELY, PLUS STATE OF FLORIDA USE TAX, IF APPLICABLE; 4) EACH LICENSEE AND EACH PROGRAM OPERATOR SHALL PAY TO THE CITY TWELVE PERCENT (12%) OF THEIR RESPECTIVE MONTHLY GROSS REVENUES ("PERCENTAGE FEE"), ON OR BEFORE THE 30TH DAY FOLLOWING THE END OF EACH MONTH, PLUS STATE OF FLORIDA USE TAX, IF APPLICABLE; 5) ALL AMOUNTS PAID TO THE CITY TO BE RESERVED IN A SPECIAL ACCOUNT BY THE FINANCE DEPARTMENT FOR CAPITAL IMPROVEMENTS TO THE PROPERTY; 6) EACH LICENSEE SHALL BE RESPONSIBLE FOR CERTAIN NONSTRUCTURAL REPAIRS AND MAINTENANCE, AND 7) EACH LICENSEE SHALL PAY ITS PRO RATA SHARE OF UTILITIES, AND WITH OTHER TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN THE AGREEMENTS.

**CA.20      05-00208      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE OPERATING AGREEMENT ("AMENDED AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND THE DEPARTMENT OF OFF-STREET PARKING ("DOSP"), DATED AUGUST 8, 2002, TO PROVIDE AN INCREASE, IN AN AMOUNT NOT TO EXCEED \$45,000, FROM \$50,000 TO \$95,000, IN THE CITY'S FUNDING TO DOSP FOR THE DESIGN AND CONSTRUCTION OF RESTROOM FACILITIES AT THE BOAT RAMP PARKING LOT TO BE LOCATED ON WATSON ISLAND, MIAMI, FLORIDA, SUBJECT TO DOSP'S COMPLIANCE WITH CERTAIN TERMS AND CONDITIONS RELATED TO THE USE OF SAID FUNDS AS MORE PARTICULARLY SET FORTH IN SAID AMENDED AGREEMENT; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENT PROJECT NO. 311047, B-75000.

CA.21

05-00209

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AMENDING RESOLUTION NO. 01-869, ADOPTED SEPTEMBER 13, 2001, APPROVING THE ACQUISITION OF REMOVAL SERVICES FOR DERELICT VESSELS WITHIN THE CITY OF MIAMI WATERWAYS FOR THE DEPARTMENT OF CONFERENCES, CONVENTIONS AND PUBLIC FACILITIES, FROM DOCK AND MARINE CONSTRUCTION, INC. AND BLUE WATER MARINE SERVICES, INC., SUBJECT TO ANY EXTENSIONS, BY CHANGING THE FUNDING TERM FROM AN AGGREGATE BASIS TO A RECURRING ANNUAL BASIS AND BY CHANGING THE EXPENDITURE THRESHOLD LEVEL FROM AN AMOUNT NOT TO EXCEED \$68,000, TO AN AMOUNT NOT TO EXCEED \$150,000; ALLOCATING FUNDS FROM SPECIAL REVENUE ACCOUNT NO. 110021. 350124.6.340 AND ANY OTHER AVAILABLE FUNDING SOURCES, SUBJECT ONLY TO BUDGETARY APPROVAL.

**END OF CONSENT AGENDA**

**PERSONAL APPEARANCES**

Note: Legislation may result from City Commission consideration of any personal appearance.

- PA.1**      **05-00226**      **DISCUSSION ITEM**  
REPRESENTATIVE(S) FROM THE STATE ATTORNEY'S COMMUNITY  
OUTREACH DIVISION TO ADDRESS THE COMMISSION REGARDING  
INFORMATION ABOUT OUTREACH PROGRAMS.
- PA.2**      **05-00233**      **DISCUSSION ITEM**  
PRESENTATION BY THE LITTLE HAVANA ADVISORY BOARD TO  
ADDRESS THE COMMISSION REGARDING THE LITTLE HAVANA  
REVITALIZATION INITIATIVE.

**MAYOR AND COMMISSIONER'S ITEMS**

**CITYWIDE**

**HONORABLE MAYOR MANUEL A. DIAZ**

**M.1**

**05-00225**

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION CO-SPONSORING THE "25TH ANNIVERSARY OF MARIEL" LIVE BROADCAST WITH UNIVISION CHANNEL 23 AND MIAMI-DADE COLLEGE, SCHEDULED FOR APRIL 28, 2005, AT THE DOMINO PLAZA IN LITTLE HAVANA, MIAMI, FLORIDA; DIRECTING THE CITY MANAGER TO ASSIST WITH TECHNICAL AND GENERAL SERVICES ASSISTANCE FOR THE EVENT, BUT NOT LIMITED TO INCLUDE WAIVER OF FEES.

**DISTRICT 1**

**VICE CHAIRMAN ANGEL GONZÁLEZ**

**DISTRICT 2**

**COMMISSIONER JOHNNY L. WINTON**

**DISTRICT 3**

**CHAIRMAN JOE SANCHEZ**

**D3.1**

**05-00253**

**DISCUSSION ITEM**

DISCUSSION OF A RESOLUTION BY THE COMMISSION OF THE CITY OF MIAMI APPROVING THE APPOINTMENT OF \_\_\_\_\_ AS EXECUTIVE DIRECTOR OF THE MAYOR'S INTERNATIONAL COUNCIL AT AN ANNUAL SALARY NOT TO EXCEED \$68,500 PLUS BENEFITS.

**DISTRICT 4****COMMISSIONER TOMAS REGALADO**

- D4.1**      **05-00249**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING AN UPDATE FROM THE CITY ATTORNEY'S OFFICE AND THE ADMINISTRATION ON FAMILY BOARDING HOME INC.
- D4.2**      **05-00250**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING AN UPDATE FROM THE ADMINISTRATION ON THE STATUS OF THE MEETING BETWEEN THE ADMINISTRATION AND FAA OFFICIALS TO DISCUSS THE OPERATIONAL NOISE MITIGATION PROCEDURES ENVIRONMENTAL ASSESSMENT FOR MIAMI INTERNATIONAL AIRPORT.
- D4.3**      **05-00251**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING AN UPDATE FROM THE CITY ATTORNEY'S OFFICE ON THE STATUS OF THE APPEAL REGARDING THE MIAMI-DADE COUNTY PROPERTY APPRAISER NON-BINDING STRAW BALLOT QUESTION.
- D4.4**      **05-00254**      **DISCUSSION ITEM**  
DISCUSSION ABOUT THE 2005 BILLBOARD MUSIC AWARDS/ TELEMUNDO EVENT.

**DISTRICT 5****COMMISSIONER JEFFERY L. ALLEN****D5.1****05-00256****DISCUSSION ITEM**

DISCUSSION CONCERNING THE CITY MANAGER'S EMERGENCY FINDINGS, WAIVING COMPETITIVE BIDDING PROCEDURES, AND AUTHORIZING PBSJ, TO INSPECT AND PROVIDE PROFESSIONAL SERVICES FOR STRUCTURAL, PLUMBING, ELECTRICAL, HVAC, ROOFING TO BUILDINGS LOCATED AT TOWN PARK PLAZA VILLAGE, TOWN PARK PLAZA NORTH, AND TOWN PARK PLAZA SOUTH, COSTING AN AMOUNT NOT TO EXCEED \$125,000.00, USING FUNDS FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM ("HOME") FUNDS ALLOCATED TO DISTRICT 5 HOUSING INITIATIVE PROJECT UNDER RESOLUTION R-04-0190.

**PUBLIC HEARING****3:00 P.M.****PH.1****05-00211****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ADOPTING THE FINDINGS OF MIAMI-DADE COUNTY ("COUNTY") THAT: A BLIGHTED OR SLUM AREA EXISTS IN THE MIDTOWN REDEVELOPMENT AREA; THAT REBUILDING, REHABILITATION, CONSERVATION, AND REDEVELOPMENT OF THE AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS, AND WELFARE OF THE RESIDENTS OF THE CITY OF MIAMI ("CITY") AND THE COUNTY; THAT THE REDEVELOPMENT AREA IS A SLUM OR BLIGHTED AREA AS DEFINED IN SECTION 163.340, FLORIDA STATUTES; AND THAT THERE IS A NEED FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE REDEVELOPMENT PURPOSES PROVIDED FOR IN FLORIDA'S COMMUNITY REDEVELOPMENT ACT OF 1969; ACCEPTING THE COUNTY'S DELEGATION OF AUTHORITY TO CREATE A COMMUNITY REDEVELOPMENT AGENCY; CREATING THE MIDTOWN COMMUNITY REDEVELOPMENT AGENCY ("MIDTOWN CRA"), WITH GEOGRAPHIC BOUNDARIES AS SET FORTH IN "EXHIBIT A," ATTACHED AND INCORPORATED; AND DECLARING THE CITY COMMISSION TO BE THE MIDTOWN CRA SEPARATE, DISTINCT, AND INDEPENDENT FROM THE CITY COMMISSION WITH ALL THE RIGHTS, POWERS, PRIVILEGES, DUTIES, AND IMMUNITIES OF A COMMUNITY REDEVELOPMENT AGENCY.

**ORDINANCES - EMERGENCY**

(Note: This item is being presented as an emergency measure on the grounds of urgent public need for the preservation of peace, health, safety and property of the City of Miami, and upon further grounds of the necessity to make the required and necessary payments to its employees and officers, payment of its debts, necessary and required purchases of goods and supplies and to generally carry on the functions and duties of municipal affairs)

**EM.1      05-00212      ORDINANCE      **EMERGENCY ORDINANCE****

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), REVISING APPROPRIATIONS FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS SCHEDULED TO BEGIN IN FISCAL YEAR 2004-2005; AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS IN THE AMOUNT OF \$750,000, CONSISTING OF A FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT FOR FISCAL YEAR 2004; AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; AMENDING ORDINANCE NO. 12622, ADOPTED DECEMBER 9, 2004, TO APPROPRIATE SAID FUNDS INTO CAPITAL IMPROVEMENT PROJECT NO. 313303 ENTITLED "FIRE DEPARTMENT COMPUTERS AND COMMUNICATIONS;" CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

**EM.2      05-00213      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING A GRANT TO THE MIAMI ART MUSEUM OF DADE COUNTY ASSOCIATION, INC. TO SUPPORT THE DEVELOPMENT OF A NEW FINE ARTS MUSEUM FACILITY IN THE CITY OF MIAMI-OWNED BICENTENNIAL PARK, IN THE AMOUNT OF \$700,000, APPROVED BY A REFERENDUM OF THE VOTERS IN NOVEMBER, 2001, AS A SPECIFIED PROJECT IN THE HOMELAND DEFENSE NEIGHBORHOOD IMPROVEMENT BOND PROGRAM; ALLOCATING SAID FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. 333144 ENTITLED "MIAMI ART MUSEUM-BICENTENNIAL PARK;" AUTHORIZING THE CITY MANAGER TO EXECUTE A PROJECT CO-OPERATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

**ORDINANCE - FIRST READING**

Note: Any proposed ordinance listed as an item for first reading in this section may be adopted as an emergency measure upon being so determined by the City Commission.

<b>FR.1</b>	<b>05-00214</b>	<b><u>ORDINANCE</u></b>	<b>FIRST READING</b>
		AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62/ARTICLE VI/SECTION 62-156 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ZONING AND PLANNING/ZONING AND PLANNING FEES," TO ESTABLISH AN EXPEDITED PLANS REVIEW SERVICE AND A CORRESPONDING FEE TO COVER THE COSTS OF PERFORMING SAID REVIEW; CONTAINING A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.	

**DISCUSSION ITEMS**

NOTE: Legislation may result from City Commission consideration of any Commission Discussion item.

This portion of the agenda is separately designated as being available for the purpose of providing and securing City Commission information, direction, and guidance in significant pending and concluded matters, including matters not specifically set forth in this section.

It is anticipated that no input from anyone other than the City personnel is needed or expected while the City Commission is considering any matter in this portion of the Agenda; accordingly, no member of the public may address the City Commission during this time.

**DI.1            05-00215        DISCUSSION ITEM**  
PRESENTATION BY THE CHAIRPERSON OF THE FOLLOWING  
BOARDS/COMMITTEES CONCERNING THEIR ANNUAL REPORTS:

-COCONUT GROVE PARKING ADVISORY COMMITTEE  
-AUDIT ADVISORY COMMITTEE  
-URBAN DEVELOPMENT REVIEW BOARD  
-OFF-STREET PARKING BOARD  
-NUISANCE ABATEMENT BOARD

**DI.2            04-01295        DISCUSSION ITEM**  
DISCUSSION AND POSSIBLE RESOLUTION REGARDING A POSSIBLE  
SETTLEMENT IN THE MATTER OF NATIONAL ADVERTISING V. CITY OF  
MIAMI.  
(BILLBOARD LITIGATION)

**DATE:                    DECEMBER 9, 2004**

**ACTION:                DEFERRED**

**DATE:                    JANUARY 13, 2005**

**ACTION:                DEFERRED**

**DATE:                    JANUARY 27, 2005**

**ACTION:                DEFERRED**

**DATE:                    FEBRUARY 10, 2005**

**ACTION:                DEFERRED**

**DATE:                    FEBRUARY 24, 2005**

**ACTION:                DEFERRED**

**DATE:                    MARCH 10, 2005**

**ACTION:                CONTINUED**

**EXECUTIVE SESSION****2:30 P.M.****ES.1      05-00241      EXECUTIVE SESSION**

UNDER THE PARAMETERS OF F. S. 286.011(8) [2004], THE PERSON CHAIRING THE CITY OF MIAMI COMMISSION MEETING WILL ANNOUNCE IMMEDIATELY AFTER THE MEETING IS CONVENED THE COMMENCEMENT OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC, FOR PURPOSES OF DISCUSSING THE PENDING LITIGATION CASE OF *EVA NAGYMIHALY, ET AL. VS. CITY OF MIAMI, CASE NO. 98-11208 CA 01, PENDING IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, IN AND FOR MIAMI-DADE COUNTY, FLORIDA*, TO WHICH THE CITY IS PRESENTLY A PARTY. THE CLOSED DOOR SESSION WILL BEGIN AT APPROXIMATELY 2:30 P.M. AND CONCLUDE AT APPROXIMATELY 3:30 P.M. THE SESSION WILL BE ATTENDED BY THE MEMBERS OF THE CITY COMMISSION, TOMAS REGALADO, ANGEL GONZALEZ, JOE SANCHEZ, JEFFREY ALLEN, AND JOHNNY L. WINTON; THE CITY MANAGER, JOE ARRIOLA; THE CITY ATTORNEY, JORGE L. FERNANDEZ; ASSISTANT CITY ATTORNEYS MARIA J. CHIARO, JULIE O. BRU AND WARREN BITTNER; AND THOMAS SCOTT, ESQ. A CERTIFIED COURT REPORTER WILL BE PRESENT TO ENSURE THAT THE SESSION IS FULLY TRANSCRIBED AND THE TRANSCRIPT WILL BE MADE PUBLIC UPON THE CONCLUSION OF THE ABOVE-CITED, ONGOING LITIGATION. AT THE CONCLUSION OF THE ATTORNEY-CLIENT SESSION, THE REGULAR COMMISSION MEETING WILL BE REOPENED AND THE PERSON CHAIRING THE COMMISSION MEETING WILL ANNOUNCE THE TERMINATION OF THE ATTORNEY-CLIENT SESSION.

**PART B**

The following items shall not be considered before 10:00 am.

**PZ.1      05-00143      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR **THE POINTE AT BRICKELL VILLAGE** PROJECT, TO BE LOCATED AT APPROXIMATELY 1100 SOUTH MIAMI AVENUE, MIAMI, FLORIDA, TO CONSTRUCT A 442-FOOT, 42-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 330 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 13,659 SQUARE FEET OF RETAIL SPACE; APPROXIMATELY 41,553 SQUARE FEET OF OFFICE SPACE; AND APPROXIMATELY 424 TOTAL PARKING SPACES; PROVIDING FOR CERTAIN FLOOR AREA RATIO ("FAR") BONUSES; DIRECTING TRANSMITTAL; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for The Pointe at Brickell Village Project

LOCATION: Approximately 1100 South Miami Avenue

APPLICANT(S): Carlos A. Saenz, Jr., Trustee, and Los Arcos de Brickell Corp. (Collective Owners) and Brickell Village Partners, LLC (Contract Purchaser)

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval with conditions\*.

HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD:

Recommended approval with conditions\* of a Certificate of Appropriateness to City Commission on October 21, 2004 by a vote of 5-0.

URBAN DEVELOPMENT REVIEW BOARD: Recommended approval on December 15, 2004 by a vote of 3-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* to City Commission on February 2, 2005 by a vote of 5-0.

\*See supporting documentation.

PURPOSE: This will allow the development of **The Pointe at Brickell Village** Project.

**PZ.2      04-01388      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF NORTHEAST 1ST COURT AND THE ALLEY LOCATED BETWEEN NORTHEAST 15TH STREET AND NORTHEAST 16TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

REQUEST: Official Vacation and Closure of a Street and Alley

LOCATION: Approximately NE 1st Court and Alley Between NE 15th Street and NE 16th Street

APPLICANT(S): Miami-Dade County Public Schools

APPLICANT(S) AGENT: Dr. Rudolph F. Crew, Superintendent

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PUBLIC WORKS DEPARTMENT: Recommended approval.

PLAT & STREET COMMITTEE: Recommended denial on April 3, 2003 by a vote of 3-3.

ZONING BOARD: Recommended denial to City Commission on November 22, 2004 by a vote of 5-3.

PURPOSE: This will allow a unified commercial development site.

**DATE:                      JANUARY 27, 2005**

**ACTION:                    CONTINUED**

**PZ.3      04-01178      ORDINANCE      SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTY LOCATED AT APPROXIMATELY 3155 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 10544, from "Duplex Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3155 SW 22nd Terrace

APPLICANT(S): Edwin J. and Elizabeth Caron, Owners

APPLICANT(S) AGENT: Ines Marrero-Priegues, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on October 6, 2004 by a vote of 6-2. The Board also recommended to the City Commission by a vote of 8-0 that if they were to consider a covenant with the companion zoning request that such covenant should be accepted and should address the following: buffers, uses, design review and landscaping. See companion File ID 04-01178a.

PURPOSE: This will change the above property to Restricted Commercial.

**DATE:                    DECEMBER 9, 2004**

**ACTION:                DENIED**

**DATE:                    JANUARY 13, 2005**

**ACTION:                RECONSIDERED**

**DATE:                    FEBRUARY 24, 2005**

**MOVER:                 COMMISSIONER REGALADO**

**SECONDER:            COMMISSIONER WINTON**

**VOTE:                    AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN**

**ACTION:                PASSED ON FIRST READING**

**PZ.4      04-01178a      ORDINANCE      SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 42, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3155 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District to Change the Zoning Atlas

LOCATION: Approximately 3155 SW 22nd Terrace

APPLICANT(S): Edwin J. and Elizabeth Caron, Owners

APPLICANT(S) AGENT: Ines Marrero-Priegues, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on November 8, 2004 by a vote of 5-0. See companion File ID 04-01178.

PURPOSE: This will change the above property to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District.

**DATE:                    DECEMBER 9, 2004**

**ACTION:                DENIED**

**DATE:                    JANUARY 13, 2005**

**ACTION:                RECONSIDERED**

**DATE:                    FEBRUARY 24, 2005**

**MOVER:                 COMMISSIONER REGALADO**

**SECONDER:            VICE CHAIRMAN GONZÁLEZ**

**VOTE:                    AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,  
                                  SANCHEZ, REGALADO AND ALLEN**

**ACTION:                PASSED ON FIRST READING**

PZ.5

04-01440

**ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 350, 360, 370 AND 380 NW 24TH STREET, AND 301 AND 311 NW 23RD STREET, MIAMI, FLORIDA, FROM "INDUSTRIAL" TO "GENERAL COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 10544, from "Industrial" to "General Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 350, 360, 370 and 380 NW 24th Street, and 301 and 311 NW 23rd Street

APPLICANT(S): Pompei Warehouses, LLC

APPLICANT(S) AGENT: Lucia A. Dougherty, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 1, 2004 by a vote of 6-0. See companion File ID 04-01440a.

PURPOSE: This will change the above properties to General Commercial.

**DATE: FEBRUARY 24, 2005**  
**MOVER: COMMISSIONER ALLEN**  
**SECONDER: COMMISSIONER WINTON**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN**  
**ACTION: PASSED ON FIRST READING**

PZ.6

04-01440a

**ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 21, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "I" INDUSTRIAL TO "C-2" LIBERAL COMMERCIAL WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT WITH AN F.A.R. OF 2.35, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 350, 360, 370 AND 380 NORTHWEST 24TH STREET; 301 AND 311 NORTHWEST 23RD STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from I Industrial to C-2 Liberal Commercial with an SD-19 Designated F.A.R. Overlay District with an F.A.R. of 2.35 to Change the Zoning Atlas

LOCATION: Approximately 350, 360, 370 and 380 NW 24th Street, and 301 and 311 NW 23rd Street

APPLICANT(S): Pompei Warehouses, LLC

APPLICANT(S) AGENT: Lucia A. Dougherty, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on January 10, 2005 by a vote of 7-2. See companion File ID 04-01440.

PURPOSE: This will change the above properties to C-2 Liberal Commercial with an SD-19 Designated F.A.R. Overlay District with an F.A.R. of 2.35.

**DATE: FEBRUARY 24, 2005**  
**MOVER: COMMISSIONER WINTON**  
**SECONDER: COMMISSIONER ALLEN**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN**  
**ACTION: PASSED ON FIRST READING**

**PZ.7      04-01441      ORDINANCE      SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY ESTABLISHING ARTICLE 8, BY CREATING A NEW SECTION 803, NCD-3 COCONUT GROVE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT; IN ORDER TO CREATE THE NCD-3 COCONUT GROVE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT; ESTABLISH PROTECTIVE LEGISLATIVE ELEMENTS INCLUDING ZONING OVERLAYS, ZONING REVISIONS, DESIGN GUIDELINES AND OTHER MECHANISMS PROVIDED FOR IN ARTICLE 8 FOR COCONUT GROVE; CREATE SPECIAL DISTRICT REQUIREMENTS; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Create the NCD-3 Coconut Grove Neighborhood Conservation Overlay District

APPLICANT(S): Joe Arriola, City Manager

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 1, 2004 by a vote of 7-0. See companion File ID 04-01441a.

PURPOSE: This will create the NCD-3 Coconut Grove Neighborhood Overlay District and establish special district requirements.

NOTES: Per City Attorney's Office, remanded to First Reading.

**DATE:                    JANUARY 27, 2005**  
**MOVER:                COMMISSIONER REGALADO**  
**SECONDER:            COMMISSIONER WINTON**  
**VOTE:                  AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ AND REGALADO**  
**ABSENT: 1 - COMMISSIONER ALLEN**  
**ACTION:                PASSED ON FIRST READING**

**DATE:                    FEBRUARY 24, 2005**  
**MOVER:                COMMISSIONER WINTON**  
**SECONDER:            COMMISSIONER REGALADO**  
**VOTE:                  AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND ALLEN**  
**ACTION:                PASSED ON FIRST READING WITH MODIFICATIONS**

**PZ.8      04-01441a      ORDINANCE      **SECOND READING****

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING PAGE NOS. 37, 38, 43, 44, 45, 46, 47, AND 48 OF THE ZONING ATLAS OF THE CITY OF MIAMI, FLORIDA, BY ADDING THE NCD-3 COCONUT GROVE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT TO ALL UNDERLYING ZONING CLASSIFICATIONS IN THE AREA GENERALLY BOUNDED BY US-1 ON THE NORTH; SOUTHWEST TWENTY-SIXTH ROAD ON THE EAST; BISCAYNE BAY ON THE SOUTH AND THE CITY LIMITS ON THE WEST, SEE MAP OF EXACT PROPERTIES ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART THEREOF AND COMPLETE LEGAL DESCRIPTIONS ON FILE; MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, To Add the NCD-3 Coconut Grove Neighborhood Conservation Overlay District to All Underlying Zoning Classifications to Change the Zoning Atlas

LOCATION: The Area Generally Bounded by US-1 on the North; SW 26th Road on the East; Biscayne Bay on the South and the City Limits on the West

APPLICANT(S): Planning Department

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 15, 2004 by a vote of 7-0. See companion File ID 04-01441.

PURPOSE: This will change the above properties to NCD-3 Coconut Grove Neighborhood Conservation Overlay District.

NOTES: Per City Attorney's Office, remanded to First Reading.

**DATE:                    JANUARY 27, 2005**  
**MOVER:                COMMISSIONER WINTON**  
**SECONDER:            VICE CHAIRMAN GONZÁLEZ**  
**VOTE:                 AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,**  
**SANCHEZ, REGALADO AND ALLEN**  
**ACTION:                PASSED ON FIRST READING**

**DATE:                    FEBRUARY 24, 2005**  
**MOVER:                COMMISSIONER WINTON**  
**SECONDER:            VICE CHAIRMAN GONZÁLEZ**  
**VOTE:                 AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,**  
**SANCHEZ, REGALADO AND ALLEN**  
**ACTION:                PASSED ON FIRST READING**

PZ.9

05-00221

**ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, BY AMENDING ARTICLE 8, SECTION 803, NCD-3 COCONUT GROVE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT; IN ORDER TO MODIFY SUB-SECTION 803.6 TO ADD PROVISIONS AND LIMITATIONS TO ESTABLISH MAXIMUM RETAIL SQUARE FOOTAGE; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Pending recommendation on March 16, 2005.

PURPOSE: This will add provisions for maximum retail square footage in the NCD-3 Coconut Grove Neighborhood Conservation Overlay District.

**PZ.10****05-00224****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 13 OF THE MIAMI CITY CODE, AS AMENDED, BY AMENDING ARTICLE II. DOWNTOWN DEVELOPMENT SUPPLEMENTAL FEE IN ORDER TO MODIFY PROVISIONS RELATED TO THE DOWNTOWN DEVELOPMENT OF REGIONAL IMPACT (DRI) INCLUDING CLARIFICATION OF CERTAIN DEFINITIONS, PROVIDING FOR AN UPDATED FEE TABLE AND ADDING A CONSUMER PRICE INDEX; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend the Miami City Code

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PURPOSE: This will modify provisions related to the Downtown DRI, including certain definitions, an update of fees and adding a consumer price index.

**PZ.11****05-00144****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 17, MAJOR USE SPECIAL PERMITS, MORE PARTICULARLY SECTION 1706; IN ORDER TO MODIFY PROVISIONS RELATED TO MODIFICATIONS OF MAJOR USE SPECIAL PERMITS; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 2, 2005 by a vote of 5-0.

PURPOSE: This will remove certain time constraints imposed on the City Commission as it relates to their review of substantial modifications to Major Use Special Permits.

**PZ.12      05-00136      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), REVERSING OR AFFIRMING THE DECISION OF THE ZONING BOARD AND THEREBY GRANTING OR DENYING A SPECIAL EXCEPTION AS LISTED IN ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, TO ALLOW A PUBLIC UTILITIES SUBSTATION FOR FP&L IN THE R-4 ZONING DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 1025 SOUTHWEST 2ND AVENUE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Special Exception

LOCATION: Approximately 1025 SW 2nd Avenue

APPLICANT(S): Florida Power & Light Co.

APPLICANT(S) AGENT: Nancy A. Swalwell, Director

APPELLANT(S): Florida Power & Light Co.

APPELLANT(S) AGENT: Nancy A. Swalwell, Director

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval of the special exception and approval of the appeal.

ZONING BOARD: Made a motion to approve, which failed, constituting a denial on January 24, 2005 by a vote of 4-4.

PURPOSE: The approval of this appeal will allow a substation for FP&L in the R-4 zoning district.

**PZ.13      05-00139      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR APPROVING THE APPEAL BY MICHAEL H. HOFFMAN, ESQ., ON BEHALF OF REBECCA LONG, AFFIRMING OR REVERSING THE DECISION OF MIAMI ZONING BOARD, THEREBY APPROVING WITH CONDITIONS OR DENYING THE CLASS II SPECIAL PERMIT ISSUED BY THE PLANNING AND ZONING DIRECTOR ON NOVEMBER 10, 2004, APPLICATION NO. 04-0423, TO ALLOW FOR RIVERFRONT AND PARK IMPROVEMENTS FOR THE PROPERTY LOCATED AT APPROXIMATELY 601 NORTHWEST 7TH STREET ROAD, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Class II Special Permit Appeal

LOCATION: Approximately 601 NW 7th Street Road

APPLICANT(S): City of Miami

APPLICANT(S) AGENT: Joe Arriola, City Manager

APPELLANT(S): Rebecca Long, Adjacent Property Owner

APPELLANT(S) AGENT: Michael H. Hoffman, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial of the appeal and uphold the Zoning Board's decision of the director's decision.

ZONING BOARD: Denied the Class II Special Permit appeal on January 24, 2005 by a vote of 8-0.

PURPOSE: The approval of this appeal will not allow for riverfront and park improvements (Spring Garden Point Park).

**PZ.14      04-00522      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A MODIFICATION TO A DECLARATION OF RESTRICTIVE COVENANT ("ZONING COVENANT") DATED SEPTEMBER 28, 1992 AND RECORDED IN OFFICIAL RECORDS BOOK 15663, PAGE 0716-0720, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2947-2949 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A", IN ORDER TO AMEND CERTAIN SECTIONS OF THE COVENANT IN THE MANNER DESCRIBED THEREIN.

REQUEST: Modification to a Covenant

LOCATION: Approximately 2947-2949 SW 22nd Terrace

APPLICANT(S): Judy Galindo, Owner of Latin American Cafeteria-Restaurant

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PURPOSE: This will allow a modification to an existing covenant.

**DATE:                    JUNE 24, 2004**

**ACTION:                CONTINUED**

**DATE:                    JULY 22, 2004**

**ACTION:                CONTINUED**

**DATE:                    SEPTEMBER 27, 2004**

**ACTION:                CONTINUED**

**DATE:                    OCTOBER 28, 2004**

**ACTION:                CONTINUED**

**DATE:                    JANUARY 27, 2005**

**ACTION:                CONTINUED**

PZ.15

04-01268a

**ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 345 AND 363 NORTHEAST 20TH TERRACE; 2040, 2066 AND 2072 NORTH BAYSHORE DRIVE; AND 348 NORTHEAST 21ST STREET, MIAMI, FLORIDA, FROM "HIGH DENSITY MULTIFAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 10544, from "High Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 345 and 363 NE 20th Terrace; 2040, 2066 and 2072 N Bayshore Drive; and 348 NE 21st Street

APPLICANT(S): Royal Palm Miami Holdings, LLC, Contract Purchaser/  
Owner

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 19, 2005 by a vote of 7-0. See companion File ID 04-01268b.

PURPOSE: This will change the above properties to Restricted Commercial for the proposed **Paramount at Edgewater Square** Major Use Special Permit Project.

**DATE:** FEBRUARY 24, 2005

**ACTION:** CONTINUED

PZ.16

04-01268b

**ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 21 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-4" MULTIFAMILY HIGH-DENSITY RESIDENTIAL WITH AN "SD-20" EDGEWATER OVERLAY DISTRICT AND "C-1" RESTRICTED COMMERCIAL WITH AN "SD-20/SD-20.1" EDGEWATER OVERLAY DISTRICT TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-20/SD-20.1" EDGEWATER OVERLAY DISTRICT AND "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT WITH AN F.A.R. OF 2.4, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 340 AND 348 NORTHEAST 21ST STREET; 317, 341, 345 AND 363 NORTHEAST 20TH TERRACE; AND 2040, 2066, AND 2072 NORTH BAYSHORE DRIVE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-4 Multifamily High-Density Residential with an SD-20 Edgewater Overlay District and C-1 Restricted Commercial with an SD-20/SD-20.1 Edgewater Overlay District to C-1 Restricted Commercial with an SD-20/SD-20.1 Edgewater Overlay District and SD-19 Designated F.A.R. Overlay District with an F.A.R. of 2.4 to Change the Zoning Atlas

LOCATION: Approximately 340 and 348 NE 21st Street; 317, 341, 345 and 363 NE 20th Terrace; and 2040, 2066 and 2072 N Bayshore Drive

APPLICANT(S): Royal Palm Miami Holdings, LLC, Contract Purchaser/ Owner

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on January 10, 2005 by a vote of 8-0. See companion File ID 04-01268a.

PURPOSE: This will change the above properties to C-1 Restricted Commercial with an SD-20/SD-20.1 Edgewater Overlay District and SD-19 Designated F.A.R. Overlay District with an F.A.R. of 2.4 for the proposed **Paramount at Edgewater Square** Major Use Special Permit.

**DATE: FEBRUARY 24, 2005**

**ACTION: CONTINUED**

PZ.17

05-00077

**ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 46, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "SD-2" COCONUT GROVE CENTRAL COMMERCIAL DISTRICT TO "SD-2" COCONUT GROVE CENTRAL COMMERCIAL DISTRICT WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, INCREASING THE F.A.R. TO 2.23, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3300 RICE STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 from SD-2 Coconut Grove Central Commercial District to SD-2 Coconut Grove Central Commercial District with an SD-19 Designated F.A.R. Overlay District, Increasing the F.A.R. to 2.23 to Change the Zoning Atlas

LOCATION: Approximately 3300 Rice Street

APPLICANT(S): Geoffrey Jackson, Owner and Arquitectonica International Corp., Contract Purchaser

APPLICANT(S) AGENT: Adrienne F. Pardo, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on January 24, 2005 by a vote of 9-0.

PURPOSE: This will change the above property to SD-2 Coconut Grove Central Commercial District with an SD-19 Designated F.A.R. Overlay District, increasing the F.A.R. to 2.23.

**PZ.18      04-00723      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, FOR THE **1237 BISCAYNE BOULEVARD** PROJECT, TO BE LOCATED AT APPROXIMATELY 1237 BISCAYNE BOULEVARD, 324 AND 444 NORTHEAST 13TH STREET, MIAMI, FLORIDA, TO CONSTRUCT A 57-STORY MIXED-USE STRUCTURE CONSISTING OF 408 TOTAL MULTIFAMILY RESIDENTIAL UNITS, APPROXIMATELY 17,160 SQUARE FEET OF RETAIL/OFFICE USE, AND 570 TOTAL PARKING SPACES; DIRECTING TRANSMITTAL; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for the 1237 Biscayne Boulevard Project

LOCATION: Approximately 1237 Biscayne Boulevard and 324 and 444 NE 13th Street

APPLICANT(S): 1237 Biscayne Blvd, LLC, Owner and 1237 Biscayne Development Group, LLC, Contract Purchaser

APPLICANT(S) AGENT: Lucia A. Dougherty, Esquire

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval with conditions\*.

URBAN DEVELOPMENT REVIEW BOARD: Recommended approval with conditions\* to City Commission on April 21, 2004 by a vote of 6-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* to City Commission on June 16, 2004 by a vote of 6-0.

ZONING BOARD: Granted the special exception on June 28, 2004 by a vote of 8-0.

\*See supporting documentation.

PURPOSE: This will allow the development of the **1237 Biscayne Boulevard** Project.

**DATE:                    JULY 22, 2004**

**ACTION:                CONTINUED**

**DATE:                    JULY 29, 2004**

**ACTION:                CONTINUED**

**DATE:                    OCTOBER 28, 2004**

**ACTION:                CONTINUED**

**DATE:                    NOVEMBER 18, 2004**

**ACTION:                CONTINUED**

**DATE:** JANUARY 27, 2005  
**ACTION:** CONTINUED