

# City of Miami

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



## **Meeting Agenda**

**Thursday, April 27, 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.

\* \* \* \* \*

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.13 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****EM - EMERGENCY ORDINANCES****SR - SECOND READING ORDINANCES****FR - FIRST READING ORDINANCES****RE - RESOLUTIONS****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      06-00667      CEREMONIAL ITEM**

<b>Name of Honoree</b>	<b>Presenter</b>	<b>Protocol Item</b>
The City of Miami Commission on the Status of Women The American Heart Association	Commissioner Spence-Jones	Certificate of Appreciation
The Health Foundation of South Florida	Mayor Diaz, Commissioners & Fire Chief	Appreciation Award
	Mayor Diaz, Commissioners & Fire Chief	Appreciation Award

**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 MEETINGS:**

Planning and Zoning Meeting of March 23, 2006

Regular Meeting of September 11, 2003

**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.13 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.13 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**      **06-00583**      **RESOLUTION**  
*Department of  
Capital  
Improvement  
Programs/Transportation*      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, FURTHER AMENDED BY RESOLUTION NO. 05-0260, ADOPTED APRIL 28, 2005, FOR THE PROJECT ENTITLED "OVERTOWN STORM SEWER PUMP STATION UPGRADES, B-5650D," FOR ADDITIONAL WORK, IN AN AMOUNT NOT TO EXCEED \$186,031.87, INCREASING THE CONTRACT FROM \$346,000 TO \$532,031.87; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$186,031.87, FOR SAID INCREASE, FROM CAPITAL IMPROVEMENT PROJECT NO. B-5650D; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; AMENDING RESOLUTION NO. 05-0260, TO REFLECT SAID INCREASE.
- CA.2**      **06-00584**      **RESOLUTION**  
*Department of  
Fire-Rescue*      A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN EMERGENCY RELIEF PROGRAM AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION ("FDOT"), TO UNDERTAKE AND COMPLETE CERTAIN EMERGENCY RELIEF EFFORTS FROM THE DAMAGE INFLICTED BY HURRICANES KATRINA AND WILMA DURING THE HURRICANE SEASON OF 2005, ASSOCIATED WITH FEDERAL AID HIGHWAYS OR ROADS ON FEDERAL LANDS WITHIN ITS JURISDICTION AS DEFINED BY SAID PROGRAM; FURTHER AUTHORIZING THE CITY MANAGER TO SUBMIT RELATED CLAIMS TO FDOT AS DESCRIBED IN THE DETAIL DAMAGE INSPECTION REPORTS, AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, AND TO ACCEPT PAYMENTS FOR SAME.
- CA.3**      **06-00585**      **RESOLUTION**  
*Department of  
Information  
Technology*      A RESOLUTION OF THE MIAMI CITY COMMISSION, AMENDING RESOLUTION NO. 04-0449, ADOPTED JULY 8, 2004, TO INCLUDE LANGUAGE ADDING FEDERAL GSA IT SCHEDULE 70 CONTRACTS, SUBJECT TO EXTENSIONS OR REPLACEMENT CONTRACTS THERETO BY GSA FOR THE ACQUISITION OF NEW AND REPLACEMENT SERVER

HARDWARE, PERSONAL COMPUTERS, LAPTOPS, COMMUNICATIONS AND NETWORKING EQUIPMENT, PRINTERS, COMPUTER SOFTWARE, PERIPHERALS, AND ASSOCIATED CONSULTANCY, INSTALLATION AND MAINTENANCE SERVICES, LEASING OF PRODUCTS, DAILY/SHORT TERM RENTAL, CLASSROOM TRAINING, ELECTRONIC COMMERCE SERVICES, AND AUTHENTICATION PRODUCTS AND SERVICES FOR CITYWIDE USE, FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY, FROM VARIOUS VENDORS.

**CA.4      06-00587**

*Bayfront Park  
Management Trust*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RATIFYING AND ADOPTING THE PROPOSED OPERATING BUDGET OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY, IN THE AMOUNT OF \$619,040, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005.

**CA.5      06-00588**

*Bayfront Park  
Management Trust*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RATIFYING AND ADOPTING THE PROPOSED OPERATING BUDGET OF THE MIAMI SPORTS AND EXHIBITION AUTHORITY, IN THE AMOUNT OF \$240,800, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006.

**CA.6      06-00589**

*Department of  
Purchasing*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE CONTRACT FOR RED CLAY AND SILICA SAND FROM SOIL TECH DISTRIBUTORS, INC., PURSUANT TO SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE BID NO. 562-9333, EFFECTIVE THROUGH JANUARY 24, 2007, WITH THE OPTION TO EXTEND FOR FOUR (4) ADDITIONAL ONE (1) YEAR PERIODS, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS BY THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP; ALLOCATING FUNDS FROM THE GENERAL OPERATING BUDGETS AND GRANTS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES; AUTHORIZING SAID PURCHASES, ON AN AS-NEEDED BASIS, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

**CA.7        06-00590**

*Department of  
Purchasing*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BIDS OF CSV-USA INC., YAVOY, INC., D/B/A GUAYABERA, ETC., AND WALPATS INDUSTRIES, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS, RECEIVED DECEMBER 14, 2005, PURSUANT TO INVITATION FOR BIDS NO. 04-05-102, FOR THE PURCHASE OF T-SHIRTS, GOLF SHIRTS, GUAYABERAS AND CUBAVERAS WITH EMBROIDERY AND/OR SILK SCREENING CITYWIDE, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS, ON AN AS-NEEDED, CONTRACT BASIS, FOR AN INITIAL TWO (2) 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.8        06-00591**

*Department of  
General Services  
Administration*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, AUTHORIZING THE PROCUREMENT OF ONE (1) ALTEC L42A AERIAL DEVICE (BUCKET TRUCK), INCLUDING CHASSIS (OPTION 1.1 INTERNATIONAL 2006 4300 SBA 4X2), FROM ALTEC INDUSTRIES, INC., UTILIZING AN EXISTING SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, BID NO. 26-078X, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS BY THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, PROPERTY MAINTENANCE DIVISION, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$107,152; ALLOCATING FUNDS, IN AN AMOUNT NOT TO EXCEED \$68,995, FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") ACCOUNT NO. 311702.429401.6.840 AND AN AMOUNT NOT TO EXCEED \$38,157, FROM CIP ACCOUNT NO. 311850.429401.6.840, B-74209.

**CA.9        06-00592**

*City Manager's  
Office*

**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 QUALIFICATIONS NO. 04-05-125R ("RFQ"), THAT THE FIRMS MOST QUALIFIED TO PROVIDE FEDERAL LOBBYING SERVICES ARE THE FOLLOWING TWELVE (12) FIRMS: COLLINS & COMPANY; ALCALDE & FAY; AKIN GUMP STRAUSS HAUER FELD; BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ; PATTON BOGGS LLP; AKERMAN SENTERFITT; DUTKO POOLE MCKINLEY; VAN SCOYOC ASSOCIATES; TEW CARDENAS LLP; RUSS-REID CO.; FEDERAL LEGISLATIVE ASSOCIATES; AND BLANK ROME LLP; AUTHORIZING THE CITY MANAGER TO EXECUTE PROFESSIONAL SERVICE AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), ON AN AS-NEEDED BASIS, BASED ON THE SPECIFIC LOBBYING NEED, AS DEEMED QUALIFIED UNDER THE CATEGORIES OF EXPERTISE AS SPECIFIED IN "ATTACHMENT A-1," ATTACHED AND INCORPORATED, FOR A BASE TERM OF A ONE-YEAR

PERIOD, WITH THE OPTION TO RENEW FOR UP TO FIVE (5) ADDITIONAL ONE-YEAR PERIODS, AT AN ANNUAL CUMULATIVE AMOUNT NOT TO EXCEED \$500,000 FOR THE TOTAL OF ALL AGREEMENTS IN ANY FISCAL YEAR WITH SAID FIRM(S); ALLOCATING FUNDS FROM ACCOUNT CODE NO. 001000.920216.6.270, FOR FISCAL YEAR 2005-2006, WITH FUTURE FISCAL YEARS FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL; FURTHER AUTHORIZING THE CITY MANAGER IN ACCORDANCE WITH THE RFQ TO ADD QUALIFIED FIRMS OR INDIVIDUALS TO THE CONTRACT WHEN DEEMED IN THE CITY OF MIAMI'S BEST INTEREST WITHOUT FURTHER CITY COMMISSION AUTHORIZATION.

**CA.10 06-00593**

*Department of  
Purchasing*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION APPROVING THE CONTRACT FOR OFFICE FURNITURE & FILES FROM VARIOUS VENDORS, AWARDED UNDER EXISTING STATE OF FLORIDA CONTRACT NO. 425-001-06-1, EFFECTIVE UNTIL MARCH 1, 2010, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, FOR VARIOUS CITY OF MIAMI DEPARTMENTS AND AGENCIES; ALLOCATING AVAILABLE OR UNENCUMBERED FUNDS FROM THE GENERAL OPERATING BUDGETS AND GRANTS OF THE VARIOUS USER DEPARTMENTS AND AGENCIES; AUTHORIZING SAID PURCHASES, ON AN AS-NEEDED BASIS, SUBJECT TO THE AVAILABILITY OF FUNDS AND BUDGETARY APPROVAL AT THE TIME OF NEED.

**CA.11 06-00599**

*Department of  
Public Facilities*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("LESSEE") AND A.V.S. INTERNATIONAL GROUP, INC., A FLORIDA CORPORATION, FOR THE USE OF APPROXIMATELY 2,000 SQUARE FEET OF WAREHOUSE SPACE LOCATED AT 3320 NORTHWEST 33RD STREET, MIAMI, FLORIDA, TO BE USED BY THE DEPARTMENT OF POLICE, PROVIDING FOR: 1) A ONE-YEAR TERM AND FIVE (5) ADDITIONAL ONE-YEAR OPTIONS; 2) LESSEE'S PAYMENT OF RENT FOR THE FIRST THREE YEARS (2006, 2007, 2008), AT A RATE OF \$2,200, PER MONTH (APPROXIMATELY \$13.20 PER SQUARE FOOT OR \$26,400 ANNUALLY), WITH THE RENT FOR YEARS 2009, 2010, AND 2011, TO BE ADJUSTED SUBJECT TO MUTUAL AGREEMENT OF THE PARTIES; AND 3) LESSEE'S PAYMENT OF ALL UTILITY AND TAX CHARGES, WITH ADDITIONAL TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN SAID AGREEMENT; ALLOCATING FUNDS FROM ACCOUNT CODE NO. 001000.290201.6.610.

**CA.12 06-00581***Department of  
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY ("FORESTRY"), IN AN AMOUNT NOT TO EXCEED \$25,000, TOWARDS THE OVERALL COST OF TREE EQUIPMENT, IN CONJUNCTION WITH FORESTATION/REFORESTATION, INVENTORY AND MAINTENANCE ACTIVITIES RELATED TO THE TREE INVENTORY WITHIN THE CITY OF MIAMI ("CITY"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS, FOR FIFTY PERCENT (50%) OF THE PROJECT, IN AN AMOUNT NOT TO EXCEED \$25,000, FROM THE PUBLIC WORKS GENERAL ACCOUNT NO. 001000.311003.6.840; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SUBMISSION OF SAID GRANT APPLICATION, SUBJECT TO CERTAIN TERMS AND CONDITIONS AS STATED IN SAID GRANT APPLICATION; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH FORESTRY, FOR SAID PURPOSE.

**CA.13 06-00660***Office of the City  
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE EXPENDITURE OF ATTORNEY'S FEES AND COSTS, IN THE AMOUNT OF \$100,000, TO PAY LEGAL FEES AND COSTS INCURRED TO SET ASIDE THE SETTLEMENT, AND AUTHORIZING THE EXPENDITURE OF ATTORNEY'S FEES IN AN AMOUNT NOT TO EXCEED \$300,000, FOR THE CONTINUED ENGAGEMENT OF THE LAW FIRM OF COLE, SCOTT AND KISSANE, P.A., AS OUTSIDE COUNSEL, IN CONNECTION WITH THE CASES OF EVA NAGYMIHALY, ET AL., VS. CITY OF MIAMI, ET AL., CASE NO. 98-11208 CA 01, ADORNO & YOSS, LLP. VS. CITY OF MIAMI, CASE NO. 05-7900 CA 24, AND CARL L. MASZTAL, ET AL. VS. CITY OF MIAMI, ET AL., CASE NO. 05-2117 CA 22, PLUS ANY ADDITIONAL COSTS OF LITIGATION INCLUDING BUT NOT LIMITED TO RETENTION OF EXPERTS AND CONSULTANTS, AS APPROVED BY THE CITY ATTORNEY.

**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**      **06-00668**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATIONS OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE PURSUANT TO SECTIONS 2-1251 AND 54-341 AND 54-343 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AUTHORIZING AND DIRECTING THE DEPARTMENT OF OFF-STREET PARKING ("DOSP"), TO DISBURSE FUNDS IN THE TOTAL AMOUNT OF \$38,000, FROM THE COCONUT GROVE SPECIAL EVENTS AND MARKETING TRUST FUND, ACCOUNT NO. 1000000860261, IN GRANTS FUNDS, TO THE 2006 TASTE OF THE GROVE (\$3,000 MATCHING GRANT AND \$8,000 SPECIAL EVENTS GRANT FOR \$11,000 TOTAL), 2006 COCONUT GROVE ARTS FESTIVAL (\$20,000 SPECIAL EVENTS GRANT), AND THE 2006 COCONUT GROVE BLOCK PARTY (\$7,000 SPECIAL EVENTS GRANT); AUTHORIZING AND DIRECTING DOSP TO EXECUTE ANY NECESSARY DOCUMENTS FOR SAID PURPOSES.
- D2.2**      **06-00669**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE ("BIC"), PURSUANT TO SECTIONS 2-1251, 2-1253 AND 35-221(a)(6) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, REGARDING THE SELECTION OF AN INTERIM EXECUTIVE DIRECTOR; RESCINDING RESOLUTION NO. 06-0162, ADOPTED MARCH 9, 2006; AUTHORIZING AND DIRECTING THE DEPARTMENT OF OFF-STREET PARKING ("DOSP"), TO HIRE AN INTERIM EXECUTIVE DIRECTOR FOR BIC AS AN INDEPENDENT CONTRACTOR FOR A PERIOD FROM MARCH 9, 2006 TO OCTOBER 1, 2006, FOR COMPENSATION AND APPROVED EXPENSES, IN A TOTAL ANNUAL AMOUNT NOT TO EXCEED \$49,000; AUTHORIZING DOSP TO EXECUTE THE BIC INTERIM EXECUTIVE DIRECTOR AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM; AUTHORIZING DOSP TO ALLOCATE AND DISBURSE A TOTAL ANNUAL AMOUNT NOT TO EXCEED \$49,000, FROM THE COCONUT GROVE BUSINESS DISTRICT IMPROVEMENT TRUST FUND, ACCOUNT NO. 172770906, FOR SAID PURPOSES.
- D2.3**      **06-00670**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE RECOMMENDATION OF THE COCONUT GROVE BUSINESS IMPROVEMENT COMMITTEE ("BIC") PURSUANT TO SECTION 2-1251(1)(B) OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, TO AUTHORIZE THE DEPARTMENT OF OFF-STREET PARKING ("DOSP"), ON BEHALF OF THE BIC TO EXECUTE A LEASE AGREEMENT ("LEASE"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE DOSP AND COMMODORE CAPITAL, LLC ("LESSOR"), FOR THE BIC'S USE OF APPROXIMATELY 800

SQUARE FEET OF OFFICE SPACE WITHIN THE PROPERTY LOCATED AT STORE # 4, 3112 COMMODORE PLAZA, MIAMI, FLORIDA, WITH SAID LEASE PROVIDING FOR: (A) A MONTH-TO-MONTH TERM TO COMMENCE ON MAY 1, 2006, WITH AN INITIAL LAST MONTH OUTSIDE TERMINATION DATE OF SEPTEMBER 30, 2006; (B) AN INITIAL MONTHLY RENT OF \$1,200; (C) BIC TO PAY FOR ITS OWN ELECTRICAL CONSUMPTION AND TELEPHONE; (D) BIC TO PAY FOR ROUTINE MAINTENANCE AND CLEANING AS MORE SPECIFICALLY SET FORTH IN THE LEASE, AND (E) AN OPTION TO RENEW ON A MONTH-TO-MONTH BASIS UNTIL MAY 31, 2007, FOR THE SAME RENT, SUBJECT TO THE NEGOTIATION OF OTHER TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN THE LEASE; AUTHORIZING DOSP TO APPROVE AND EXECUTE NON-SUBSTANTIVE AMENDMENTS TO THE LEASE AS NEEDED; TO ALLOCATE, TRANSFER AND DISBURSE AN AMOUNT NOT TO EXCEED \$10,000, FROM THE COCONUT GROVE BUSINESS DISTRICT IMPROVEMENT TRUST FUND, ACCOUNT NO. 172770906, FOR FISCAL YEAR 2005-2006 FOR RENT, ELECTRICITY, TELEPHONE SERVICE, AND ROUTINE MAINTENANCE; AUTHORIZING DOSP TO MAKE SUCH ALLOCATION, TRANSFER, AND DISBURSEMENT FOR SAID PURPOSES, WITH FUTURE FISCAL YEAR FUNDING SUBJECT TO BUDGETARY APPROVAL.

**DISTRICT 3**

**COMMISSIONER JOE SANCHEZ**

**D3.1**

**06-00611**

**DISCUSSION ITEM**

EILEEN MARCIAL BROTON AND JANICE POSTLEWAITE, OF MIAMI VETERANS ADMINISTRATION OFFICE, TO ADDRESS THE COMMISSION, REGARDING SERVICES NEEDED BY LOCAL VETERANS RETURNING FROM IRAQ.

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

- D4.1**      **06-00625**      **DISCUSSION ITEM**  
DISCUSSION ABOUT WAIVING THE RENTAL FEE AND PROVIDING IN-KIND SERVICES AT ROBERT KING HIGH PARK FOR THE MUNICIPIOS DE HOLGUIN SCHEDULED TO BE HELD ON APRIL 30, 2006.
- D4.2**      **06-00626**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$2,000, TO THE PRYMUS ANGELS CHEERLEADING PROGRAM THAT OPERATES AT SHENANDOAH PARK, TO CO-SPONSOR THEIR TRIP TO A NATIONAL COMPETITION IN WILLIAMSBURG, VIRGINIA ON APRIL 29, 2006; ALLOCATING FUNDS FROM THE DISTRICT 4 SPECIAL EVENTS NON-DEPARTMENTAL ACCOUNT CODE NO. 001000.921054.6.289.
- D4.3**      **06-00634**      **RESOLUTION**  
A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE ALLOCATION OF FUNDS, IN AN AMOUNT NOT TO EXCEED \$2,000, TO THE MIAMI DREAM TENNIS TEAM THAT OPERATES AT BRYAN PARK, TO CO-SPONSOR THEIR TRIP TO AN INTERNATIONAL COMPETITION IN ASTURIAS, SPAIN; ALLOCATING FUNDS FROM THE DISTRICT 4 SPECIAL EVENTS NON-DEPARTMENTAL ACCOUNT CODE NO. 001000.921054.6.289.

**DISTRICT 5****COMMISSIONER MICHELLE SPENCE-JONES**

- D5.1**      **06-00635**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING A STATUS REPORT FROM THE CAPITAL IMPROVEMENTS DEPARTMENT AND OTHER PERTINENT DEPARTMENTS TO ADDRESS THE STATUS OF THE REPAIR OF THE N.W. 7TH STREET BRIDGE WHICH SPANS WAGNER CREEK AND SEYBOLD CANAL.
- D5.2**      **06-00636**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING A STATUS REPORT FROM THE CAPITAL IMPROVEMENTS DEPARTMENT AND OTHER PERTINENT DEPARTMENTS TO ADDRESS THE STATUS OF PROJECTS TO CLEAN UP WAGNER CREEK AND THE SEYBOLD CANAL. THIS REPORT SHALL ADDRESS AMONG OTHER TOPICS, THE CLASSIFICATION OF CONTAMINANTS IN THESE BODIES OF WATER, THE AREAS TO BE CLEANED, AND THE SCOPE AND STATUS OF THE PROJECTS BEING UNDERTAKEN TO ADDRESS THESE MATTERS.
- D5.3**      **06-00657**      **DISCUSSION ITEM**  
DISCUSSION REGARDING WAIVING RENTAL FEES AND PROVIDING IN KIND SERVICES AT THE COCONUT GROVE CONVENTION CENTER FOR THE SENIORS FIRST EXPO TO BE HELD ON JUNE 1, 2006.  
  
SENIORS WILL RECEIVE INFORMATION ABOUT HURRICANE PREPARATION AND OTHER RESOURCES THAT HELP SENIORS IN TIME OF EMERGENCY. ACCESS IS NEEDED FROM ABOUT 8:00AM TO 4:00PM.
- D5.4**      **06-00676**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING HURRICANE PREPAREDNESS.

**PUBLIC HEARINGS****PH.1        06-00456***Department of  
Police***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF A SOLE SOURCE; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES AND APPROVING THE PURCHASE OF A SKY WATCH SENTINEL OBSERVATION PLATFORM, FROM NEW HEIGHTS MANUFACTURING, INC., FOR THE DEPARTMENT OF POLICE, IN AN AMOUNT NOT TO EXCEED \$111,259.20; ALLOCATING FUNDS FROM THE URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM, ACCOUNT CODE NO. 110143.280911.6.840.

**PH.2        06-00594***Department of  
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DECLARING SURPLUS AND APPROVING THE SALE OF THE CITY-OWNED PROPERTY LOCATED AT 123 SOUTHWEST NORTH RIVER DRIVE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, TO 121 RIVER DRIVE ASSOCIATES, LLC., A FLORIDA LIMITED LIABILITY CORPORATION ("PURCHASER"); ESTABLISHING THREE HUNDRED THOUSAND DOLLARS (\$300,000), AS THE AMOUNT TO BE PAID TO THE CITY OF MIAMI ("CITY") BY THE AFOREMENTIONED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE, IN SUBSTANTIALLY THE ATTACHED FORM, AND TO EXECUTE SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO CONSUMMATE SUCH TRANSACTION IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENT, WHICH TERMS MAY BE AMENDED BY THE CITY MANAGER AS MAY BE NECESSARY IN ORDER TO MEET THE BEST INTERESTS OF THE CITY.

**PH.3 06-00595**

*Department of  
Public Works*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "SCHOOL BOARD PARKING," A REPLAT IN THE CITY OF MIAMI OF THE PROPERTY DESCRIBED IN "ATTACHMENT 1," SUBJECT TO SATISFACTION OF ALL CONDITIONS REQUIRED BY THE PLAT AND STREET COMMITTEE AS SET FORTH IN "EXHIBIT A," ATTACHED AND INCORPORATED, AND THE PROVISIONS CONTAINED IN SECTION 55-8 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, AND ACCEPTING THE DEDICATIONS SHOWN ON THE PLAT; AUTHORIZING AND DIRECTING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE PLAT; AND PROVIDING FOR THE RECORDATION OF THE PLAT IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**PH.4 06-00462**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION RESCINDING RESOLUTION NO. 05-0154, ADOPTED MARCH 10, 2005, THAT AWARDED A PROJECT ADMINISTRATION AGREEMENT TO HAMMES COMPANY SPORTS DEVELOPMENT, INC., TO PROVIDE PROGRAM, PROJECT AND CONSTRUCTION MANAGEMENT SERVICES FOR THE ORANGE BOWL REDEVELOPMENT PROJECT.

**DATE: APRIL 6, 2006**  
**MOVER: COMMISSIONER SANCHEZ**  
**SECONDER: COMMISSIONER SPENCE-JONES**  
**ACTION: DEFERRED**

**PH.5 06-00459**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDINGS, THAT IT IS MOST ADVANTAGEOUS FOR THE CITY OF MIAMI TO WAIVE COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTION 18-86 AND 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; APPROVING THE USE OF COMPETITIVE NEGOTIATIONS, FOR THE PURPOSES OF NEGOTIATING AN AGREEMENT FOR PROGRAM MANAGEMENT SERVICES, FOR THE "ORANGE BOWL RENOVATION PROJECT, B-30153;" AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH JONES LANG LASALLE AMERICAS, INC., IN AN AMOUNT NOT TO EXCEED \$6,500,000, FOR SAID PURPOSE; ALLOCATING FUNDS, IN THE AMOUNT NOT TO EXCEED \$3,000,000, FOR FISCAL YEAR 2005-2006, FROM CAPITAL IMPROVEMENT PROJECT ("CIP") NO. B-30153, AND AN AMOUNT NOT TO EXCEED \$3,500,000, FOR FISCAL YEAR 2006-2007, FROM CIP NO. B-30153 AND/OR THE GENERAL OPERATING BUDGET.

**DATE: APRIL 6, 2006**  
**ACTION: DEFERRED**

**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)

<b>EM.1</b>	<b>06-00265</b>	<b><u>ORDINANCE</u></b>	<b>EMERGENCY ORDINANCE</b>
	<i>Office of Strategic Planning, Budgeting, and Performance</i>	(4/5THS VOTE) AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 12596, THE ANNUAL APPROPRIATIONS ORDINANCE, TO INCREASE CERTAIN OPERATIONAL AND BUDGETARY APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.	

**ORDINANCE - SECOND READING**

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

<b>SR.1</b>	<b>06-00463</b>	<b><u>ORDINANCE</u></b>	<b>SECOND READING</b>
	<i>Department of Public Works</i>	<p>AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING (SUBJECT TO THE RECEIPT BY THE CITY OF MIAMI AND CLEARANCE OF THE PAYMENT SET FORTH HEREIN BY SEPTEMBER 30, 2006) THE TERMINATION OF THAT CERTAIN 37-YEAR FRANCHISE AGREEMENT BY AND BETWEEN THE CITY OF MIAMI ("CITY") AND TECO THERMAL SYSTEMS, INC., FORMERLY KNOWN AS FPL THERMAL SYSTEMS, INC. (TECO THERMAL"), AS SUCCESSOR IN INTEREST OF FPL ENERGY SERVICES, INC.; PROVIDING FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF AN ENERGY EFFICIENT DISTRIBUTION SYSTEM IN THE PUBLIC RIGHT-OF-WAY OF THE SERVICE AREA AS DESCRIBED IN SAID FRANCHISE AGREEMENT; PROVIDING FURTHER THAT NO TERMINATION SHALL OCCUR UNTIL THE CITY HAS RECEIVED AND CLEARED BY SEPTEMBER 30, 2006, THE PAYMENT OF ONE MILLION, ONE HUNDRED THOUSAND DOLLARS FROM TECO THERMAL; CONTAINING A RESERVATION OF THE CITY'S RIGHTS IF NO TERMINATION; A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.</p> <p><b>DATE: APRIL 6, 2006</b></p> <p><b>MOVER: COMMISSIONER SANCHEZ</b></p> <p><b>SECONDER: COMMISSIONER SPENCE-JONES</b></p> <p><b>VOTE: AYES: 3 - COMMISSIONER WINTON, SANCHEZ AND SPENCE-JONES</b></p> <p><b>ABSENT: 2 - COMMISSIONER GONZÁLEZ AND REGALADO</b></p> <p><b>ACTION: PASSED ON FIRST READING</b></p>	

**ORDINANCE - FIRST READING**

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

<b>FR.1</b>	<b>06-00596</b>	<b><u>ORDINANCE</u></b>	<b>FIRST READING</b>
	<i>Department of Fire-Rescue</i>	AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 19/SECTION 19-14 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "FIRE PROTECTION/FIRE RECORDS, REPORTS AND PHOTOGRAPHS," TO ESTABLISH A FEE FOR OBTAINING FIRE RECORDS OR PHOTOGRAPHS IN DVD FORM AS AN ADDITIONAL OPTION; CONTAINING A REPEALER PROVISION, SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.	

**RESOLUTION****RE.1        06-00446***Department of  
Purchasing***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PROCUREMENT OF HOMELAND SECURITY EQUIPMENT, PUBLIC SAFETY EQUIPMENT AND RELATED SERVICES, FROM U.S. COMMUNITIES, UTILIZING AN EXISTING U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE CONTRACT FOR HOMELAND SECURITY SOLUTIONS, #RQ06-814063-10A, EFFECTIVE THROUGH OCTOBER 8, 2008, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES ON AN AS-NEEDED CONTRACT BASIS, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY U.S COMMUNITIES, WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$800,000, FOR FISCAL YEAR 2005-2006, WITH PURCHASES FOR SUBSEQUENT FISCAL YEARS SUBJECT ONLY TO BUDGETARY APPROVAL; AUTHORIZING THE PROCUREMENT OF COMPUTERS (BRAND NAME), PERIPHERALS, SOFTWARE, AND RELATED SERVICES, FROM U.S. COMMUNITIES, UTILIZING AN EXISTING U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE CONTRACT FOR TECHNOLOGY PRODUCTS, #RQ03-605674-16A, EFFECTIVE THROUGH APRIL 30, 2006, FOR THE DEPARTMENT OF PURCHASING, TO BE UTILIZED BY VARIOUS USER DEPARTMENTS AND AGENCIES ON AN AS-NEEDED CONTRACT BASIS, SUBJECT TO ANY EXTENSIONS OR REPLACEMENT CONTRACTS BY U.S COMMUNITIES ,WITH AN OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$1,500,000, FOR FISCAL YEAR 2005-2006, WITH PURCHASES FOR SUBSEQUENT FISCAL YEARS SUBJECT ONLY TO BUDGETARY APPROVAL; FURTHER AUTHORIZING THE UTILIZATION (PIGGYBACKS) OF OTHER AND FUTURE U.S. COMMUNITIES CONTRACTS WITHOUT ANY FURTHER CITY COMMISSION AUTHORIZATION, UPON THE CHIEF PROCUREMENT OFFICER'S DETERMINATION THAT SAID PIGGYBACKS ARE IN COMPLIANCE WITH SECTION 18-111 OF THE PROCUREMENT CODE AND ALL PURCHASES BEING SUBJECT TO BUDGETARY APPROVAL ONLY.

**DATE:                    APRIL 6, 2006****ACTION:                DEFERRED**

**DISCUSSION ITEM**

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.

<b>DI.1</b>	<b>06-00598</b>	<b><u>DISCUSSION ITEM</u></b>
	<i>Department of Finance</i>	DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET OUTLOOK.



**PZ.2      06-00143      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 **INTOWN VILLAGE** PROJECT, TO BE LOCATED AT APPROXIMATELY 45 SOUTHWEST EIGHTH AVENUE, 715, 717, 727 AND 735 SOUTHWEST 1ST STREET, AND 702 AND 720 WEST FLAGLER STREET, MIAMI, FLORIDA, TO CONSTRUCT TWO APPROXIMATE 202-FOOT, 19-STORY HIGH MIXED-USE STRUCTURES TO BE COMPRISED OF APPROXIMATELY 395 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 33,000 SQUARE FEET OF RETAIL SPACE AND 34,000 SQUARE FEET OF ADDITIONAL ACCESSORY COMMERCIAL USES; AND APPROXIMATELY 660 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 Intown Village Project

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

APPLICANT(S): Simon Ferro, Esquire, on behalf of Little Havana Associates, LLC, Contract Purchaser and Amefra Corporation and New Rabar Corporation, Owner

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* to City Commission on February 1, 2006 by a vote of 4-1.

ZONING BOARD: Recommended approval of the Variance on April 10, 2006 by a vote of 9-0. See companion File ID 06-00143a.

\*See supporting documentation.

PURPOSE: This will allow the development of the **Intown Village** project.

**DATE:                      MARCH 23, 2006**

**ACTION:                    CONTINUED**

**PZ.3      05-01505      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 26 NORTHWEST 30TH STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTI-FAMILY 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 "Medium Density Multi-Family Residential" to "General Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 26 NW 30th Street

APPLICANT(S): Javier F. Aviño, Esquire, on behalf of 2994 North Miami Avenue, Inc.

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial due to the failure to obtain the required five affirmative votes in favor to City Commission on November 16, 2005 by a vote of 3-2. See companion File ID 05-01505a.

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

**DATE:                    MARCH 23, 2006**

**MOVER:                COMMISSIONER SPENCE-JONES**

**SECONDER:           COMMISSIONER SANCHEZ**

**VOTE:                 AYES: 3 - COMMISSIONER GONZÁLEZ, SANCHEZ  
AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND  
REGALADO**

**ACTION:               PASSED ON FIRST READING**

**PZ.4      05-01505a      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-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL WITH AN "SD-12" BUFFER OVERLAY DISTRICT TO "C-2" LIBERAL COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 26 NORTHWEST 30TH 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-3 Multifamily Medium-Density Residential with an SD-12 Buffer Overlay District to C-2 Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately 26 NW 30th Street

APPLICANT(S): Javier F. Aviño, Esquire, on behalf of 2994 North Miami Avenue, Inc.

**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 05-01505.

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

**DATE:                    MARCH 23, 2006**

**MOVER:                COMMISSIONER SPENCE-JONES**

**SECONDER:           COMMISSIONER SANCHEZ**

**VOTE:                 AYES: 3 - COMMISSIONER GONZÁLEZ, SANCHEZ  
AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND  
REGALADO**

**ACTION:               PASSED ON FIRST READING**

**PZ.5      05-01507      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 4350 NORTHWEST 10TH STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" 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 "Medium Density Multifamily Residential" to "High Density Multifamily Residential" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 4350 NW 10th Street

APPLICANT(S): Lucia A. Dougherty, Esquire, on behalf of Five Properties, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 7, 2005 by a vote of 6-1. See companion File ID 05-01507a.

PURPOSE: This will change the above property to High Density Multifamily Residential.

**DATE:                    MARCH 23, 2006**

**MOVER:                CHAIRMAN GONZÁLEZ**

**SECONDER:            COMMISSIONER SPENCE-JONES**

**VOTE:                    AYES: 3 - COMMISSIONER GONZÁLEZ, SANCHEZ  
AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND  
REGALADO**

**ACTION:                PASSED ON FIRST READING**

**PZ.6      05-01507a      ORDINANCE      SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 27, 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 "R-4" MULTIFAMILY HIGH-DENSITY RESIDENTIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 4350 NORTHWEST 10TH 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-3 Multifamily Medium-Density Residential to R-4 Multifamily High-Density Residential to Change the Zoning Atlas

LOCATION: Approximately 4350 NW 10th Street

APPLICANT(S): Lucia A. Dougherty, Esquire, on behalf of Five Properties, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended of denial to City Commission on January 9, 2006 by a vote of 7-2. See companion File ID 05-01507.

PURPOSE: This will change the above property to R-4 Multifamily High-Density Residential.

**DATE:                    MARCH 23, 2006**

**MOVER:                 CHAIRMAN GONZÁLEZ**

**SECONDER:            COMMISSIONER SPENCE-JONES**

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

**ABSENT: 1 - COMMISSIONER WINTON**

**ACTION:                PASSED ON FIRST READING**

**PZ.7      05-01555      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 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

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.

**DATE:                    FEBRUARY 23, 2006**

**ACTION:                CONTINUED**

**DATE:                    MARCH 23, 2006**

**MOVER:                 COMMISSIONER SPENCE-JONES**

**SECONDER:            COMMISSIONER REGALADO**

**VOTE:                    AYES: 3 - COMMISSIONER GONZÁLEZ, REGALADO  
AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND SANCHEZ**

**ACTION:                PASSED ON FIRST READING**

PZ.8

05-01555a

**ORDINANCE****SECOND 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

## 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.

**DATE: FEBRUARY 23, 2006**

**ACTION: CONTINUED**

**DATE: MARCH 23, 2006**

**MOVER: COMMISSIONER SPENCE-JONES**

**SECONDER: COMMISSIONER REGALADO**

**VOTE: AYES: 3 - COMMISSIONER GONZÁLEZ, REGALADO AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND SANCHEZ**

**ACTION: PASSED ON FIRST READING**

**PZ.9****05-01514****ORDINANCE****SECOND 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 "SD-16.2" SOUTHEAST OVERTOWN-PARK WEST COMMERCIAL-RESIDENTIAL DISTRICTS TO "SD-16.2" SOUTHEAST OVERTOWN-PARK WEST COMMERCIAL-RESIDENTIAL DISTRICTS WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, INCREASING THE F.A.R. TO 4.6, FOR THE PROPERTY LOCATED AT APPROXIMATELY 530 NORTHWEST 1ST 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 SD-16.2 Southeast Overtown-Park West Commercial-Residential Districts to SD-16.2 Southeast Overtown-Park West Commercial-Residential Districts with an SD-19 Designated F.A.R. Overlay District, Increasing the F.A.R. to 4.6 to Change the Zoning Atlas

LOCATION: Approximately 530 NW 1st Court

APPLICANT(S): Lucia A. Dougherty, Esquire, on behalf of Urbana Development, LLC

## FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on December 12, 2005 by a vote of 8-0.

PURPOSE: This will change the above property to SD-16.2 Southeast Overtown-Park West Commercial-Residential Districts with an SD-19 Designated F.A.R. Overlay District, increasing the F.A.R. to 4.6.

**DATE: JANUARY 26, 2006**

**ACTION: CONTINUED**

**DATE: MARCH 23, 2006**

**MOVER: COMMISSIONER SPENCE-JONES**

**SECONDER: COMMISSIONER REGALADO**

**VOTE: AYES: 3 - COMMISSIONER GONZÁLEZ, REGALADO AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND SANCHEZ**  
**ACTION: PASSED ON FIRST READING**

PZ.10

06-00123

**ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 18, 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-2" LIBERAL COMMERCIAL WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, INCREASING THE F.A.R. TO 2.1, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2951 NORTHWEST 36TH 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-2 Liberal Commercial to C-2 Liberal Commercial with an SD-19 Designated F.A.R. Overlay District, Increasing the F.A.R. to 2.1 to Change the Zoning Atlas

LOCATION: Approximately 2951 NW 36th Street

APPLICANT(S): Ben Fernandez, Esquire, on behalf of Sherman Development Company, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

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

PURPOSE: This will change the above property to C-2 Liberal Commercial with an SD-19 Designated F.A.R. Overlay District, increasing the F.A.R. to 2.1.

**DATE: MARCH 23, 2006**

**MOVER: CHAIRMAN GONZÁLEZ**

**SECONDER: COMMISSIONER SPENCE-JONES**

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

**ABSENT: 1 - COMMISSIONER WINTON**

**ACTION: PASSED ON FIRST READING**

PZ.11

06-00154

**ORDINANCE****SECOND 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 "C-1" RESTRICTED COMMERCIAL TO "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICTS, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 621, 635 AND 645 SOUTHWEST 3RD 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 C-1 Restricted Commercial to SD-7 Central Brickell Rapid Transit Commercial-Residential Districts to Change the Zoning Atlas

LOCATION: Approximately 621, 635 and 645 SW 3rd Avenue

APPLICANT(S): Simon Ferro, Esquire, on behalf of Erika Enterprises, Contract Purchaser and Julia & Eddy Sabugo, Owners

**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 SD-7 Central Brickell Rapid Transit Commercial-Residential Districts.

**DATE: MARCH 23, 2006**

**MOVER: COMMISSIONER REGALADO**

**SECONDER: COMMISSIONER SPENCE-JONES**

**VOTE: AYES: 3 - COMMISSIONER GONZÁLEZ, REGALADO AND SPENCE-JONES**

**ABSENT: 2 - COMMISSIONER WINTON AND SANCHEZ**

**ACTION: PASSED ON FIRST READING**

PZ.12

06-00260

**ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ARTICLE 4, SECTION 401 OF THE ZONING ORDINANCE, AS AMENDED, IN ORDER TO MODIFY THE HEIGHT LIMITATIONS WITHIN THE C-2 LIBERAL COMMERCIAL ZONING DISTRICT; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 15, 2006 by a vote of 6-0.

PURPOSE: This will modify height limitations within C-2.

**DATE: MARCH 23, 2006**

**MOVER: COMMISSIONER REGALADO**

**SECONDER: COMMISSIONER SPENCE-JONES**

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

**ABSENT: 1 - COMMISSIONER SANCHEZ**

**ACTION: PASSED ON FIRST READING**

PZ.13

06-00261

**ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 35, OF THE CODE OF THE CITY OF MIAMI, ENTITLED "MOTOR VEHICLES AND TRAFFIC", BY AMENDING ARTICLE V, IN ORDER TO MODIFY THE REQUIREMENTS FOR PARKING IN THE SD-8 SPECIAL ZONING DISTRICT AS SPECIFIED IN ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend the Miami City Code

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 15, 2006 by a vote of 6-0.

PURPOSE: This will amend the Miami City Code in order to modify the requirements for parking in the SD-8 special zoning district.

**DATE: MARCH 23, 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.14****06-00261a****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 6, SECTION 608.10, IN ORDER TO MODIFY THE REQUIREMENTS FOR PARKING IN THE SD-8 SPECIAL ZONING DISTRICT; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 15, 2006 by a vote of 6-0.

PURPOSE: This will amend the Zoning Ordinance in order to modify the requirements for parking in the SD-8 special zoning district.

**DATE: MARCH 23, 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.15

06-00155a

**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 PROPERTIES LOCATED AT APPROXIMATELY 1950 NORTHWEST 1ST AVENUE AND 1905 NORTHWEST 1ST COURT, MIAMI, FLORIDA, FROM "GENERAL COMMERCIAL" AND "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 "General Commercial" and "Industrial" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 1950 NW 1st Avenue and 1905 NW 1st Court

APPLICANT(S): Javier F. Aviño, Esquire, on behalf of A-1 Management Corporation

## FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 1, 2006 by a vote of 5-0. See companion File ID 06-00155.

PURPOSE: This will change the above properties to Restricted Commercial for the proposed Avenue One Major Use Special Permit.

**DATE: MARCH 23, 2006**

**ACTION: CONTINUED**

PZ.16

06-00155

**ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 23, 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-2" LIBERAL COMMERCIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1950 NORTHWEST 1ST AVENUE AND 1905 NORTHWEST 1ST 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 I Industrial and C-2 Liberal Commercial to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 1950 NW 1st Avenue and 1905 NW 1st Court

APPLICANT(S): Javier F. Aviño, Esquire, on behalf of A-1 Management Corporation

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on January 23, 2006 by a vote of 8-0. See companion File ID 06-00155a.

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

**DATE: MARCH 23, 2006**

**ACTION: CONTINUED**

PZ.17

06-00085

**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 PROPERTIES LOCATED AT APPROXIMATELY 1720 AND 1771 NORTHWEST 33RD STREET, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION AND UTILITIES;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 1720 and 1771 NW 33rd Street

APPLICANT(S): Richard A. Pankey, President, on behalf of Allapattah Baptist Church

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial due to the failure to obtain the required five affirmative votes in favor of the plan amendment to City Commission on January 4, 2006 by a vote of 3-2. See companion File ID 06-00085a.

PURPOSE: This will change the above properties to Major Institutional, Public Facilities, Transportation and Utilities.

PZ.18

06-00085a

**ORDINANCE****FIRST 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 AND "R-2" TWO-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1720 AND 1771 NORTHWEST 33RD 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 G/I Government and Institutional and R-2 Two-Family Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 1720 and 1771 NW 33rd Street

APPLICANT(S): Richard A. Pankey, President, on behalf of Allapattah Baptist Church

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on February 13, 2006 by a vote of 5-3. See companion File ID 06-00085.

PURPOSE: This will change the above properties to C-1 Restricted Commercial.

**PZ.19      06-00213lu      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 620, 630, 640 SOUTHWEST 7TH STREET AND 665 SOUTHWEST 8TH STREET, MIAMI, FLORIDA, FROM "MEDIUM 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 "Medium Density Multifamily Residential" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 620, 630, 640 SW 7th Street and 665 SW 8th Street

APPLICANT(S): A. Vicky Garcia-Toledo, Esquire, on behalf of Miami Automotive Retail, Inc.

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on February 1, 2006 by a vote of 5-0. See companion File ID 06-00213zc.

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

**PZ.20****06-00213zc****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 "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL AND "SD-12" BUFFER OVERLAY DISTRICT TO "C-1" RESTRICTED COMMERCIAL AND "SD-25" SOUTHWEST 8TH STREET SPECIAL OVERLAY DISTRICT FOR THE PROPERTIES LOCATED AT APPROXIMATELY 620, 630 AND 640 SOUTHWEST 7TH STREET AND 665 SOUTHWEST 8TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: To Amend Ordinance No. 11000, from R-3 Multifamily Medium-Density Residential and SD-12 Buffer Overlay District to C-1 Restricted Commercial and SD-25 SW 8th Street Special Overlay District to Change the Zoning Atlas

LOCATION: Approximately 620, 630 and 640 SW 7th Street and 665 SW 8th Street

APPLICANT(S): A. Vicky Garcia-Toledo, Esquire, on behalf of Miami Automotive Retail, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on March 27, 2006 by a vote of 5-1. See companion File ID 06-00213lu.

PURPOSE: This will change the above properties to C-1 Restricted Commercial and SD-25 SW 8th Street Special Overlay District.

**PZ.21      06-00351lu      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 APPROXIMATE 2.83± ACRES OF PROPERTIES LOCATED WITHIN AND APPROXIMATELY BOUNDED BY NORTHWEST 17TH STREET TO THE NORTH, INTERSTATE I-95 TO THE EAST, NORTHWEST 15TH STREET TO THE SOUTH, AND NORTHWEST 7TH AVENUE TO THE WEST, MIAMI, FLORIDA; FROM "INDUSTRIAL" TO "GENERAL COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately bounded by NW 17th Street to the north, Interstate I-95 to the east, NW 15th Street to the south, and NW 7th Avenue to the west

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 6-2. See companion File ID 06-00351zc and related File IDs 06-00352lu and 06-00352zc.

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

**PZ.22****06-00351zc****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AMENDING PAGE NO. 23 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FOR THE APPROXIMATE 2.83± ACRES OF PROPERTIES LOCATED WITHIN AND APPROXIMATELY BOUNDED BY NORTHWEST 17TH STREET TO THE NORTH, INTERSTATE I-95 TO THE EAST, NORTHWEST 15TH STREET TO THE SOUTH, AND NORTHWEST 7TH AVENUE TO THE WEST, MIAMI, FLORIDA; FROM "I" INDUSTRIAL TO "C-2" LIBERAL COMMERCIAL (SEE MAP OF EXACT PROPERTIES ATTACHED HERETO AND COMPLETE LEGAL DESCRIPTIONS ON FILE); MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from I Industrial to C-2 Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately Bounded by NW 17th Street to the north, Interstate I-95 to the east, NW 15th Street to the south, and NW 7th Avenue to the west

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 6-2. See companion File ID 06-00351lu and related File IDs 06-00352lu and 06-00352zc.

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

PZ.23

06-00352lu

**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 PROPERTIES APPROXIMATELY BOUNDED BY NORTHWEST 20TH STREET TO THE NORTH, INTERSTATE I-95 TO THE EAST, NORTHWEST 17TH STREET TO THE SOUTH AND NORTHWEST 7TH AVENUE TO THE WEST, MIAMI, FLORIDA FROM "INDUSTRIAL" TO "GENERAL COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately Bounded by Northwest 20th Street to the north, Interstate I-95 to the east, Northwest 17th Street to the south and Northwest 7th Avenue to the west

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 7-1. See companion File ID 06-00352zc and related File IDs 06-00351lu and 06-00351zc.

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

**PZ.24****06-00352zc****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING PAGE NO. 23 OF THE ZONING ATLAS OF ZONING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FOR THE APPROXIMATE 7.88± ACRES OF PROPERTIES LOCATED WITHIN AND APPROXIMATELY BOUNDED BY NORTHWEST 20TH STREET TO THE NORTH, INTERSTATE I-95 TO THE EAST, NORTHWEST 17TH STREET TO THE SOUTH AND NORTHWEST 7TH AVENUE TO THE WEST, MIAMI, FLORIDA; FROM "I" INDUSTRIAL TO "C-2" LIBERAL COMMERCIAL. (SEE MAP OF EXACT PROPERTIES ATTACHED HERETO AND COMPLETE LEGAL DESCRIPTIONS ON FILE); MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from "I" Industrial to "C-2" Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately Bounded by Northwest 20th Street to the north, Interstate I-95 to the east, Northwest 17th Street to the south and Northwest 7th Avenue to the west

APPLICANT(S): Joe Arriola, City Manager, on behalf of the City of Miami

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 7-1. See companion File ID 06-00352lu and related File IDs 06-00351lu and 06-00351zc.

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

PZ.25

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, on behalf of the City of Miami

**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.

**DATE: FEBRUARY 23, 2006**

**ACTION: CONTINUED**

**DATE: MARCH 23, 2006**

**ACTION: DEFERRED**

**PZ.26****06-00367zt****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ARTICLE 9, SECTION 906.9 OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, BY ADDING PROVISIONS FOR TEMPORARY AUTO SALES, REQUIRING ISSUANCE OF CLASS I SPECIAL PERMIT; PROVIDING FOR CRITERIA; 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, on behalf of the City of Miami

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 8-0.

PURPOSE: This will allow temporary automobile sales by Class I Special Permit subject to limiting conditions.

**PZ.27      06-00100      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 VARIANCES FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, TO ALLOW A FRONT SETBACK OF 4'7" WHERE 10'0" IS REQUIRED, AND A SIDE STREET SETBACK OF 0'0" WHERE 7'6" IS REQUIRED FOR THE PROPERTY LOCATED AT APPROXIMATELY 1800 SOUTHWEST 8TH STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of Variances

LOCATION: Approximately 1800 SW 8th Street

APPLICANT(S)/APPELLANT(S): 1800 Group, LLC

AGENT(S): Oscar Rivero, Managing Member

FINDINGS:

PLANNING DEPARTMENT: Recommended denial of the appeal and denial of the Variances.

ZONING BOARD: Denied the Variances on January 9, 2006 by a vote of 7-1.

PURPOSE: The approval of this appeal will allow a multifamily project with fewer setbacks than required.

**DATE:                      MARCH 23, 2006**

**ACTION:                    CONTINUED**

**PZ.28      06-00441za      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 DISMISSING OR REMANDING AN APPEAL BY OCTAVIO ROBLES WHEREIN HE REQUESTED THAT THE 180 DAY PERIOD PROVIDED IN SECTION 2105.4.1(a) OF ORDINANCE NO. 11000 BE STRICKEN OR IN THE ALTERNATIVE BE CONSIDERABLY EXTENDED TO REFLECT A REASONABLE PERIOD IN TODAY'S PERMITTING CLIMATE.

REQUEST: Appeal of a Zoning Board Decision of the Zoning Administrator Interpretation and Decision Appeal

APPELLANT(S): Octavio Robles

**FINDINGS:**

OFFICE OF ZONING: Recommended denial of the appeal and approval of the administrator's interpretation and decision.

PURPOSE: The approval of this appeal will reverse the decision of the Zoning Board and remand the appeal to the Zoning Board.

**PZ.29      06-00407v      RESOLUTION**

**This item was WITHDRAWN on April 17, 2006 by the applicant/appellant.**

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 VARIANCE FROM ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, REQUIRED SIDE SETBACK, TO ALLOW A SIDE SETBACK OF 5'0" (20'0" REQUIRED) FOR THE PROPERTY LOCATED AT APPROXIMATELY 1001 NORTHWEST 54TH STREET, MIAMI, FLORIDA, PURSUANT TO CONDITIONS FROM THE ZONING BOARD, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Variance

LOCATION: Approximately 1001 NW 54th Street

APPELLANT(S)/APPLICANT(S): Lucia A. Dougherty, Esquire, on behalf of Tri-Arts, LLC, Owner & Coral Place Limited Partnership, LLC, Contract Purchaser

FINDINGS:

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

ZONING BOARD: Denied the Variance on March 27, 2006 by a vote of 5-1. See companion File ID 06-00407x.

PURPOSE: The approval of this appeal will allow less side setbacks that required.

**This item was WITHDRAWN on April 17, 2006 by the applicant/appellant.**

**PZ.30      06-00407x      RESOLUTION**

**This item was WITHDRAWN on April 17, 2006 by the applicant/appellant.**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), GRANTING OR DENYING THE APPEAL, REVERSING OR AFFIRMING THE DECISION OF THE ZONING BOARD AND THEREBY GRANTING OR DENYING A SPECIAL EXCEPTION AS LISTED IN ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, ARTICLE 9, SECTION 917.6, SCHEDULE OF DISTRICT REGULATIONS, TO PERMIT REDUCTION OF OFFSTREET PARKING REQUIREMENTS IN CONNECTION WITH HOUSING FOR LOW INCOME FAMILIES AND INDIVIDUALS IN AN AMOUNT NOT LESS THAN 1/2 OF THE SPACES GENERALLY REQUIRED, WHERE THE APPLICANT IS PROPOSING 111 SPACES, WHERE 176 ARE GENERALLY REQUIRED, FOR THE PROPERTY LOCATED AT APPROXIMATELY 1001 NORTHWEST 54TH STREET, MIAMI, FLORIDA, PURSUANT TO ANY CONDITIONS FROM THE ZONING BOARD, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

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

LOCATION: Approximately 1001 NW 54th Street

APPELLANT(S)/APPLICANT(S): Lucia A. Dougherty, Esquire, on behalf of Tri-Arts, LLC, Owner & Coral Place Limited Partnership, LLC, Contract Purchaser

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions\* of the appeal and approval with conditions\* of the Special Exception.

ZONING BOARD: Denied the Special Exception on March 27, 2006 by a vote of 6-0. See companion File ID 06-00407v.

\*See supporting documentation.

PURPOSE: The approval of this appeal will allow a reduction in parking requirements for low income housing.

**This item was WITHDRAWN on April 17, 2006 by the applicant/appellant.**

**PZ.31      05-00517      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 PROPERTIES LOCATED AT APPROXIMATELY 2460 SOUTHWEST 16TH COURT AND A PORTION OF 2465 SOUTHWEST 17TH AVENUE, MIAMI, FLORIDA, FROM "OFFICE" 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 "Office" to "Restricted Commercial" to Change the Future Land Use Designation of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 2460 SW 16th Court and a Portion of 2465 SW 17th Avenue

APPLICANT(S): Melissa Tapanes Llahues, Esquire, on behalf of Richard Fonseca and Fonseca & Associates, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended denial due to the failure to obtain the required five affirmative votes in favor to City Commission on May 18, 2005 by a vote of 2-3. See companion File ID 05-00517a.

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

NOTE: On February 7, 2006, the Zoning Administrator determined that the proposed Zoning Change companion amendment should return to the Zoning Board with a revised application due to the omission of the SD-12 Buffer Overlay District zoning designation; therefore, returning to City Commission as First Reading.

**DATE:                      NOVEMBER 17, 2005**  
**ACTION:                    CONTINUED**

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

**PZ.32      05-00517a      ORDINANCE      FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 44, 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-12" BUFFER OVERLAY DISTRICT TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2460 SOUTHWEST 16TH COURT AND A PORTION OF 2465 SOUTHWEST 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 O Office and SD-12 Buffer Overlay District to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 2460 SW 16th Court and a Portion of 2465 SW 17th Avenue

APPLICANT(S): Melissa Tapanes Llahues, Esquire, on behalf of Richard Fonseca and Fonseca & Associates, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended denial to City Commission on October 17, 2005 by a vote of 7-1. NOTE: On February 7, 2006, the Zoning Administrator determined that the proposed amendment should return to the Zoning Board with a revised application due to the omission of the SD-12 Buffer Overlay District zoning designation; therefore, returning to City Commission as First Reading. Recommended denial to City Commission on March 13, 2006 by a vote of 7-1. See companion File ID 05-00517.

PURPOSE: This will change the above properties to C-1 Restricted Commercial.

**DATE:                      NOVEMBER 17, 2005**  
**ACTION:                    CONTINUED**

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

PZ.33

05-00652

**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 3690 SOUTHWEST 23RD TERRACE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3690 SW 23rd Terrace

APPLICANT(S): Santiago D. Echemendia, Esquire, on behalf of Cinco M's Corporation and Rincon Argentino, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on June 29, 2005 by a vote of 5-2. See companion File ID 05-00652a.

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

**DATE: NOVEMBER 17, 2005**

**ACTION: CONTINUED**

**DATE: DECEMBER 1, 2005**

**ACTION: CONTINUED**

**PZ.34****05-00652a****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 42, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3690 SOUTHWEST 23RD TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from R-2 Two-Family Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 3690 SW 23rd Terrace

APPLICANT(S): Santiago D. Echemendia, Esquire, on behalf of Cinco M's Corporation and Rincon Argentino, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on July 25, 2005 by a vote of 7-0. See companion File ID 05-00652.

PURPOSE: This will change the above property to C-1 Restricted Commercial.

**DATE: NOVEMBER 17, 2005**

**ACTION: CONTINUED**

**DATE: DECEMBER 1, 2005**

**ACTION: CONTINUED**

**PZ.35      05-00014      RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL BY DONALD J. HAYDEN, ESQ., AND JONEL NEWMAN, ESQ., (FORMERLY ANDREW W.J. DICKMAN, ESQ.), ON BEHALF OF THE MORNINGSIDE CIVIC ASSOCIATION, INC., ROD ALONSO, RON STEBBINS, SCOTT CRAWFORD AND ELVIS CRUZ, AFFIRMING OR REVERSING THE DECISION OF THE MIAMI ZONING BOARD, THEREBY APPROVING WITH CONDITIONS OR DENYING THE CLASS II SPECIAL PERMIT APPLICATION NO. 04-0198, TO ALLOW FOR NEW CONSTRUCTION ON THE PROPERTIES LOCATED AT APPROXIMATELY 5301-5501 BISCAYNE BOULEVARD, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

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

LOCATION: Approximately 5301-5501 Biscayne Boulevard

APPELLANT(S): Donald J. Hayden, Esquire, and JoNel Newman, Esquire, on behalf of the Morningside Civic Association, Inc., Rod Alonso, Ron Stebbins, Scott Crawford and Elvis Cruz, Adjacent Property Owners

APPLICANT(S): Doug Halsey, Esquire, on behalf of the Morningside Development, LLC

**FINDINGS:**

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

ZONING BOARD: Denied the Class II Special Permit appeal on December 13, 2004 by a vote of 7-1. Denied the Class II Special Permit appeal after the remand from the City Commission on March 13, 2006 by a vote of 6-2.

PURPOSE: The approval of this appeal will not allow the new construction of a mixed-use structure.

NOTE: On October 18, 2005, the Circuit Court ruled to quash the City Commission's decision and remanded this case to the City Commission for proceedings.

**DATE:                    MARCH 10, 2005**  
**MOVER:                COMMISSIONER WINTON**  
**SECONDER:            COMMISSIONER ALLEN**  
**VOTE:                    AYES: 4 - COMMISSIONER GONZÁLEZ, WINTON,**  
**SANCHEZ AND ALLEN**  
**ABSENT: 1 - COMMISSIONER REGALADO**  
**ACTION:                ADOPTED**  
**DATE:                    MARCH 17, 2005**  
**ACTION:                SIGNED BY THE MAYOR**  
**DATE:                    NOVEMBER 17, 2005**

**ACTION:** CONTINUED  
**DATE:** DECEMBER 1, 2005  
**ACTION:** CONTINUED  
**DATE:** JANUARY 26, 2006  
**ACTION:** REMANDED TO ZONING BOARD