

City of Miami

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



Meeting Agenda

Thursday, February 23, 2006

9:00 AM

PLANNING AND ZONING

City Hall Commission Chambers

City Commission

Manuel A. Diaz, Mayor
Angel González, Chairman
Johnny L. Winton, Vice Chairman
Joe Sanchez, Commissioner District Three
Tomas Regalado, Commissioner District Four
Michelle Spence-Jones, 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, AT MIAMI RIVERSIDE CENTER, OR ON-LINE AT WWW.MIAMIGOV.COM.

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.

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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.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.2 - Transferring HOPWA Funds to Sunshine For All, Inc.

10:30 A.M. - PH.3 - Amending CD's Housing Program Policies for Rental Projects

10:30 A.M. - PH.4 - Transferring CDBG Close Out Funds to Haitian Neighborhood Center Sant La, Inc.

10:30 A.M. - PH.5 - Quit Claim Deed from Off-Street Parking for Conveyance of Parcels to Palmetto Homes

10:30 A.M. - PH.6 - Amending the City's Consolidated Plan-FY 2004-2009- Multi Family Re-Financing Guidelines

RE - RESOLUTIONS**BC - BOARDS AND COMMITTEES****DI - DISCUSSION ITEMS****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 06-00236 CEREMONIAL ITEM**

Name of Honoree	Presenter	Protocol Item
Teresa Cruz	Commissioner Regalado	Certificate of Appreciation
Maria V. Fernandez	Commissioner Regalado	Certificate of Appreciation
Milady Irizarry	Commissioner Regalado	Certificate of Appreciation
Oscar J. Estevez	Commissioner Regalado	Certificate of Appreciation
Patricia C. Duncan	Commissioner Spence-Jones	Salute
Tony Lopez	Commissioner Spence-Jones	Salute

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 January 26, 2006

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 06-00163

*Department of
Fire-Rescue*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND THE UNIVERSITY OF MIAMI SCHOOL OF MEDICINE, CENTER FOR RESEARCH IN MEDICAL EDUCATION ("UMCRME"), A NOT-FOR-PROFIT ORGANIZATION, TO DESIGNATE THE CITY TO ACT AS A SATELLITE TRAINING SITE OF THE UMCRME TO CONDUCT AMERICAN HEART ASSOCIATION COURSES IN BASIC LIFE SUPPORT, IN AN AMOUNT NOT TO EXCEED THE FEES AND COSTS LISTED IN THE AGREEMENT, SECTION II (K), FOR A ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR SUCCESSIVE ONE (1) YEAR TERMS OR UNTIL TERMINATED BY ANY PARTY UPON 30 DAYS WRITTEN NOTICE; ALLOCATING FUNDS FROM THE PUBLIC ACCESS DEFIBRILLATION PROGRAM, PROJECT NO. 110137, ACCOUNT CODE NO. 280111.6.722, SUBJECT TO BUDGETARY APPROVAL.

CA.2 06-00164

*Department of
Police*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, KENNETH C. JENNE, II, SHERIFF OF BROWARD COUNTY, AS A STATE CONSTITUTIONAL OFFICER, THE CITY OF MIAMI, A MUNICIPAL CORPORATION AND RICHARD D. ROTH, SHERIFF OF MONROE COUNTY, AS A STATE CONSTITUTIONAL OFFICER, TO ESTABLISH AND SET PARAMETERS UNDER WHICH ALL PARTIES WILL PROVIDE INTEROPERABILITY COMMUNICATION ACCESS AMONG THESE PUBLIC SAFETY AND GENERAL GOVERNMENT AGENCIES, TO ACCESS THE FEATURE OF THE 800 MHZ TRUNKED RADIO SYSTEM, FOR THE PURPOSE OF PROVIDING MUTUAL ASSISTANCE, PLANNING AND EXECUTING ON-SCENE OPERATIONS, AND IDENTIFYING THE CONDITIONS OF USE OF THE PARTIES TO PARTICIPATE IN THE OPERATIONAL DECISIONS RELATING TO THE USE OF THE COMMON TALK GROUPS, AS STATED HEREIN.

CA.3 06-00165*Department of
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING AN INCREASE IN THE CONTRACT AWARDED TO A+ MINI STORAGE, APPROVED PURSUANT TO RESOLUTION NO. 02-140, ADOPTED FEBRUARY 14, 2002, AMENDED PURSUANT TO RESOLUTION NO. 04-0060, ADOPTED FEBRUARY 12, 2004, FURTHER AMENDED PURSUANT TO RESOLUTION NO. 05-0062, ADOPTED JANUARY 27, 2005, FOR ADDITIONAL STORAGE NEEDS, FOR THE DEPARTMENT OF POLICE, IN AN ANNUAL AMOUNT NOT TO EXCEED \$23,000, INCREASING THE TOTAL ANNUAL CONTRACT AMOUNT FROM \$60,000 TO \$83,000, ANNUALLY; ALLOCATING FUNDS, FOR SAID INCREASE, FROM THE DEPARTMENT OF POLICE GENERAL OPERATING BUDGET ACCOUNT CODE NO. 001000.290201.6.610; AMENDING RESOLUTION NO. 05-0062 TO REFLECT SAID INCREASE.

CA.4 06-00166*Department of
Purchasing***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF UNITED BUSINESS CORPORATION A/K/A UNITED MICROGRAPHICS, THE LOWEST AND RESPONSIVE BIDDER, RECEIVED DECEMBER 19, 2005, PURSUANT TO INVITATION FOR BID NO. 04-05-031, FOR DOCUMENT SIMULTANEOUS CONVERSION TO MICROFILM/MICROFICHE AND ELECTRONIC FORMAT (CD/DVD) CITYWIDE, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS, ON AN AS-NEEDED, WHEN NEEDED, CONTRACT BASIS, FOR AN INITIAL TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL AMOUNT NOT TO EXCEED \$75,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$300,000; ALLOCATING FUNDS FROM THE VARIOUS DEPARTMENTS' GENERAL OPERATING BUDGETS, SUBJECT TO BUDGETARY APPROVAL AT THE TIME OF NEED.

CA.5 06-00167*Department of
Fire-Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF LIQUID 02 TRANSFILLS, INC., THE ONLY RESPONSIVE AND RESPONSIBLE BIDDER, RECEIVED NOVEMBER 21, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-138, FOR THE PURCHASE OF MEDICAL AND INDUSTRIAL GASES, FOR THE DEPARTMENT OF FIRE-RESCUE, FOR AN INITIAL TWO YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, AT AN ESTIMATED ANNUAL AMOUNT NOT TO EXCEED \$30,000, FOR AN ESTIMATED TOTAL CONTRACT AWARD AMOUNT NOT TO EXCEED \$120,000; ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$30,000, FOR FISCAL YEAR 2005-2006, FROM THE FIRE-RESCUE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.280601.6.714, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.6 06-00168

*Department of
Parks and
Recreation*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF GREATER MIAMI CATERERS, INC., THE ONLY RESPONSIVE AND RESPONSIBLE BIDDER, RECEIVED NOVEMBER 7, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-133, FOR THE PROVISION OF UNITED STATES DEPARTMENT OF AGRICULTURE APPROVED SNACKS FOR THE DEPARTMENT OF PARKS AND RECREATION'S "OUT OF SCHOOL TIME PROGRAM, " FOR AN INITIAL ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$114,595, FOR AN ESTIMATED TOTAL CONTRACT AMOUNT NOT TO EXCEED \$343,785; ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$114,595, FOR FISCAL YEAR 2005-2006, FROM THE PARKS AND RECREATION GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 110155.580258.710, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

CA.7 06-00170

*Department of
Purchasing*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE FINDINGS OF THE EVALUATION COMMITTEE, PURSUANT TO REQUEST FOR PROPOSALS NO. 04-05-137, THAT THE TOP-RANKED FIRM TO PROVIDE ON-SITE AUCTION SERVICES IS FISHER AUCTION CO., INC. AND THAT THE TOP-RANKED FIRM TO PROVIDE INTERNET AUCTION SERVICES IS LONE STAR AUCTIONEERS, INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT(S) ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH SAID FIRMS, ON AN AS-NEEDED BASIS, FOR A THREE-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS, SUBJECT TO THE TERMS AND CONDITIONS AS STATED IN SAID AGREEMENT.

CA.8 06-00171

*Department of
Capital
Improvement
Programs/Transportation*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE CONTRACT WITH GANCEDO TECHNOLOGIES, INC., FOR ADDITIONAL NECESSARY WORK, FOR THE PROJECT ENTITLED "CORAL WAY BEAUTIFICATION UPLIGHTING, B-6450A," IN AN AMOUNT NOT TO EXCEED \$82,003.68, INCREASING THE CONTRACT FROM \$673,031 TO \$755,034.68; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. B-6450A AND FROM HURRICANE WILMA ACCOUNT NO. 800007.999301.6.860, FOR SAID PURPOSE.

CA.9 06-00231

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0014, ADOPTED JANUARY 8, 2004, THAT AUTHORIZED THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT ("PSA") BETWEEN THE CITY OF MIAMI AND FLORIDA INTERNATIONAL UNIVERSITY METROPOLITAN CENTER ("FIU"), FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT, BY CLARIFYING THE ORIGINAL TERM OF THE PSA WITH FIU, TO A TWO-YEAR PERIOD, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL FOUR-YEAR PERIOD, IN THE ANNUAL AMOUNT OF \$165,800, WITH ANNUAL INCREASES NOT TO EXCEED 5% ; AUTHORIZING THE ALLOCATION OF FUNDS FROM THE SPECIAL REVENUE FUND ENTITLED "POVERTY INITIATIVE" TO SUPPORT ANNUALLY THE CITYWIDE EARNED INCOME TAX CREDIT CAMPAIGN AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT, TO BE DISBURSED UNDER THE SECOND PHASE OF THE CITY OF MIAMI'S POVERTY INITIATIVE CALLED "ACCESS MIAMI."

CA.10 06-00151

*Department of
Purchasing*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE THE FINDINGS OF THE QUALIFICATION COMMITTEE PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 04-05-132, THAT THE PROPOSER MOST QUALIFIED TO PROVIDE CONSULTING SERVICES FOR THE MAYOR'S MENTORING INITIATIVE IS AIMEE MIR; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH AIMEE MIR FOR A ONE-YEAR PERIOD, WITH THE OPTION TO EXTEND FOR FOUR (4) ADDITIONAL ONE-YEAR PERIODS; FURTHER AUTHORIZING THE ADDITION OF QUALIFIED FIRMS OR INDIVIDUALS TO THE CONTRACT WHEN DEEMED IN THE CITY OF MIAMI'S BEST INTEREST; ALLOCATING FUNDS, IN AN INITIAL ANNUAL AMOUNT NOT TO EXCEED \$90,000, PER INDIVIDUAL AND/OR FIRM, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$450,000, PER INDIVIDUAL AND/OR FIRM, FROM ACCOUNT CODE NO. 110166.200107.6.270, FOR SAID PURPOSE.

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2

VICE CHAIRMAN JOHNNY L. WINTON

D2.1 06-00237 DISCUSSION ITEM
DISCUSSION ON PENDING LITIGATION.

DISTRICT 3

COMMISSIONER JOE SANCHEZ

DISTRICT 4**COMMISSIONER TOMAS REGALADO****D4.1****06-00226****DISCUSSION ITEM**

DISCUSSION ABOUT A PROPOSED STREET CODESIGNATION OF SOUTHWEST 36TH AVENUE FROM SOUTHWEST 8TH STREET TO SOUTHWEST 11 STREET IN HONOR OF SPECIAL AGENT OCTAVIO GONZALEZ, A FORMER CITY OF MIAMI POLICE OFFICER WHO WAS KILLED IN THE LINE OF DUTY ON DECEMBER 13, 1976, WHILE SERVING AS A SPECIAL AGENT WITH THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION.

DISTRICT 5

COMMISSIONER MICHELLE SPENCE-JONES

D5.1

06-00234

DISCUSSION ITEM

DISCUSSION CONCERNING EFFORTS NECESSARY TO PROHIBIT ILLEGAL SIGNAGE POSTED THROUGHOUT THE CITY SEEKING TO PURCHASE REAL ESTATE.

PUBLIC HEARINGS**PH.1 06-00172***Department of
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT OF EASEMENT AND A BILL OF SALE, IN SUBSTANTIALLY THE ATTACHED FORM(S), ON CITY-OWNED PROPERTY LOCATED AT APPROXIMATELY 2640 SOUTH BAYSHORE DRIVE, MIAMI, FLORIDA, TO MIAMI-DADE WATER AND SEWER, OF A TWELVE (12) FOOT- WIDE STRIP UTILITY EASEMENT, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, FOR A PERPETUAL NON-EXCLUSIVE EASEMENT TO FACILITATE THE CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF WATER AND SEWER FACILITIES WITH THE RIGHT TO RECONSTRUCT, IMPROVE, CHANGE AND REMOVE SUCH FACILITIES WITHIN THE EASEMENT, WITH FULL RIGHTS OF INGRESS AND EGRESS.

10:30 A.M.**PH.2 06-00195***Department of
Community
Development***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ("HOPWA") FUNDS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED, IN THE TOTAL AMOUNT OF \$50,000; ALLOCATING SAID FUNDS, TO SUNSHINE FOR ALL, INC., TO PROVIDE HOME DELIVERED MEALS TO HOMEBOUND PERSONS ENROLLED IN THE HOPWA LONG TERM RENTAL ASSISTANCE ("LTRA") PROGRAM, THEREBY INCREASING THE CURRENT NUMBER OF LTRA PARTICIPANTS RECEIVING HOMEBOUND MEALS; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE EXISTING AGREEMENT WITH SUNSHINE FOR ALL, INC., FOR SAID PURPOSE.

PH.3 06-00199*Department of
Community
Development***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE CITY OF MIAMI DEPARTMENT OF COMMUNITY DEVELOPMENT'S HOUSING PROGRAM POLICIES FOR RENTAL PROJECTS, FOR THE 31ST YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AS ATTACHED AND INCORPORATED .

PH.4 06-00200

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT GRANT CLOSE OUT FUNDS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED, IN THE TOTAL AMOUNT OF \$156,538.93; ALLOCATING SAID FUNDS, IN THE AMOUNT OF \$25,000, TO HAITIAN NEIGHBORHOOD CENTER SANT LA, INC., TO PROVIDE FINANCIAL LITERACY EDUCATION, TRAINING AND SERVICES TO CITY OF MIAMI RESIDENTS AND THE AMOUNT OF \$131,538.93, TO ALLAPATTAH WYNWOOD COMMUNITY AND DEVELOPMENT CENTER, INC., TO COVER ADDITIONAL CONSTRUCTION AND IMPROVEMENT COSTS NEEDED FOR THE COMPLETION OF THE CHILD CARE FACILITY LOCATED AT 1500 NORTHWEST 16 AVENUE, MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH SAID AGENCIES FOR SAID PURPOSE.

PH.5 06-00214

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT A QUIT CLAIM DEED FROM THE CITY OF MIAMI DEPARTMENT OF OFF-STREET PARKING TO THE CITY OF MIAMI, FOR THE CONVEYANCE OF THE PARCELS OF LAND LOCATED AT 1630 NORTHWEST 58 TERRACE, MIAMI, FLORIDA AND 1620 NORTHWEST 58 STREET, MIAMI, FLORIDA, AS LEGALLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO CONVEY, WITH PARCEL REVERTER PROVISIONS, SAID PARCELS OF LAND TO PALMETTO HOMES OF MIAMI, INC., FOR THE DEVELOPMENT OF AFFORDABLE HOUSING FOR LOW TO MODERATE INCOME PERSONS; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS, FOR SAID PURPOSES.

PH.6 06-00233

*Department of
Community
Development*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE CITY OF MIAMI'S ("CITY") CONSOLIDATED PLAN ("PLAN"), FOR FISCAL YEARS 2004-2009, PURSUANT TO RESOLUTION NO. 04-0374, APPROVED JUNE 10, 2004, TO INCLUDE MULTI-FAMILY RE-FINANCING GUIDELINES, UNDER THE HOUSING STRATEGY SECTION, AS SPECIFIED IN EXHIBIT "A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO SUBMIT THE CITY'S AMENDED PLAN FOR FISCAL YEARS 2004-2009, TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FOR REVIEW AND APPROVAL; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, FOR SAID PURPOSE.

RESOLUTIONS

- RE.1** **06-00173** **RESOLUTION**
*Bayfront Park
Management Trust* A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING AND CONFIRMING THE BAYFRONT PARK MANAGEMENT TRUST'S ("TRUST'S") EXECUTIVE DIRECTOR'S FINDING OF AN EMERGENCY, WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDS FOR THE REPAIR OF THE BAYFRONT PARK NORTH AND SOUTH END DOCKS, IN AN AMOUNT NOT TO EXCEED \$59, 714.92, PAYABLE TO MARIN & MARIN CONSTRUCTION, INC.; AUTHORIZING THE TRUST'S EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID SERVICES; ALLOCATING FUNDS FROM THE BAYFRONT PARK MANAGEMENT TRUST CAPITAL IMPROVEMENT BUDGET.
- RE.2** **06-00174** **RESOLUTION**
*Bayfront Park
Management Trust* A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING AND CONFIRMING THE BAYFRONT PARK MANAGEMENT TRUST'S EXECUTIVE DIRECTOR'S FINDING OF AN EMERGENCY, WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDS FOR THE REPAIR OF TWO (2) 50 FOOT LIGHT TOWERS LOCATED AT THE BAYFRONT PARK AMPHITHEATER, IN AN AMOUNT NOT TO EXCEED \$65,896, PAYABLE TO GANCEDO TECHNOLOGIES, INC.; ALLOCATING FUNDS FROM THE BAYFRONT PARK MANAGEMENT TRUST CAPITAL IMPROVEMENT BUDGET.
- RE.3** **06-00175** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH SPILLIS CANDELA PARTNERS, INC., D/B/A SPILLIS CANDELLA DMJM, THE HIGHEST-RANKED FIRM, PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 04-05-112, TO PROVIDE PROFESSIONAL DESIGN SERVICES, FOR THE PROJECT ENTITLED "COLLEGE OF POLICING, B-72910," IN THE TOTAL AMOUNT NOT TO EXCEED \$1,400,000; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. B-72910, FOR SAID PURPOSE.

- RE.4** **06-00177** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT A FUNDING COMMITMENT OF \$1,013,380.26, FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") AND TO EXECUTE A JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FDOT, FOR PROJECT NO. B-40666A, PROGRAMMED UNDER FINANCIAL PROJECT NO. 412473-1-52-01, FOR THE IMPLEMENTATION AND ADMINISTRATION OF LIGHTING IMPROVEMENTS TO BRICKELL AVENUE (STATE ROAD 5/U.S.-1), FROM SOUTH OF SOUTHEAST 25 ROAD TO SOUTHEAST 4 STREET, MIAMI, FLORIDA.
- RE.5** **06-00178** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 05-0459, ADOPTED JULY 28, 2005, RELATING TO THE JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE CITY OF MIAMI STREETCAR, CAPITAL IMPROVEMENT PROJECT NO. B-71215, FOR ALTERNATIVES ANALYSIS, ENVIRONMENTAL DOCUMENTATION, PRELIMINARY ENGINEERING AND PROGRAM/PROJECT MANAGEMENT SERVICES ASSOCIATED WITH THE INITIAL IMPLEMENTATION OF THE "CITY OF MIAMI INITIAL STREETCAR CORRIDOR FEASIBILITY STUDY," TO CORRECT THE CONTRIBUTION OF STATE FUNDS FROM AN AMOUNT NOT TO EXCEED \$2,790,000 TO AN AMOUNT NOT TO EXCEED \$3,700,000.
- RE.6** **06-00176** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING CAPITAL PROJECTS APPROPRIATIONS RESOLUTION NO. 05-0689, ADOPTED NOVEMBER 17, 2005, TO REVISE CURRENT APPROPRIATIONS, INCLUDING HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BONDS, AMONG APPROVED PROJECTS, AND APPROPRIATE NEW FUNDING.
- RE.7** **06-00179** **RESOLUTION**
*Department of
Capital
Improvement
Programs/Transportation* A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE AGREEMENT WITH RECREATIONAL DESIGN AND CONSTRUCTION, INC., DATED JUNE 13, 2005, FOR THE PROJECT ENTITLED "GRAPELAND HEIGHTS PARK BALLFIELD COMPLEX, B-60496," FOR NECESSARY ENVIRONMENTAL SITE REMEDIATION WORK, IN AN AMOUNT NOT TO EXCEED \$3,800,000, INCREASING THE AMOUNT OF THE AGREEMENT FROM \$10,779,063 TO \$14,579,063; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NO. B-60496, FOR SAID PURPOSE.

BOARDS AND COMMITTEES

BC.1 06-00196

*Office of the City
Clerk*

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION APPOINTING CERTAIN INDIVIDUALS AS MEMBERS OF THE ZONING BOARD FOR TERMS AS DESIGNATED HEREIN.

APPOINTEES:

NOMINATED BY:

Chairman Angel González

Chairman Angel González

Commissioner Tomas Regalado

Commissioner Michelle Spence-Jones

Commissioner Michelle Spence-Jones

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	06-00111	<u>DISCUSSION ITEM</u>
<i>Department of Finance</i>		DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET OUTLOOK.
	DATE:	FEBRUARY 9, 2006
	ACTION:	DEFERRED

PART B

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

PZ.1 05-01515c ORDINANCE **SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 7951 NORTHEAST BAYSHORE COURT, MIAMI, FLORIDA, FROM "OFFICE" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 7951 NE Bayshore Court

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 21, 2005 by a vote of 8-0. See companion File ID 05-01515 and related File IDs 05-01515a, 05-01515b, 05-01515d, 05-01515e, 05-01515f and 05-01515g.

PURPOSE: This will change the above property to Restricted Commercial for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.2 05-01515 ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 8, 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 "O" OFFICE AND "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, F.A.R. OF .45 TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 7951 NORTHEAST BAYSHORE COURT, 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 O Office and SD-19 Designated F.A.R. Overlay District, F.A.R. of .45 to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 7951 NE Bayshore Court

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on December 12, 2005 by a vote of 8-0. See companion File ID 05-01515c and related File IDs 05-01515a, 05-01515b, 05-01515d, 05-01515e, 05-01515f and 05-01515g.

PURPOSE: This will change the above property to C-1 Restricted Commercial for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.3 05-01515d ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 7921 NORTH BAYSHORE DRIVE AND 7950 NORTHEAST BAYSHORE COURT, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 7921 N Bayshore Drive and 7950 NE Bayshore Court

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 21, 2005 by a vote of 8-0. See companion File ID 05-01515a and related File IDs 05-01515, 05-01515b, 05-01515c, 05-01515e, 05-01515f and 05-01515g.

PURPOSE: This will change the above properties to Restricted Commercial for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.4 05-01515a ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 8, 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-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 7921 NORTH BAYSHORE DRIVE AND 7950 NORTHEAST BAYSHORE COURT, 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-3 Multifamily Medium-Density Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 7921 N Bayshore Drive and 7950 NE Bayshore Court

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on December 12, 2005 by a vote of 8-0. See companion File ID 05-01515d and related File IDs 05-01515, 05-01515b, 05-01515c, 05-01515e, 05-01515f and 05-01515g.

PURPOSE: This will change the above properties to C-1 Restricted Commercial for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.5 05-01515e ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 1165, 1169, 1173, 1177 AND 1199 NORTHEAST 79TH STREET, MIAMI, FLORIDA, FROM "RESTRICTED COMMERCIAL" TO "HIGH DENSITY MULTIFAMILY RESIDENTIAL;" MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 1165, 1169, 1173, 1177 and 1199 NE 79th Street

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 21, 2005 by a vote of 8-0. See companion File ID 05-01515b and related File IDs 05-01515, 05-01515a, 05-01515c, 05-01515d, 05-01515f and 05-01515g.

PURPOSE: This will change the above properties to High Density Multifamily Residential for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006

MOVER: VICE CHAIRMAN WINTON

SECONDER: COMMISSIONER SANCHEZ

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

ACTION: PASSED ON FIRST READING

PZ.6 05-01515b ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 8, 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 "C-1" RESTRICTED COMMERCIAL TO "R-4" MULTIFAMILY HIGH-DENSITY RESIDENTIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1165, 1169, 1173, 1177 AND 1199 NORTHEAST 79TH 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 C-1 Restricted Commercial to R-4 Multifamily High-Density Residential to Change the Zoning Atlas

LOCATION: Approximately 1165, 1169, 1173, 1177 and 1199 NE 79th Street

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on December 12, 2005 by a vote of 7-1. See companion File ID 05-01515e and related File IDs 05-01515, 05-01515a, 05-01515c, 05-01515d, 05-01515f and 05-01515g.

PURPOSE: This will change the above properties to C-1 Restricted Commercial for the proposed Oasis on the Bay Major Use Special Permit.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.7 05-01515g RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF A STREET LOCATED AT NORTHEAST BAYSHORE COURT BETWEEN NORTHEAST 79TH STREET AND NORTHEAST 80TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

REQUEST: Official Vacation and Closure of a Street

LOCATION: Approximately NE Bayshore Court between NE 79th Street and NE 80th Street

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with a condition*.

PUBLIC WORKS DEPARTMENT: Recommended approval with conditions*.

PLAT & STREET COMMITTEE: Recommended approval with a condition* on December 1, 2005 by a vote of 5-1.

ZONING BOARD: Recommended approval to City Commission on January 9, 2006 by a vote of 9-0. See companion File IDs 05-01515, 05-01515a, 05-01515b, 05-01515c, 05-01515d, 05-01515e and 05-01515f.

*See supporting documentation.

PURPOSE: This will allow a unified development site for the proposed Oasis on the Bay Major Use Special Permit project.

PZ.8 05-01515f 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 **OASIS ON THE BAY** PROJECT, TO BE LOCATED AT APPROXIMATELY 7889 AND 7921 NORTH BAYSHORE DRIVE, 7890, 7950 AND 7951 NORTHEAST BAYSHORE COURT, 1165, 1169, 1173, 1177, 1199 AND 1201 NORTHEAST 79TH STREET, MIAMI, FLORIDA, TO CONSTRUCT TWO APPROXIMATE 205-FOOT, 20-STORY HIGH MIXED-USE STRUCTURES TO BE COMPRISED OF APPROXIMATELY 467 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 4,200 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 719 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 Oasis on the Bay Project

LOCATION: Approximately 7889 and 7921 N Bayshore Drive, 7890, 7950 and 7951 NE Bayshore Court, 1165, 1169, 1173, 1177, 1199 and 1201 NE 79th Street

APPLICANT(S): River Bait & Tackle, LLC

APPLICANT(S) AGENT: Javier Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on December 21, 2005 by a vote of 8-0. See companion File IDs 05-01515, 05-01515a, 05-01515b, 05-01515c, 05-01515d, 05-01515e and 05-01515g.

*See supporting documentation.

PURPOSE: This will allow the development of the **Oasis on the Bay** project.

PZ.9

05-00769

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 "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT AND AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, INCREASING THE F.A.R. TO 2.0, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3622 SOUTHWEST 22ND STREET AND 3605-3625 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 C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District and an SD-19 Designated F.A.R. Overlay District, Increasing the F.A.R. to 2.0, to Change the Zoning Atlas

LOCATION: Approximately 3622 SW 22nd Street and 3605-3625 SW 22nd Terrace

APPLICANT(S): M Three Corporation, Owner and Key Real Estate Development Corp., Contract Purchaser

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on July 25, 2005 by a vote of 6-1. See companion File ID 05-00769a.

PURPOSE: This will change the above properties to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District and an SD-19 Designated F.A.R. Overlay District, increasing the F.A.R. to 2.0, for the proposed Mile Major Use Special Permit project.

DATE: SEPTEMBER 22, 2005

ACTION: CONTINUED

DATE: NOVEMBER 17, 2005

ACTION: CONTINUED

DATE: DECEMBER 1, 2005
MOVER: COMMISSIONER REGALADO
SECONDER: COMMISSIONER ALLEN
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND ALLEN
ACTION: PASSED ON FIRST READING WITH MODIFICATIONS

PZ.10 05-00769a 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 MILE** PROJECT, TO BE LOCATED AT APPROXIMATELY 3622 SOUTHWEST 22ND STREET; 3605, 3615 AND 3625 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 164-FOOT, 14-STORY HIGH MIXED USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 119 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 3,079 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 166 TOTAL PARKING SPACES; PROVIDING FOR CERTAIN FLOOR AREA RATIO ("FAR") BONUSSES; 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 Mile Project

LOCATION: Approximately 3622 SW 22nd Street; 3605, 3615 and 3625 SW 22nd Terrace

APPLICANT(S): Key Real Estate Development Corp., Contract Purchaser and M Three Corp., Owner

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 September 7, 2005 by a vote of 7-0. See companion File ID 05-00769.

*See supporting documentation.

PURPOSE: This will allow the development of **The Mile** project.

PZ.11 04-00576b RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A SUBSTANTIAL MODIFICATION TO A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 13, 17 AND 22 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **METROPOLITAN MIAMI - MET 2** PROJECT, TO BE LOCATED AT APPROXIMATELY 200 SOUTHEAST 2ND STREET, 200 AND 300 SOUTHEAST 3RD STREET, MIAMI, FLORIDA, TO ALLOW A CHANGE IN THE PREVIOUSLY APPROVED MUSP (RESOLUTION NO. 05-0351) TO PRIMARILY ALTER THE USES ON TRACT C OF THE METROPOLITAN MIAMI PHASED PROJECT. THE PROPOSED CHANGES TO TRACT C ENTAIL THE ELIMINATION OF THE RESIDENTIAL COMPONENT, A SUBSTANTIAL INCREASE IN THE OFFICE COMPONENT (FROM 9,000 SQUARE FEET TO 700,000 SQUARE FEET), AND RE-INTRODUCTION OF A 400-UNIT HOTEL COMPONENT. THE TWO-TOWER PROPOSAL HEREIN BRINGS THE FLOOR AREA USE TOTALS FOR THE ENTIRE PROJECT TO 1,194 RESIDENTIAL UNITS, 964,010 SQUARE FEET OF NONRESIDENTIAL SPACE, 3,689 PARKING SPACES, AND 400 HOTEL UNITS; 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 Substantial Modification for the Metropolitan Miami - Met 2 Project

LOCATION: Approximately 200 SE 2nd Street, 200 and 300 SE 3rd Street

APPLICANT(S): MDM Residences, LTD, MDM Retail, LTD, P & G Development Tract C Development, LTD and P&G Development, LTD

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 June 15, 2004 by a vote of 6-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on January 4, 2006 by a vote of 5-0.

*See supporting documentation.

PURPOSE: This will allow a substantial modification for the **Metropolitan Miami - Met 2** project.

PZ.12 06-00086 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 **LIMA** PROJECT, TO BE LOCATED AT APPROXIMATELY 2919 AND 2937 BISCAYNE BOULEVARD AND 330 NORTHEAST 30TH STREET, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 473-FOOT, 41-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 207 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 7,544 SQUARE FEET OF RETAIL SPACE; IN ADDITION TO EXISTING 30,430 SQUARE FEET (OFFICE) AND 10,150 SQUARE FEET (RETAIL) USES; AND APPROXIMATELY 363 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 Lima Project

LOCATION: Approximately 2919 and 2937 Biscayne Boulevard and 330 NE 30th Street

APPLICANT(S): 2937 Ferrari, LLC and 2915 Biscayne, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

PLANNING ADVISORY BOARD: Recommended approval with conditions* (excluding condition 11a and modification of 11g in the Development Order) to City Commission on January 4, 2006 by a vote of 5-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Lima** project.

PZ.13 06-00122 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE AN ALLEY LOCATED WEST OF NORTHWEST 47TH AVENUE, SOUTH OF NORTHWEST 7TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

REQUEST: Official Vacation and Closure of an Alley

LOCATION: Approximately West of NW 47th Avenue, South of NW 7th Street

APPLICANT(S): Sorimar Inc.

APPLICANT(S) AGENT: Dean S. Warhaft, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PUBLIC WORKS DEPARTMENT: Recommended approval with conditions*.

PLAT & STREET COMMITTEE: Recommended approval on March 3, 2005 by a vote of 7-0.

ZONING BOARD: Recommended approval to City Commission on January 9, 2006 by a vote of 9-0.

*See supporting documentation.

PURPOSE: This will allow a unified development site.

PZ.14 05-01506 ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 2370 NORTHWEST 17TH AVENUE, MIAMI, FLORIDA, FROM "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION AND UTILITIES" TO "GENERAL COMMERCIAL;" MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 10544, from "Major Institutional, Public Facilities, Transportation and Utilities" to "General Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 2370 NW 17th Avenue

APPLICANT(S): YMCA Village Allapattah Phase I, LLC, Lessee and YMCA Greater Miami, Not For Profit Organization

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on November 16, 2005 by a vote of 6-0. See companion File ID 05-01506a.

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

DATE: JANUARY 26, 2006
MOVER: COMMISSIONER SPENCE-JONES
SECONDER: VICE CHAIRMAN WINTON
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,
SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.15 05-01506a ORDINANCE **SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 19, 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 "G/I" GOVERNMENT AND INSTITUTIONAL TO "C-2" LIBERAL COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2370 NORTHWEST 17TH AVENUE, 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 G/I Government and Institutional to C-2 Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately 2370 NW 17th Avenue

APPLICANT(S): YMCA Village Allapattah Phase I, LLC, Lessee and YMCA Greater Miami, Not For Profit Organization

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on December 12, 2005 by a vote of 8-0. See companion File ID 05-01506.

PURPOSE: This will change the above property to C-2 Liberal Commercial.

DATE: JANUARY 26, 2006

MOVER: VICE CHAIRMAN WINTON

SECONDER: COMMISSIONER SANCHEZ

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

ACTION: PASSED ON FIRST READING

PZ.16

05-00520b

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 6, SPECIAL DISTRICTS, IN ORDER TO AMEND SECTION 610, SD-10 "MEDICAL HEALTH CARE, HOSPITAL AND RESEARCH PARK OVERLAY DISTRICT", IN ORDER TO MODIFY THE UNDERLYING DISTRICTS TO INCLUDE THE C-2 LIBERAL COMMERCIAL DISTRICT AS A QUALIFYING UNDERLYING DISTRICT; 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 December 21, 2005 by a vote of 8-0.

PURPOSE: This will modify Section 610 to include the C-2 Liberal Commercial District as a qualifying underlying district.

DATE: JANUARY 26, 2006

MOVER: VICE CHAIRMAN WINTON

SECONDER: COMMISSIONER SPENCE-JONES

VOTE: AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON, REGALADO AND SPENCE-JONES

ABSENT: 1 - COMMISSIONER SANCHEZ

ACTION: PASSED ON FIRST READING

PZ.17 05-01090 ORDINANCE **SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING THE FUTURE LAND USE ELEMENT OF ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, BY AMENDING CERTAIN POLICIES OF THE FUTURE LAND USE ELEMENT, HOUSING ELEMENT, PARKS, RECREATION, AND OPEN SPACE ELEMENT, COASTAL MANAGEMENT ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT TO INCORPORATE LANGUAGE NECESSARY FOR THE IMPLEMENTATION OF THE MIAMI21 PROJECT; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; PROVIDING FOR TRANSMITTAL TO STATE AGENCIES AS REQUIRED BY LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 10544 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on September 21, 2005 by a vote of 8-0.

PURPOSE: This will incorporate language necessary for the implementation of the Miami21 project.

DATE: OCTOBER 27, 2005

ACTION: CONTINUED

DATE: NOVEMBER 3, 2005

MOVER: COMMISSIONER ALLEN

SECONDER: COMMISSIONER WINTON

**VOTE: AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,
REGALADO AND ALLEN**

**ABSENT: 1 - COMMISSIONER SANCHEZ
ACTION: PASSED ON FIRST READING**

DATE: JANUARY 26, 2006

ACTION: CONTINUED

PZ.18**05-01508****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 12, SECTION 1201, DUTIES OF CITY COMMISSION, IN ORDER TO CLARIFY THAT CITY COMMISSION REVIEW OF ZONING BOARD DECISIONS IS BY HEARING DE NOVO; FURTHER AMENDING ARTICLE 20, STATUS OF DECISIONS OF ZONING BOARD; REVIEW BY CITY COMMISSION; COMMISSION POWERS, ETC., TO PROVIDE GUIDELINES FOR A HEARING DE NOVO BEFORE THE CITY COMMISSION; 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: Recommend approval to City Commission on December 7, 2005 by a vote of 7-0.

PURPOSE: This clarifies and codifies the long-standing practice of the City Commission in conducting their review of Zoning Board decisions by hearing de novo at the City Commission level.

DATE: JANUARY 26, 2006
MOVER: VICE CHAIRMAN WINTON
SECONDER: COMMISSIONER SANCHEZ
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.19**05-01524a****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 3760 BIRD ROAD, MIAMI, FLORIDA, FROM "GENERAL COMMERCIAL" 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 "General Commercial" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3760 Bird Road

APPLICANT(S): Bird Ventures LLC, Owner and H&H Development, Co, Contract Purchaser

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 18, 2006 by a vote of 6-1. See companion File ID 05-01524.

PURPOSE: This will change the above property to Restricted Commercial for the proposed Bird Road Major Use Special Permit project.

PZ.20

05-01524

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 47, 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 "C-2" LIBERAL COMMERCIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3760 BIRD ROAD, 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 C-2 Liberal Commercial to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 3760 Bird Road

APPLICANT(S): Bird Ventures LLC, Owner and H&H Development, Co, Contract Purchaser

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended of approval to City Commission on December 12, 2005 by a vote of 7-0. See companion File ID 05-01524a.

PURPOSE: This will change the above property to C-1 Restricted Commercial for the proposed Bird Road Major Use Special Permit project.

PZ.21

05-01555

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), 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 221 NORTHWEST 38TH STREET, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "GENERAL COMMERCIAL;" MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 221 NW 38th Street

APPLICANT(S): Alejandro C. Trasobares, Gregory M. Wood and Carlos Nuñez, Owners

APPLICANT(S) AGENT: Alejandro C. Trasobares, Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 21, 2005 by a vote of 7-0. See companion File ID 05-01555a.

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

PZ.22

05-01555a

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 16, 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-2" LIBERAL COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 221 NORTHWEST 38TH 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-2 Two-Family Residential to C-2 Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately 221 NW 38th Street

APPLICANT(S): Alejandro C. Trasobares, Gregory M. Wood and Carlos Nuñez, Owners

APPLICANT(S) AGENT: Alejandro C. Trasobares, Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on January 23, 2006 by a vote of 7-1. See companion File ID 05-01555.

PURPOSE: This will change the above property to C-2 Liberal Commercial.

PZ.23

06-00099

ORDINANCE**FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 35, 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 "C-1" RESTRICTED COMMERCIAL TO "SD-14" LATIN QUARTER COMMERCIAL-RESIDENTIAL DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 203, 219, 229 AND 237 NORTHWEST 12TH AVENUE AND 1161 AND 1169 NORTHWEST 2ND 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 C-1 Restricted Commercial to SD-14 Latin Quarter Commercial-Residential District to Change the Zoning Atlas

LOCATION: Approximately 203, 219, 229 and 237 NW 12th Avenue and 1161 and 1169 NW 2nd Street

APPLICANT(S): Beta Credit Management, LLC and Nivardo D. Marquez, Owners

APPLICANT(S) AGENT: Javier F. Aviño, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended of approval to City Commission on January 9, 2006 by a vote of 9-0.

PURPOSE: This will change the above properties to SD-14 Latin Quarter Commercial-Residential District.

PZ.24**06-00143a****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 35, 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 "C-1" RESTRICTED COMMERCIAL TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, INCREASING THE F.A.R. TO 2.0, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 45 SOUTHWEST 8TH AVENUE, 715, 717, 727 AND 735 SOUTHWEST 1ST STREET, AND 702 AND 720 WEST FLAGLER 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 C-1 Restricted Commercial to C-1 Restricted Commercial with an SD-19 Designated F.A.R. Overlay District, Increasing the F.A.R. to 2.0, to Change the Zoning Atlas

LOCATION: Approximately 45 SW 8th Avenue, 715, 717, 727 and 735 SW 1st Street, and 702 and 720 W Flagler Street

APPLICANT(S): Little Havana Associates, LLC, Contract Purchaser and Amefra Corporation and New Rabar Corporation, Owner

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on January 23, 2006 by a vote of 5-3.

PURPOSE: This will change the above properties to C-1 Restricted Commercial with an SD-19 Designated F.A.R. Overlay District, increasing the F.A.R. to 2.0 for the proposed Intown Village Major Use Special Permit project.

PZ.25 05-01484 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL, AFFIRMING OR REVERSING THE DECISION OF THE ZONING BOARD, THEREBY DENYING OR GRANTING A VARIANCE FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, TO ALLOW SIDE YARD SETBACKS OF 5'0" (10'0" REQUIRED), FOR THE PROPERTY LOCATED AT APPROXIMATELY 238 NORTHWEST 63RD STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Variance

LOCATION: Approximately 238 NW 63rd Street

APPLICANT(S)/APPELLANT(S): Pathfinder Construction, LLC

AGENT(S): Octavio Vidal, Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval of the Variance and approval of the appeal.

ZONING BOARD: Denied the Variance on November 28, 2005 by a vote of 4-2.

PURPOSE: The approval of this appeal will allow a multifamily structure with less side yard setbacks than required.

PZ.26**06-00140****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 9, SECTION 917.7.2 IN ORDER TO AMEND THE NAME OF THE COMMUNITY REVITALIZATION DISTRICTS (CRD) TO NEIGHBORHOOD DEVELOPMENT ZONES (NDZ); AMENDING THE BOUNDARIES THERETO AND TYING THE BOUNDARIES TO THOSE SPECIFIED IN THE CITY OF MIAMI CONSOLIDATED PLAN FISCAL YEARS 2004-2009, AS MAY BE AMENDED; 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 January 18, 2006 by a vote of 7-0.

PURPOSE: This will amend the references and boundaries of the former CRDs to reflect the new NDZs as identified in the current City of Miami Consolidated Plan Fiscal Years 2004-2009.

PZ.27 05-01229 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL FILED BY MICHAEL B. CHAVIES, ESQUIRE AND GABRIEL E. NIETO, ESQUIRE, ON BEHALF OF THE COCONUT GROVE, LLC ("APPELLANT"), AND REVERSING OR AFFIRMING A DECISION OF THE HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD ("HEPB"), WHICH DESIGNATED THE COCONUT GROVE PLAYHOUSE LOCATED AT 3500 MAIN HIGHWAY AS A HISTORIC SITE.

REQUEST: Appeal of a Historic and Environmental Preservation Board Decision of a Historic Designation

LOCATION: Approximately 3500 Main Highway

APPLICANT(S): Planning Department

APPELLANT(S): Coconut Grove, LLC

APPELLANT(S) AGENT: Michael B. Chavies, Esquire and Gabriel E. Nieto, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial of the appeal and uphold the decision of the Historic and Environmental Preservation Board.

HISTORIC AND ENVIRONMENTAL PRESERVATION BOARD:

Approved the designation on October 5, 2005 by a vote of 8-0.

PURPOSE: The approval of this appeal will not result in the historic designation of the above property.

DATE: NOVEMBER 17, 2005

ACTION: CONTINUED

DATE: DECEMBER 1, 2005

ACTION: CONTINUED

PZ.28 05-00764 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 1583 NORTHWEST 24TH AVENUE, MIAMI, FLORIDA, FROM "INDUSTRIAL" AND "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL" (PARCEL 2) AND "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" TO REMAIN "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" (PARCEL 1); 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" and "Medium Density Multifamily Residential" to "Restricted Commercial" (Parcel 2) and "Medium Density Multifamily Residential" to Remain "Medium Density Multifamily Residential" (Parcel 1) to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1583 NW 24th Avenue

APPLICANT(S): Brisas del Rio, Inc.

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Found the proposed Brisas del Rio project to be inconsistent with the *Miami River Corridor Urban Infill Plan* on November 1, 2004.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on July 20, 2005 by a vote of 6-0. See companion File IDs 05-00764a and 05-00764b.

PURPOSE: This will change the above property to Restricted Commercial (Parcel 2) and Medium Density Multifamily Residential (Parcel 1) for the proposed Brisas del Rio Major Use Special Permit project.

DATE: JANUARY 26, 2006
MOVER: CHAIRMAN GONZÁLEZ
SECONDER: COMMISSIONER REGALADO
VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES
ACTION: PASSED ON FIRST READING

PZ.29 05-00764b ORDINANCE SECOND READING

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 25, 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-4" WATERFRONT INDUSTRIAL DISTRICT AND "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL (FOR PARCEL 2) AND "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO REMAIN "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL (FOR PARCEL 1), FOR THE PROPERTY LOCATED AT APPROXIMATELY 1583 NORTHWEST 24TH AVENUE, 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-4 Waterfront Industrial District and R-3 Multifamily Medium-Density Residential to C-1 Restricted Commercial (for Parcel 2) and R-3 Multifamily Medium-Density Residential to Remain R-3 Multifamily Medium-Density Residential (for Parcel 1) to Change the Zoning Atlas

LOCATION: Approximately 1583 NW 24th Avenue

APPLICANT(S): Brisas del Rio, Inc.

APPLICANT(S) AGENT: Ben Fernandez, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

MIAMI RIVER COMMISSION: Found the proposed Brisas del Rio project to be inconsistent with the *Miami River Corridor Urban Infill Plan* on November 1, 2004.

ZONING BOARD: Recommended approval to City Commission on July 11, 2005 by a vote of 8-1. See companion File IDs 05-00764 and 05-00764a.

PURPOSE: This will change the above property to C-1 Restricted Commercial (for Parcel 2) and remain R-3 Multifamily Medium-Density Residential (for Parcel 1) for the proposed Brisas del Rio Major Use Special Permit project.

DATE: **JANUARY 26, 2006**
MOVER: **COMMISSIONER REGALADO**
SECONDER: **CHAIRMAN GONZÁLEZ**
VOTE: **AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**
ACTION: **PASSED ON FIRST READING**

PZ.30 05-00764a 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 **BRISAS DEL RIO** PROJECT, TO BE LOCATED AT APPROXIMATELY 1583 NORTHWEST 24TH AVENUE, MIAMI, FLORIDA, TO CONSTRUCT A MIXED-USE HIGH RISE AND TOWNHOUSE CLUSTER DEVELOPMENT THAT INCLUDES THREE TOWERS RANGING IN HEIGHT FROM 177 FEET TO 247 FEET TO BE COMPRISED OF APPROXIMATELY 698 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 2,200 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 1,158 TOTAL PARKING SPACES; PROVIDING FOR CERTAIN FLOOR AREA RATIO ("FAR") BONUSSES; 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 Brisas del Rio Project

LOCATION: Approximately 1583 NW 24th Avenue

APPLICANT(S): Brisas del Rio, Inc.

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 September 22, 2004 by a vote of 6-0.

MIAMI RIVER COMMISSION: Found the proposed project to be inconsistent with the *Miami River Corridor Urban Infill Plan* on November 1, 2004.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on July 20, 2005 by a vote of 6-0. See companion File IDs 05-00764 and 05-00764b.

*See supporting documentation.

PURPOSE: This will allow the development of the **Brisas del Rio** project.

PZ.31 05-01050 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, CLOSING, VACATING, ABANDONING AND DISCONTINUING FOR PUBLIC USE THAT PORTION OF AN ALLEY LOCATED NORTH OF NORTHEAST 36TH STREET BETWEEN NORTH MIAMI AVENUE AND NORTHEAST MIAMI COURT, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A."

REQUEST: Official Vacation and Closure of an Alley

LOCATION: Approximately North of NE 36th Street Between North Miami Avenue and NE Miami Court

APPLICANT(S): A & S Design District Development, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

PUBLIC WORKS DEPARTMENT: Recommended approval with conditions*.

PLAT & STREET COMMITTEE: Recommended approval with conditions* on June 2, 2005 by a vote of 5-0.

ZONING BOARD: Recommended approval with conditions* to City Commission on September 12, 2005 by a vote of 6-0. See related File ID 05-01050a.

*See supporting documentation.

PURPOSE: This will allow a unified commercial development site for the proposed Electra project.

DATE: OCTOBER 27, 2005

ACTION: CONTINUED

DATE: NOVEMBER 3, 2005

ACTION: CONTINUED

DATE: DECEMBER 15, 2005

ACTION: CONTINUED

PZ.32 05-01050a RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL BY ADRIENNE F. PARDO, ESQUIRE, ON BEHALF OF A & S DESIGN DISTRICT DEVELOPMENT, LLC, AFFIRMING OR REVERSING THE DECISION OF THE ZONING BOARD, THEREBY DENYING OR APPROVING WITH CONDITIONS, THE CLASS II SPECIAL PERMIT APPLICATION NO. 05-0166, ISSUED BY THE PLANNING DIRECTOR ON SEPTEMBER 28, 2005, TO ALLOW FOR NEW CONSTRUCTION (ELECTRA), FOR THE PROPERTY LOCATED AT APPROXIMATELY 3601 NORTH MIAMI AVENUE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

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

LOCATION: Approximately 3601 N Miami Avenue

APPLICANT(S)/APPELLANT(S): A & S Design District Development, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval of the appeal and denial of the Zoning Board's decision, which reversed the director's decision.

ZONING BOARD: Granted the Class II Special Permit appeal by Brenda Kuhns, Wendy Stephan and Pat Kelly, on behalf of the Buena Vista East Historic Neighborhood Association on November 14, 2005 by a vote of 6-1. See related File ID 05-01050.

PURPOSE: The approval of this appeal will allow for new construction (Electra).

DATE: DECEMBER 15, 2005

ACTION: CONTINUED