

City of Miami

City Hall
3500 Pan American Drive
Miami, FL 33133
www.ci.miami.fl.us



Meeting Agenda

Thursday, April 28, 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 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.10 may be heard in the number sequence or as announced by the Commission.

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**

10:30 A.M. - PH.1 - Amending Resolution No. 04-0795

10:30 A.M. - PH.2 - Transferring Funds -First Time Homebuyer Program & CIP

10:30 A.M. - PH.3 - Amending Resolution No. 04-0797

10:30 A.M. - PH.4 - Convey 5 Parcels of Land to Palmetto Homes of Miami Inc.

10:30 A.M. - PH.5 - Transfer 30th Yr CDBG Program Income to Lions and SFWB

EM - EMERGENCY ORDINANCES**FR - FIRST READING ORDINANCES****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	05-00369	<u>CEREMONIAL ITEM</u>		
		Commissioner Carlos A. Gimenez	Mayor Diaz	Proclamation
		Municipal Clerks Week	Chairman Sanchez	Proclamation

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 March 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.10 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.10 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** **05-00210** **RESOLUTION**
*Department of
Public Works* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE AMOUNT OF \$50,000, IN THE CONTRACT BETWEEN THE CITY OF MIAMI AND H & R PAVING, INC., FOR THE PROJECT ENTITLED "CITYWIDE PEDESTRIAN ROUTES IMPROVEMENTS B-43114," AUTHORIZED BY RESOLUTION NO. 04-0539, ADOPTED SEPTEMBER 9, 2004; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS ACCOUNT NO. 341330.
- CA.2** **05-00303** **RESOLUTION**
*Department of
Public Works* A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF ONE VACTOR TRUCK, MODEL 2115-16, WITH EQUIPMENT THAT INCLUDES FIVE (5) JET HEADS, ONE ROTARY ROOT CUTTER, AN OPTIONAL EXTENDED WARRANTY PACKAGE AND FLEET MANAGEMENT SOFTWARE, FROM ENVIRONMENTAL PRODUCTS OF FLORIDA, UTILIZING CITY OF FORT LAUDERDALE BID NO. 242-9077, EFFECTIVE THROUGH THE END OF FISCAL YEAR 2004-2005, SUBJECT TO EXTENSIONS OR REPLACEMENT CONTRACTS, FOR THE DEPARTMENT OF PUBLIC WORKS, OPERATIONS DIVISION, IN AN AMOUNT NOT TO EXCEED \$249,202; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ACCOUNT NO. 352296, B-30156.
- CA.3** **05-00327** **RESOLUTION**
*Department of Fire-
Rescue* A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BIDS OF MUNICIPAL EQUIPMENT COMPANY, LLC, AND ARMORED TEXTILES, RECEIVED ON FEBRUARY 16, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-018, FOR THE PROCUREMENT OF FIRE HOSES, FOR THE DEPARTMENT OF FIRE-RESCUE, ON AN AS-NEEDED CONTRACT BASIS, FOR A ONE (1) YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$14,000, FOR THE CURRENT FISCAL YEAR 2004-2005 AND AT AN ANNUAL AMOUNT NOT TO EXCEED \$40,000, FOR FISCAL YEARS 2005 AND 2006, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$94,000; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$13,000, FOR THE CURRENT FISCAL

YEAR 2004-2005, FROM THE FIRE-RESCUE GENERAL OPERATING BUDGET, ACCOUNT NO. 01000.280601.6.709 AND AN AMOUNT NOT TO EXCEED \$1,000, FROM THE FIRE-RESCUE GENERAL OPERATING BUDGET ACCOUNT NO. 001000.280701.6.709, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.4 **05-00328**

RESOLUTION

*Department of Solid
Waste*

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF BUSCH SYSTEMS INTERNATIONAL, INC., RECEIVED ON FEBRUARY 14, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-017, FOR THE DEPARTMENT OF SOLID WASTE, FOR THE PURCHASE OF FOUR THOUSAND EIGHT HUNDRED (4,800) 18-GALLON RECYCLING BINS, FOR AN INITIAL PERIOD OF ONE (1) YEAR, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$23,904, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$71,712; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 353019.329401.6.840.

CA.5 **05-00329**

RESOLUTION

*Department of
Parks and
Recreation*

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "SUMMER FOOD SERVICE PROGRAM FOR CHILDREN 2005" AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN AN AMOUNT NOT TO EXCEED \$573,894, CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE ("USDA") THROUGH THE FLORIDA DEPARTMENT OF EDUCATION ("DOE"); AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD FROM USDA; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE SCHOOL BOARD OF MIAMI DADE COUNTY ("SCHOOL BOARD") FOR THE PROVISION OF LUNCHEES AND SNACKS TO THE PARTICIPANTS OF THE CITY OF MIAMI'S 2005 SUMMER FOOD SERVICE PROGRAM, OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION; ALLOCATING FUNDS FOR SAID MEALS, FROM THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN 2005 SPECIAL REVENUE FUND.

CA.6 **05-00330**

RESOLUTION

*Department of Fire-
Rescue*

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BID OF CADEX ELECTRONICS, INC., THE SECOND LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, DATED JANUARY 7, 2004, PURSUANT TO INVITATION FOR BIDS NO. 03-04-011, FOR THE PROCUREMENT OF 25 CADEX C7400 BATTERY ANALYZER SYSTEMS AND ACCESSORIES, FOR THE DEPARTMENT OF FIRE-RESCUE, IN AN AMOUNT NOT TO EXCEED \$58,637.50; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT NO. 313305, ENTITLED "FIRE-RESCUE HOMELAND DEFENSE PREPAREDNESS INITIATIVES" AS PROJECT NO. B-72813 UNDER THE HOMELAND DEFENSE NEIGHBORHOOD IMPROVEMENT BOND PROGRAM.

CA.7 05-00331*Department of
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSAL NO. 04-05-013R, THAT THE FIRM MOST QUALIFIED TO PROVIDE A SURVEILLANCE PLATFORM, FOR THE DEPARTMENT OF POLICE IS INNOVATIVE SURVEILLANCE TECHNOLOGY, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH INNOVATIVE SURVEILLANCE TECHNOLOGY, INC., THE TOP-RANKED FIRM, FOR A SIX-MONTH PERIOD, IN AN AMOUNT NOT TO EXCEED \$199,750; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$150,000, FROM CAPITAL IMPROVEMENT PROGRAM HOMELAND DEFENSE PREPAREDNESS INITIATIVE, ACCOUNT CODE NO. 312048.299307.6.840 AND AN AMOUNT NOT TO EXCEED \$49,750, FROM THE LOCAL LAW ENFORCEMENT BLOCK GRANT IX, ACCOUNT CODE NO. 142023.290548.6.840.

CA.8 05-00332*Department of Fire-
Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF HACKNEY EMERGENCY VEHICLES, RECEIVED ON FEBRUARY 14, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-003, FOR THE PROCUREMENT OF ONE (1) TRT TRACTOR/TRAILER RESPONSE VEHICLE, WITH WARRANTY, FOR THE DEPARTMENT OF FIRE-RESCUE, AT AN AMOUNT NOT TO EXCEED \$315,202; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM II, PROJECT NO. 110111, ACCOUNT NO. 280910.5.840.

CA.9 05-00338*Department of
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO ONE CROW INC., PURSUANT TO RESOLUTION NO. 04-0351, ADOPTED MAY 27, 2004, FOR THE PROJECT ENTITLED "OVERTOWN STORM SEWER PUMP STATION UPGRADES (3RD BIDDING), B-5650D," FOR INDUSTRY-WIDE PRICE INCREASES, IN AN AMOUNT NOT TO EXCEED \$60,000, INCREASING THE CONTRACT AMOUNT FROM \$286,000 TO \$346,000; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$60,000, FOR SAID INCREASE, FROM PUBLIC WORKS GENERAL OPERATING BUDGET ACCOUNT CODE NO. 001000.311003.6270; AMENDING RESOLUTION NO. 04-0351, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

CA.10 05-00340*Office of the City
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY DAVID ALLEN, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$399,999.99, 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 DAVID ALLEN VS. CITY OF MIAMI, ET AL., CASE NO. 03-21063-CIV-ALTONAGA, 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. 515001.624401.6.652.

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1**VICE CHAIRMAN ANGEL GONZÁLEZ****D1.1 05-00386****DISCUSSION ITEM**

DISCUSSION CONCERNING A RESOLUTION ALLOCATING \$7,249 FROM COMMISSIONER GONZALEZ EXISTING ROLLOVER ACCOUNT OR ANY OTHER AVAILABLE OFFICE FUNDS TO COVER ALL COST OF HALL RENTAL, PARKING, EVENT PERSONNEL AND CLEANING PERSONNEL FOR THE FUNDRAISING EVENT ARROS CON MANGO TO BE HELD BY LA LIGA CONTRA EL CANCER AT THE COCONUT GROVE EXPO CENTER ON MAY 21ST.

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

- D2.1** **05-00343** **DISCUSSION ITEM**
DISCUSSION CONCERNING:
- 1. MURAL ORDINANCE
 - a. STATUS OF MURAL ORDINANCE
 - b. STATUS OF THE 1000 VIOLATIONS
- D2.2** **05-00354** **DISCUSSION ITEM**
DISCUSSION CONCERNING THE URBAN DEVELOPMENT BOUNDARY.

DISTRICT 3

CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN

PUBLIC HEARINGS**10:30 A.M.**

- PH.1 05-00334 RESOLUTION**
*Department of
Community
Development* A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0795, ADOPTED DECEMBER 9, 2004, BY REFLECTING THE CORRECT PUBLIC PARKING FACILITY ADDRESS AS 2090 NORTHWEST 21 ST TERRACE, MIAMI, FLORIDA.
- PH.2 05-00337 RESOLUTION**
*Department of
Community
Development* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF DISTRICT 5 HOME INVESTMENT PARTNERSHIPS PROGRAM ("HOME") FUNDS IN THE AMOUNT OF \$125,000 AND THE TRANSFER OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM INCOME IN THE AMOUNT OF \$125,000; ALLOCATING SAID HOME FUNDS TO THE FIRST TIME HOMEBUYER PROGRAM AND SAID CDBG PROGRAM INCOME FUNDS TO THE DEPARTMENT OF CAPITAL IMPROVEMENT PROJECTS TO CONTRACT AN ENGINEERING FIRM FOR AN OVERALL ASSESSMENT AND SCOPE OF SERVICES OUTLINED FOR TOWN PARK VILLAGE.
- PH.3 05-00342 RESOLUTION**
*Department of
Community
Development* A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0797, ADOPTED DECEMBER 9, 2004, BY CHANGING CERTAIN TERMS OF THE LOAN AGREEMENT, AS STATED HEREIN, BETWEEN THE CITY OF MIAMI AND PENINSULA EDISON PLAZA LLC, FOR THE REDEVELOPMENT OF EDISON MARKETPLACE LOCATED AT 645 NORTHWEST 62ND STREET, MIAMI, FLORIDA.
- PH.4 05-00349 RESOLUTION**
*Department of
Community
Development* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO CONVEY, WITH PARCEL REVERTER PROVISIONS, FIVE (5) CITY OF MIAMI-OWNED PARCELS OF LAND, DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO PALMETTO HOMES OF MIAMI, INC., FOR THE DEVELOPMENT OF AFFORDABLE HOUSING FOR ELIGIBLE LOW AND MODERATE INCOME PERSONS; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, FOR SAID PURPOSE.

PH.5 05-00350

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF 30TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS, IN THE TOTAL AMOUNT OF \$74,500; ALLOCATING SAID FUNDS, TO LIONS HOME FOR THE BLIND, INC., IN THE AMOUNT OF \$25,000, TO PROVIDE SERVICES FOR VISUALLY IMPAIRED PERSONS AND TO SOUTH FLORIDA WORKFORCE BOARD, INC., IN THE AMOUNT OF \$49,500, FOR THE MIAMI WORKS INITIATIVE PROJECT WHICH WILL PROVIDE EMPLOYMENT SERVICES TO CITY OF MIAMI RESIDENTS THROUGH JUNE 30, 2005; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT AND/ OR AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORMS, WITH SAID AGENCIES, FOR SAID PURPOSES.

ORDINANCE - 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	05-00371	<u>ORDINANCE</u>	EMERGENCY ORDINANCE
	<i>Office of Strategic Planning, Budgeting, and Performance</i>	(4/5THS VOTE) AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 12596, THE ANNUAL APPROPRIATIONS ORDINANCE TO INCREASE CERTAIN OPERATIONAL AND BUDGETARY APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2005, CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE.	

Item EM.1 is a companion item to Item EM.2

EM.2	05-00356	<u>RESOLUTION</u>	
	<i>Department of Planning</i>	A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE TRANSFER OF THE DOWNTOWN MIAMI DEVELOPMENT OF REGIONAL IMPACT ("DRI) MASTER PLAN RECOVERY FEES, IN A TOTAL AMOUNT NOT TO EXCEED \$1.6 MILLION, OF WHICH APPROXIMATELY \$908,000, HAVE ALREADY BEEN COLLECTED; ALLOCATING SAID FUNDS, TO THE MIAMI DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") TO PAY FOR COSTS RELATED TO UPDATING THE DOWNTOWN MIAMI MASTER PLAN, AS APPROVED BY THE CITY MANAGER, FROM ACCOUNT NO. 127001.	

Item EM.2 is a companion item to Item EM.1

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.

FR.1	05-00339	<u>ORDINANCE</u>	FIRST READING
	<i>Department of Code Enforcement</i>	AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 31/ARTICLE II, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS/OCCUPATIONAL LICENSES," BY AMENDING SECTION 31-35(B)(4), ADDING A NEW SUBSECTION TO SECTION 31-35 AND AMENDING SECTION 31-49(A); CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.	

PART B

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

PZ.1 05-00237 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 **DISTRICT LOFTS** PROJECT, TO BE LOCATED AT APPROXIMATELY 2751 BISCAYNE BOULEVARD AND 328-338 NORTHEAST 28 STREET, MIAMI, FLORIDA, TO CONSTRUCT A 153-FOOT, 12-STORY HIGH MIXED-USE STRUCTURE CONSISTING OF APPROXIMATELY 84 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 2,939 SQUARE FEET OF RETAIL SPACE; APPROXIMATELY 8,838 SQUARE FEET OF OFFICE SPACE; AND APPROXIMATELY 146 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 District Lofts Project

LOCATION: Approximately 2751 Biscayne Boulevard and 328-338 NE 28th Street

APPLICANT(S): Terranova Biscayne Investments, LLC and East Boulevard Apartments, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on March 2, 2005 by a vote of 6-0.

ZONING BOARD: Recommended approval with conditions* of a variance to City Commission on February 14, 2005 by a vote of 8-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **District Lofts** Project.

PZ.2 05-00238 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **CHANTICLEER BAYVIEW CONDOMINIUMS** PROJECT, TO BE LOCATED AT APPROXIMATELY 530, 606, 622, 626 AND 634 WEST FLAGLER STREET; 625, 637 AND 643 SOUTHWEST 1ST STREET; AND 20, 28, 35, 36 AND 44 SOUTHWEST 6TH AVENUE, MIAMI, FLORIDA, TO CONSTRUCT A 196-FOOT, 21-STORY HIGH MIXED-USE STRUCTURE CONSISTING OF APPROXIMATELY 245 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 10,700 SQUARE FEET OF RETAIL SPACE; APPROXIMATELY 19,810 SQUARE FEET OF OFFICE SPACE; AND APPROXIMATELY 603 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 Chanticleer Bayview Condominiums Project

LOCATION: Approximately 530, 606, 622, 626 and 634 W Flagler Street; 625, 637 and 643 SW 1st Street; and 20, 28, 35, 36 and 44 SW 6th Avenue

APPLICANT(S): Sylvia Urlich Fox, Under the Sylvia Urlich Fox Land Trust Agreement Dated July 26, 1999; Flagler Medical Management, Inc., A Florida Corp; Sylvia Urlich Fox Under the Sylvia Urlich Fox Land Trust Agreement Dated July 28, 2000

APPLICANT(S) AGENT: Ben Fernandez, 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 February 1, 2005 by a vote of 5-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on March 2, 2005 by a vote of 6-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Chanticleer Bayview Condominiums** Project.

PZ.3 05-00294 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 13 AND 17 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **SOUTH MIAMI AVENUE CONDO** PROJECT, TO BE LOCATED AT APPROXIMATELY 20, 30 AND 34 SOUTHWEST 13TH STREET; 15 AND 25 SOUTHWEST 14TH STREET; 1300, 1326 AND 1340 SOUTH MIAMI AVENUE, MIAMI, FLORIDA, TO CONSTRUCT A 736-FOOT, 65-STORY HIGH MIXED-USE STRUCTURE CONSISTING OF APPROXIMATELY 589 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 21,450 SQUARE FEET OF OFFICE SPACE; APPROXIMATELY 11,568 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 730 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 South Miami Avenue Condo Project

LOCATION: Approximately 20, 30 and 34 SW 13th Street; 15 and 25 SW 14th Street; 1300, 1326 and 1340 S Miami Avenue

APPLICANT(S): Infinity at Brickell II, LLC, Infinity at Brickell, LLC and Thirteen Hundred, LLC

APPLICANT(S) AGENT: Adrienne F. Pardo, 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 February 1, 2005 by a vote of 5-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on March 16, 2005 by a vote of 7-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **South Miami Avenue Condo** Project.

PZ.4 04-00726a RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING AND ADOPTING THE AMENDED 2004 SOUTHEAST OVERTOWN/PARK WEST REDEVELOPMENT PLAN ("AMENDED PLAN"), ATTACHED AND INCORPORATED; AND DIRECTING THE CITY MANAGER TO TRANSMIT THE AMENDED PLAN TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY FOR LEGISLATIVE ACTION.

REQUEST: To Approve and Adopt the Amended 2004 Southeast Overtown/Park West Redevelopment Plan for the Southeast Overtown/Park West Community Redevelopment Area.

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval in concept to City Commission on June 16, 2004 by a vote of 7-0. Also recommended approval as modified to City Commission on October 20, 2004 by a vote of 5-0.

PURPOSE: This will approve and adopt the Amended 2004 Southeast Overtown/Park West Redevelopment Plan for the Southeast Overtown/Park West Redevelopment Area.

NOTE: The City Commission continued this item on September 27, 2004 and on October 28, 2004, accepted the Planning Advisory Board's recommendation that it find the plan to be in conformity with the comprehensive plan for the development of the city as a whole.

PZ.5

05-00077

ORDINANCE**SECOND 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.

DATE: MARCH 24, 2005

MOVER: COMMISSIONER WINTON

SECONDER: COMMISSIONER REGALADO

VOTE: AYES: 3 - COMMISSIONER GONZÁLEZ, WINTON AND REGALADO

ABSENT: 2 - COMMISSIONER SANCHEZ AND ALLEN

ACTION: PASSED ON FIRST READING

PZ.6 **05-00144**
Planning & Zoning
Department

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 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.

DATE: **MARCH 24, 2005**
MOVER: **COMMISSIONER WINTON**
SECONDER: **VICE CHAIRMAN GONZÁLEZ**
VOTE: **AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,**
 SANCHEZ AND REGALADO
 ABSENT: 1 - COMMISSIONER ALLEN
ACTION: **PASSED ON FIRST READING**

PZ.8 05-00234 ORDINANCE FIRST READING

*Planning & Zoning
Department*

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 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, TO MODIFY THE (O) "OFFICE" ZONING CLASSIFICATION TO INCLUDE FIRE STATIONS AS CONDITIONAL PRINCIPAL USES, SUBJECT TO A SPECIAL EXCEPTION PERMIT; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 2, 2005 by a vote of 6-0.

PURPOSE: This will modify the (O) "Office" zoning classification to include fire stations as conditional principal uses, subject to a special exception permit.

PZ.9 05-00235 ORDINANCE FIRST READING

*Planning & Zoning
Department*

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 6, SECTION 620, SD-20 EDGEWATER OVERLAY DISTRICT; SD-20.1 BISCAYNE BOULEVARD EDGEWATER OVERLAY DISTRICT, TO ALLOW MODIFICATIONS AND EXCEPTIONS TO SETBACK LIMITATIONS CONDITIONALLY; 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 March 2, 2005 by a vote of 6-0.

PURPOSE: This will allow modifications and exceptions to setback limitations conditionally in Edgewater.

PZ.10 **04-01242***Office of the City
Attorney***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 6, MORE PARTICULARLY BY AMENDING SECTION 617.2.2.2 (1) (b) TO CHANGE THE AMOUNT CHARGED FOR PARKING FEES IN THE SD-17 OVERLAY DISTRICT, WHERE BONUS PARKING IS PERMITTED, FROM PREVAILING RATES FOR PUBLIC METERED PARKING IN THE VICINITY, AS ESTABLISHED BY THE MIAMI DEPARTMENT OF OFF-STREET PARKING TO A SET AMOUNT; CONTAINING A REPEALER PROVISION; A SEVERABILITY CLAUSE, AND 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 March 2, 2005 by a vote of 6-0.

PURPOSE: This will change the amount charged for parking fees in the SD-17 South Bayshore Drive Overlay District.

DATE: **NOVEMBER 18, 2004**

ACTION: **REMANDED TO PLANNING ADVISORY BOARD**

PZ.11 **04-01179a**
Planning & Zoning
Department

ORDINANCE

FIRST READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION RELATING TO HOME OCCUPATIONS BY AMENDING ARTICLE 9, SECTION 906 OF THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, IN ORDER TO MODIFY THE REQUIREMENTS CONCERNING HOME OCCUPATIONS, TO ADD CERTAIN SPECIAL DISTRICTS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, Chief Administrator

FINDINGS:

PLANNING AND ZONING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 16, 2005 by a vote of 7-0.

PURPOSE: This will allow home occupations in certain special districts.

PZ.12 05-00295 ORDINANCE FIRST READING

*Planning & Zoning
Department*

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 6 TO AMEND SECTION 627, FEC CORRIDOR DISTRICT, TO RENAME OF THE SPECIAL DISTRICT FROM FEC CORRIDOR DISTRICT TO MIDTOWN MIAMI SPECIAL DISTRICT AND CERTAIN DEFINITIONS; CONTAINING A REPEALER PROVISION AND A 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 March 16, 2005 by a vote of 7-0.

PURPOSE: This will amend the name of the FEC Corridor District to Midtown Miami Special District and certain definitions.

PZ.13 **05-00296**
Planning & Zoning
Department

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 6 SPECIAL DISTRICTS, IN ORDER TO AMEND SECTION 627.1 TO RENAME THE SPECIAL DISTRICT FROM BUENA VISTA YARD EAST SPECIAL DISTRICT TO MIDTOWN MIAMI EAST SPECIAL DISTRICT, AND BY AMENDING CERTAIN PROVISIONS RELATED TO SETBACKS, HEIGHT, PARKING, LOADING, BUILD-TO LINES AND STREETSCAPES; CONTAINING A REPEALER PROVISION AND A 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 March 16, 2005 by a vote of 7-0.

PURPOSE: This will rename the Buena Vista Yard East Special District to Midtown Miami East Special District and amend certain provisions.

PZ.14 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*.

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

DATE: MARCH 24, 2005
ACTION: CONTINUED

PZ.15 04-01268a 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 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 IDs 04-01268 and 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

DATE: MARCH 24, 2005

MOVER: COMMISSIONER WINTON

SECONDER: COMMISSIONER REGALADO

VOTE: AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ AND REGALADO

ABSENT: 1 - COMMISSIONER ALLEN
ACTION: PASSED ON FIRST READING

PZ.16

04-01268b

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 "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 IDs 04-01268 and 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

DATE: MARCH 24, 2005
MOVER: COMMISSIONER WINTON
SECONDER: COMMISSIONER REGALADO
VOTE: AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ AND REGALADO
ABSENT: 1 - COMMISSIONER ALLEN
ACTION: PASSED ON FIRST READING

PZ.17 04-01268 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT APPLICATION, PER ARTICLES 5, 9, 13, 17 AND 22 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **PARAMOUNT AT EDGEWATER SQUARE** PROJECT, LOCATED AT APPROXIMATELY 317, 341, 345, AND 363 NORTHEAST 20TH TERRACE; 340 AND 348 NORTHEAST 21ST STREET; AND 2040, 2066 AND 2072 NORTH BAYSHORE DRIVE, MIAMI, FLORIDA, TO CONSTRUCT A 496-FOOT, 46-STORY MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 355 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 29,766 SQUARE FEET OF RETAIL SPACE, AND APPROXIMATELY 452 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 Paramount at Edgewater Square Project

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

APPLICANT(S): Royal Palm Miami Holdings, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on January 19, 2005 by a vote of 7-0. See companion File IDs 04-1268a and 04-01268b.

*See supporting documentation.

PURPOSE: This will allow the development of the **Paramount at Edgewater Square** Project.

PZ.18 05-00142 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 9, 13 AND 17 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **BISCAYNE PARK** PROJECT, TO BE LOCATED AT APPROXIMATELY 2450 BISCAYNE BOULEVARD; 243, 251, 261 AND 265 NORTHEAST 24TH STREET; 218, 226, 234, 242, 250 AND 258 NE 25TH STREET, MIAMI, FLORIDA, TO CONSTRUCT A 277-FOOT, 26-STORY HIGH MIXED-USE STRUCTURE CONSISTING OF APPROXIMATELY 214 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 6,843 SQUARE FEET OF RETAIL SPACE; APPROXIMATELY 12,502 SQUARE FEET OF OFFICE SPACE; AND APPROXIMATELY 331 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 Biscayne Park Project

LOCATION: Approximately 2450 Biscayne Boulevard; 243, 251, 261, and 265 NE 24th Street; and 218, 226, 234, 242, 250 and 258 NE 25th Street

APPLICANT(S): 25 Plaza Corp.

APPLICANT(S) AGENT: A. Vicky Garcia-Toledo, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

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 **Biscayne Park** Project.

PZ.19 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

DATE: MARCH 24, 2005

ACTION: CONTINUED

PZ.20 **04-00984b**
Planning & Zoning
Department

ORDINANCE

SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 62, ZONING AND PLANNING, OF THE CITY OF MIAMI CODE BY ADDING A NEW ARTICLE XI ENTITLED, "ARTS AND ENTERTAINMENT MURAL REGULATIONS"; CREATING DEFINITIONS; PROVIDING FOR LICENSE AND PERMIT REQUIREMENTS; PROVIDING FOR AN APPLICATION AND APPROVAL PROCESS; PROVIDING FOR VIOLATIONS AND ENFORCEMENT PROCESS; CONTAINING A REPEALER PROVISION AND A 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 add a new Article XI to the Miami City Code entitled, "Arts and Entertainment Mural Regulations."

NOTE: Language in 04-00984b incorporates language passed on First Reading on September 23, 2004 and October 28, 2004 from 04-00984 and language proposed on October 28, 2004 from 04-00984a.

DATE: NOVEMBER 18, 2004

ACTION: CONTINUED

DATE: DECEMBER 9, 2004

ACTION: CONTINUED

DATE: JANUARY 27, 2005

ACTION: CONTINUED

PZ.21 **05-00221**
Planning & Zoning
Department

ORDINANCE

SECOND 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.

DATE: **MARCH 24, 2005**
MOVER: **COMMISSIONER WINTON**
SECONDER: **COMMISSIONER ALLEN**
VOTE: **AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,**
 SANCHEZ AND ALLEN
 NOES: 1 - COMMISSIONER REGALADO
ACTION: **PASSED ON FIRST READING WITH MODIFICATIONS**

PZ.22

04-01438

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 244 AND 252 SOUTHWEST 6TH STREET, MIAMI, FLORIDA, FROM "INDUSTRIAL" 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 "Industrial" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 244 and 252 SW 6th Street

APPLICANT(S): Neo Holdings, Inc.; Legacy Asset Holders, Inc.; Tavmar Investments, LC; Mahlberg Investment Holdings, Inc. and Ibiza Properties, Owners

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 1, 2004 by a vote of 5-2. See companion File ID 04-01438a.

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

DATE: FEBRUARY 24, 2005

ACTION: CONTINUED

PZ.23

04-01438a

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 36 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 AND "C-1" RESTRICTED COMMERCIAL TO "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 244 AND 252 SOUTHWEST 6TH STREET; 219, 233, 243, 253 AND 257-259 SOUTHWEST 7TH 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 and C-1 Restricted Commercial to SD-7 Central Brickell Rapid Transit Commercial-Residential District to Change the Zoning Atlas

LOCATION: Approximately 244 and 252 SW 6th Street; 219, 233, 243, 253 and 257-259 SW 7th Street

APPLICANT(S): Neo Holdings, Inc.; Legacy Asset Holders, Inc.; Tavmar Investments, LC; Mahlberg Investment Holdings, Inc. and Ibiza Properties, Owners

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on January 10, 2005 by a vote of 7-2. See companion File ID 04-01438.

PURPOSE: This will change the above properties to SD-7 Central Brickell Rapid Transit Commercial-Residential District.

DATE: FEBRUARY 24, 2005

ACTION: CONTINUED

PZ.24

05-00078

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, 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 632 AND 634 NORTHEAST 68TH STREET, MIAMI, FLORIDA, FROM "SINGLE FAMILY 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 "Single Family Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 632 and 634 NE 68th Street

APPLICANT(S): Balans Biscayne Properties, LC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on January 19, 2005 by a vote of 7-0. See companion File ID 05-00078a.

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

PZ.25

05-00078a

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 14, 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-1" SINGLE-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-9" BISCAYNE BOULEVARD NORTH OVERLAY DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 632 AND 634 NORTHEAST 68TH 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 R-1 Single-Family Residential to C-1 Restricted Commercial with an SD-9 Biscayne Boulevard North Overlay District to Change the Zoning Atlas

LOCATION: Approximately 632 and 634 NE 68th Street

APPLICANT(S): Balans Biscayne Properties, LC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on March 14, 2005 by a vote of 7-0. See companion File ID 05-00078.

PURPOSE: This will change the above properties to C-1 Restricted Commercial with an SD-9 Biscayne Boulevard North Overlay District.

PZ.26

05-00079

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 PROPERTY LOCATED AT APPROXIMATELY 2200 SOUTHWEST 21ST TERRACE, MIAMI, FLORIDA, FROM "SINGLE FAMILY 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 "Single Family Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 2200 SW 21st Terrace

APPLICANT(S): Carlos R. Caso, Owner

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on January 19, 2005 by a vote of 7-0. See companion File ID 05-00079a.

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

PZ.27**05-00079a****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 39, 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-1" SINGLE-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2200 SOUTHWEST 21ST 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-1 Single-Family Residential to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District to Change the Zoning Atlas

LOCATION: Approximately 2200 SW 21st Terrace

APPLICANT(S): Carlos R. Caso, Owner

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on February 28, 2005 by a vote of 4-4. See companion File ID 05-00079.

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