

# 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, May 25, 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****CA - CONSENT AGENDA**

Item 1 which is comprised of items CA.1 through CA.16 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.4 - Transferring CDBG Funds - NANA to Businesses - Micro-Assistance Grant Prog.

10:30 A.M. - PH.5 - Amending 31st yr. CDBG Program Fund Policies - Single Family Replacement Homes

10:30 A.M. - PH.6 - Amending CD's Housing Program Policies - Homeownership Activities

10:30 A.M. - PH.7 - Approving the Revised LHAP for 2004-2007

10:30 A.M. - PH.8 - Amending Reso.05-0357 - Miami Dream Home Investment Group, Inc.

10:30 A.M. - PH.9 - Convey 2 Parcels of Land - 6005 N.W. 15th Ave. & 1687 N.W. 58th Ter.

**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**

|             |                 |                               |                  |                      |
|-------------|-----------------|-------------------------------|------------------|----------------------|
| <b>PR.1</b> | <b>06-00906</b> | <b><u>CEREMONIAL ITEM</u></b> |                  |                      |
|             |                 | <b>Name of Honoree</b>        | <b>Presenter</b> | <b>Protocol Item</b> |
|             |                 | Daniel Lewis                  | Mayor Diaz       | 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.)

**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.16 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.16 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 06-00771**

*Department of  
Parks and  
Recreation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE USE OF THE PLAZA IN FRONT OF THE EXISTING PAVILION LOCATED IN THE NORTHEAST CORNER OF JUAN PABLO DUARTE PARK, IN THE CITY OF MIAMI ("CITY"), FOR THE INSTALLATION OF COMMEMORATIVE BRASS PLATES AND/OR HEAD BUSTS IN HONOR OF COMMUNITY LEADERS WHO HAVE CONTRIBUTED TO THE CULTURAL AND ECONOMIC DEVELOPMENT OF THE DOMINICAN COMMUNITY IN MIAMI, FLORIDA; AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH FUNDACION PRO INTEGRACION DOMINICANA, INC., A NOT-FOR-PROFIT FLORIDA CORPORATION, FOR THE PURPOSE OF FUNDING THE INSTALLATION AND PROVIDING FOR THE MAINTENANCE OF THE NEW AND FUTURE COMMEMORATIVE BRASS PLATES AND/OR HEAD BUSTS TO BE INSTALLED BY SAID ORGANIZATION ON BEHALF OF THE COMMUNITY.

**CA.2 06-00772**

*Department of  
Police*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING A CONTRIBUTION, IN AN AMOUNT NOT TO EXCEED \$5,000, TO THE FLORIDA CHAPTER OF THE FBI NATIONAL ACADEMY ASSOCIATES, INC., AS FINANCIAL SUPPORT TO HOST THE 2006 NATIONAL TRAINING CONFERENCE TO BE HELD JULY 30-AUGUST 3, 2006, BY THE DEPARTMENT OF POLICE; ALLOCATING SAID FUNDS, FROM THE LAW ENFORCEMENT TRUST FUND, PROJECT NO. 69001.290904.6.996, SUCH EXPENDITURES HAVING BEEN CERTIFIED BY THE CHIEF OF POLICE AS COMPLYING WITH THE PROVISIONS OF SECTION 932.7055, FLORIDA STATUTES, AS AMENDED.

**CA.3 06-00779**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**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 QUALIFICATIONS NO. 05-06-038, THAT THE FIRMS MOST QUALIFIED TO PROVIDE SURVEYING/MAPPING SERVICES FOR THE "MIAMI STREETCAR TOPOGRAPHICAL SURVEY SERVICES PROJECT, B-71215G," IN RANK ORDER ARE: (1) MANUEL G. VERA AND ASSOCIATES, (2) MARLIN ENGINEERING, INC., (3) CRAIG A. SMITH AND ASSOCIATES, AND (4) CONSULTECH SURVEYING AND MAPPING, INC.; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH MANUEL G. VERA AND ASSOCIATES, THE TOP-RANKED FIRM; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE SECOND AND THIRD RANKED FIRMS, RESPECTIVELY, IN THE EVENT NEGOTIATIONS FAIL WITH THE TOP-RANKED FIRM, OR UNTIL A CONTRACT HAS BEEN SUCCESSFULLY NEGOTIATED; DIRECTING THE CITY MANAGER TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION AND APPROVAL.

**CA.4 06-00780**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT PARTICIPATION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH MIAMI DADE COLLEGE ("MDC"), TO IMPLEMENT CONSTRUCTION PLANS FOR IMPROVEMENTS TO THE MDC WOLFSON CAMPUS PROMENADE, LOCATED AT NORTHEAST 4TH STREET BETWEEN BISCAYNE BOULEVARD AND NORTHEAST 2ND AVENUE, MIAMI, FLORIDA, IN THE AMOUNT OF \$185,000; ALLOCATING SAID FUNDS FROM THE TRANSIT HALF-CENT SURTAX PROGRAM, THE SCHEDULED 2006 FLORIDA DEPARTMENT OF TRANSPORTATION REIMBURSEMENT, AND MDC'S CONTRIBUTION OF FUNDS.

**CA.5 06-00782**

*Department of  
General Services  
Administration*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE PURCHASE OF A XEROX DOCUCOLOR 250XC COLOR COPIER WITH ACCESSORIES, FROM XEROX CORPORATION, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, GRAPHIC REPRODUCTIONS DIVISION, AWARDED UNDER EXISTING STATE OF FLORIDA CONTRACT NO. 250-000-03-1, EFFECTIVE UNTIL JULY 31, 2006, SUBJECT TO FURTHER EXTENSIONS AND/OR REPLACEMENT CONTRACTS BY THE STATE OF FLORIDA, IN AN AMOUNT NOT TO EXCEED \$68,885; ALLOCATING FUNDS FROM THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, GRAPHIC REPRODUCTIONS DIVISION, ACCOUNT CODE NO. 505000.420501.6.840.

**CA.6 06-00783**

*Department of  
Parks and  
Recreation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF A1A TRANSPORTATION, INC., RECEIVED APRIL 10, 2006, PURSUANT TO INVITATION FOR BIDS NO. 05-06-046, FOR THE PROVISION OF BUS TRANSPORTATION SERVICES, FOR THE DEPARTMENT OF PARKS AND RECREATION, 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.

**CA.7 06-00784**

*Department of  
General Services  
Administration*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF YLLADA TIRE SERVICES, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, RECEIVED FEBRUARY 27, 2006, PURSUANT TO INVITATION FOR BIDS NO. 04-05-123, FOR THE PROVISION OF SPECIALIZED FLAT TIRE REPAIR SERVICES, FOR THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION, FLEET MANAGEMENT DIVISION, 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, IN AN AMOUNT NOT TO EXCEED \$75,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$300,000; ALLOCATING FUNDS, IN THE AMOUNT OF \$25,000, FOR FISCAL YEAR 2006, FROM THE DEPARTMENT OF GENERAL SERVICES ADMINISTRATION ACCOUNT CODE NO. 503001.420905.6.670 AND THE AMOUNT OF \$50,000, FOR FISCAL YEAR 2007, FROM SAID ACCOUNT, WITH FUTURE FISCAL YEARS FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

**CA.8 06-00788***Department of  
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS FROM THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") WATERWAYS ASSISTANCE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$28,350, TO REPLACE THE EXISTING DETERIORATING SEMINOLE PUBLIC DINGHY DOCK IN THE DINNER KEY AREA, TO ELIMINATE THE POTENTIAL HAZARDS AND PROVIDE SAFE DOCKAGE FOR THE DINGHIES AND TRANSIENT VESSEL OWNERS DESIRING TO GO TO THE MAINLAND FROM DINNER KEY; APPROVING THE ALLOCATION OF THE CITY OF MIAMI'S REQUIRED MATCHING FUNDS, IN AN AMOUNT NOT TO EXCEED \$34,350, FROM THE DEPARTMENT OF PUBLIC FACILITIES FISCAL YEAR 2005-2006 GENERAL FUND OPERATING BUDGET ACCOUNT NO. 414000.350506.340; AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIND PROJECT AGREEMENT (PROJECT NO. DA-MI-05-90), IN SUBSTANTIALLY THE ATTACHED FORM, AND TO COMPLY WITH AND EXECUTE ALL OTHER NECESSARY REPORTS AND DOCUMENTS TO IMPLEMENT ACCEPTANCE OF SAID GRANT AND TO ACCEPT THE TERMS AND CONDITIONS REQUIRED BY FIND RULE 66B-2 F.A.C. GOVERNING THE WATERWAYS ASSISTANCE PROGRAM.

**CA.9 06-00793***Department of  
Purchasing***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BIDS OF ROYAL RENT-A-CAR SYSTEM OF FLORIDA, INC., THE PRIMARY LOWEST RESPONSIVE, RESPONSIBLE BIDDER AND ENTERPRISE LEASING COMPANY, INC., THE SECONDARY LOWEST RESPONSIVE, RESPONSIBLE BIDDER, RECEIVED MARCH 20, 2006, PURSUANT TO INVITATION FOR BID NO. 04-05-104, FOR RENTAL OF VEHICLES 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.

**CA.10 06-00794***Department of  
Purchasing***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, ACCEPTING THE BIDS OF TROPICAL EVERGREEN LANDSCAPING, HOWARD'S LAWN & MAINTENANCE SERVICE, INC., AND SANCHEZ-ARANGO CONSTRUCTION, INC., THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDERS, RECEIVED MARCH 15, 2006, PURSUANT TO INVITATION FOR BID NO. 04-05-116, FOR GROUNDS MAINTENANCE SERVICES 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.

**CA.11 06-00661***Department of  
Fire-Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "FIRST AIDE/CPR EDUCATIONAL/TRAINING PROGRAM," CONSISTING OF A GRANT FROM THE HEALTH FOUNDATION OF SOUTH FLORIDA AND APPROPRIATING FUNDS, IN THE TOTAL AMOUNT OF \$200,000, WITH THE AMOUNT OF \$50,000, AS THE FIRST INSTALLMENT AND AN AMOUNT OF \$50,000, EVERY SIX MONTHS THEREAFTER, FOR A TOTAL TWO-YEAR PERIOD, TO PURCHASE AND INSTALL A MINIMUM OF SIXTY-SIX (66) AUTOMATIC EXTERNAL DEFIBRILLATORS CITY-WIDE, TO PROVIDE TRAINING BY THE DEPARTMENT OF FIRE-RESCUE TO 1,000 CITY OF MIAMI RESIDENTS AND EMPLOYEES IN CPR/AED USAGE, AND TO CONDUCT OUTREACH ACTIVITIES TO INCREASE AWARENESS; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD AND TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF SAID GRANT AWARD, AND TO COMPLY WITH THE GRANT REQUIREMENTS.

**CA.12 06-00808***Office of the City  
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY CASILDA CASTRO, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$41,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF CASILDA CASTRO VS. CITY OF MIAMI, IN THE CIRCUIT COURT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 05-20189 CA (25), UPON EXECUTING A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.653.

**CA.13 06-00809***Office of the City  
Attorney***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY AZUCENA ALVARADO, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$42,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF AZUCENA ALVARADO VS. CITY OF MIAMI, IN THE CIRCUIT COURT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 04-3215 CA (31), UPON EXECUTING A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.653.

**CA.14 06-00823**

*Department of  
Parks and  
Recreation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ESTABLISHING A NEW SPECIAL REVENUE FUND ENTITLED: "SUMMER FOOD SERVICE PROGRAM FOR CHILDREN 2006," AND APPROPRIATING FUNDS FOR THE OPERATION OF SAME, IN AN AMOUNT NOT TO EXCEED \$573,894, CONSISTING OF A GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE ("USDA") THROUGH THE FLORIDA DEPARTMENT OF EDUCATION; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD FROM USDA; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE SCHOOL BOARD OF MIAMI DADE COUNTY, FOR THE PROVISION OF LUNCHEES AND SNACKS TO THE PARTICIPANTS OF THE CITY OF MIAMI'S 2006 SUMMER FOOD SERVICE PROGRAM, OPERATED BY THE DEPARTMENT OF PARKS AND RECREATION.

**CA.15 06-00810**

*Office of Grants  
Administration*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO ACCEPT AND APPROPRIATE A GRANT, IN THE AMOUNT OF \$5,500, FROM THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, TO PROVIDE FUNDING FOR TWO (2) ADDITIONAL AMERICORPS VOLUNTEERS IN SERVICE TO AMERICA ("VISTA") MEMBERS AND THEIR TRANSPORTATION EXPENSES AND OTHER EXPENSES ASSOCIATED WITH SAID VISTA MEMBERS WORK ON THE CITY OF MIAMI'S POVERTY REDUCTION PROGRAM, PURSUANT RESOLUTION NO. 05-0145, ADOPTED MARCH 10, 2005; APPROPRIATING SAID FUNDS TO SPECIAL REVENUE FUND NO. 110146.098002.8.436, ENTITLED "AMERICORPS VOLUNTEERS IN SERVICE TO AMERICA (VISTA);" AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE MEMORANDUM OF AGREEMENT, FOR SAID PURPOSE.

**CA.16 06-00781**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH MIAMI-DADE COUNTY TO RECEIVE FUNDS ON A REIMBURSEMENT BASIS IN VARIED AMOUNTS, FOR CAPITAL IMPROVEMENT PROJECTS AS LISTED BELOW FUNDED BY THE MIAMI DADE COUNTY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ANY ADDITIONAL DOCUMENTS NECESSARY FOR SAID PURPOSE.

**END OF CONSENT AGENDA**

**MAYOR AND COMMISSIONER'S ITEMS****CITYWIDE****HONORABLE MAYOR MANUEL A. DIAZ****M.1      06-00821****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE POLICY AND PROCEDURES AGREEMENT OF THE ECIVIS GRANTS LOCATOR SERVICE, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE FOLLOWING SIXTEEN (16) COMMUNITY BASED ORGANIZATIONS ("CBOS"): ALLAPATTAH YMCA; MIAMI BETHANY COMMUNITY SERVICES; RESIDENTIAL PLAZA AT BLUE LAGOON; COCONUT GROVE CARES, INC./THE BARNYARD; ASSOCIATION FOR THE DEVELOPMENT OF THE EXCEPTIONAL; GREATER ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH; REGIS HOUSE; CASABLANCA CHRISTIAN CENTER; CITIZENS FOR A BETTER SOUTH FLORIDA; PRINCE OF PEACE LUTHERAN CHURCH; IGLESIA BAUTISTA RESSURRECCION; HOPE RELIEF FOOD BANK; HOSANNA COMMUNITY FOUNDATION, INC.; POLICE ATHLETIC LEAGUE/DO THE RIGHT THING; MIAMI HOMELESS ASSISTANCE PROGRAM AND THE MIAMI/MIAMI-DADE COUNTY WEED & SEED, TO BE USED ON AN AS-NEEDED BASIS, IN ORDER TO PROVIDE SAID CBOS ACCESS TO SAID GRANTS LOCATOR PROGRAM, FOR A BASE TERM OF A ONE-YEAR PERIOD, WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS, AT NO COST TO THE CBOS, CONTINGENT UPON THE CITY'S CONTINUED AGREEMENT WITH THE ECIVIS GRANTS LOCATOR SERVICE; FURTHER AUTHORIZING THE ADDITION OF QUALIFIED CBOS TO THE CONTRACT WHEN DEEMED IN THE CITY OF MIAMI'S BEST INTERESTS BY THE CITY MANAGER WITHOUT FURTHER CITY COMMISSION AUTHORIZATION.

**DISTRICT 1**

**CHAIRMAN ANGEL GONZÁLEZ**

## DISTRICT 2

### VICE CHAIRMAN JOHNNY L. WINTON

- D2.1**      **06-00796**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING PEDESTRIAN TRAFFIC AND THE USE OF  
SIDEWALKS AROUND BUILDING SITES.
- D2.2**      **06-00900**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING THE PROCEDURE FOR PLACING  
BANNERS IN THE PUBLIC RIGHT OF WAY.
- D2.3**      **06-00907**      **DISCUSSION ITEM**  
DISCUSSION CONCERNING THE COUNTY ORDINANCE CHANGE TO  
THE TDT (TAX DEVELOPMENT TAX) REVENUES.

**DISTRICT 3****COMMISSIONER JOE SANCHEZ****D3.1 06-00841****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION CREATING A CITY OF MIAMI ("CITY") WORKING GROUP TO DEVELOP A CITY VETERANS' ASSISTANCE PROGRAM WHOSE TASKS WILL INCLUDE BUT NOT BE LIMITED TO THE DEVELOPMENT AND/OR ENHANCEMENT OF A CITY VETERANS' HOUSING ASSISTANCE PROGRAM, AND A CITY VETERANS' EMPLOYMENT ASSISTANCE PROGRAM; SAID WORKING GROUP WILL REFERENCE RECOMMENDATIONS PRESENTED BY THE CHAIRMAN'S TASK FORCE ON VETERANS' HOMEOWNERSHIP DURING THE NOVEMBER 3, 2005, CITY COMMISSION MEETING; MEMBERSHIP OF SAID WORKING GROUP WILL INCLUDE REPRESENTATIVES FROM A CROSS SECTION OF CITY DEPARTMENTS ASSURING THAT CITY SERVICES ARE STREAMLINED TO BEST MEET THE NEEDS OF THE VETERANS WITHIN THE CITY, AND ARE AS FOLLOWS: HECTOR MIRABILE OF THE DEPARTMENT OF EMPLOYEE RELATIONS, BARBARA RODRIGUEZ-GOMEZ, ROBERT TAZOE AND WILLIAM PORRO OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT, AND PABLO CANTON OF THE NEIGHBORHOOD ENHANCEMENT TEAM; DIRECTING SAID WORKING GROUP TO REPORT A QUARTERLY VETERANS' ASSISTANCE REPORT TO THE CITY COMMISSION BEGINNING JULY 13, 2006.

**DISTRICT 4**

**COMMISSIONER TOMAS REGALADO**

**DISTRICT 5**

**COMMISSIONER MICHELLE SPENCE-JONES**

**PUBLIC HEARINGS****PH.1 06-00789***Department of  
Planning***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 FINDINGS THAT IT IS MOST ADVANTAGEOUS FOR THE CITY OF MIAMI ("CITY"), TO WAIVE COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTION 18-85 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED; APPROVING THE SELECTION OF VILLAGE MARKETING BUREAU, INC. ("PROVIDER"), TO PROVIDE THE REQUIRED SERVICES RELATED TO THE REMAINING THREE (3) QUADRANTS OF THE MIAMI 21 PROJECT, IN SUPPORT OF THE MIAMI 21 INITIATIVE, AS STATED HEREIN, IN AN AMOUNT NOT TO EXCEED \$125,000; FUNDED BY CAPITAL IMPROVEMENT PROJECT NO. 311047, B #30341; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY AND THE PROVIDER, FOR SAID PURPOSE.

**PH.2 06-00790***Department of  
Public Works***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "MERCEDES SUBDIVISION," 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; ACCEPTING THE COVENANT TO RUN WITH THE LAND POSTPONING THE IMMEDIATE CONSTRUCTION OF CERTAIN IMPROVEMENTS UNTIL REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS; 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.3 06-00870***Department of  
Public Facilities***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO LEASE AGREEMENT ("AMENDMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI ("CITY") AND BEASLEY-REED ACQUISITION PARTNERSHIP, A DELAWARE PARTNERSHIP, FOR THEIR LEASING OF APPROXIMATELY TWO AND TWO-TENTHS (2.2) ACRES OF THE CITY'S PROPERTY IN VIRGINIA KEY, MIAMI, FLORIDA, WITH SAID AMENDMENT PROVIDING FOR: 1) AN EXTENSION FOR SIX ADDITIONAL YEARS ("EXTENSION TERM") COMMENCING ON SEPTEMBER 3, 2007 AND EXPIRING SEPTEMBER 2, 2013; 2) MUTUAL TERMINATION RIGHTS UPON 180-DAYS PRIOR WRITTEN NOTICE COMMENCING IN THE SECOND YEAR OF THE EXTENSION TERM; AND 3) AN INITIAL INCREASE IN RENT TO \$150,000 ANNUALLY, COMMENCING SEPTEMBER 3, 2007, PLUS SALES AND USE TAX, IF APPLICABLE.

**10:30 A.M.****PH.4 06-00820**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT GRANT FUNDS, IN THE TOTAL AMOUNT OF \$100,000, FROM NEIGHBORS AND NEIGHBORS ASSOCIATION, INC.; ALLOCATING SAID FUNDS, TO THE BUSINESSES/BUSINESS OWNERS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED, TO PROVIDE ECONOMIC DEVELOPMENT ACTIVITIES UNDER THE MICRO-ENTERPRISE ASSISTANCE GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), WITH SAID ENTITIES, FOR SAID PURPOSES.

**PH.5 06-00874**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE 31ST YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND POLICIES, AS SPECIFIED IN ATTACHMENT "A," ATTACHED AND INCORPORATED, FOR SINGLE FAMILY REPLACEMENT HOMES.

**PH.6 06-00655**

*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 31ST YEAR HOUSING PROGRAM POLICIES FOR HOMEOWNERSHIP ACTIVITIES, AS ATTACHED AND INCORPORATED.

**PH.7 06-00873**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE REVISED CITY OF MIAMI ("CITY") LOCAL HOUSING ASSISTANCE PLANS ("LHAP"), ATTACHED AND INCORPORATED, FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2007, FOR THE CONTINUED PARTICIPATION OF THE CITY IN THE FLORIDA STATE HOUSING INITIATIVES PARTNERSHIP ("SHIP") PROGRAM; AUTHORIZING CHANGING THE REPLACEMENT HOME, HOMEBUYER AND HOMEOWNERSHIP DEVELOPMENT PROGRAM POLICIES, AS DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO SUBMIT THE MODIFIED LHAP FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENT(S), TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SHIP PROGRAM AND THE LHAP.

**PH.8 06-00819**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING RESOLUTION NO. 05-0357, ADOPTED MAY 26, 2005, BY AMENDING THE ATTACHMENT HERETO, TO REFLECT THAT THE PARCEL OF LAND CONVEYED TO MIAMI DREAM HOME INVESTMENT GROUP, INC., LOCATED AT 1525 NORTHWEST 60 STREET, MIAMI, FLORIDA, WILL BE DEVELOPED AS A NEW CONSTRUCTION MULTI-FAMILY RENTAL PROJECT CONSISTING OF SEVEN (7), UNITS FOR LOW INCOME PERSONS, AS SPECIFIED IN "ATTACHMENT A," ATTACHED AND INCORPORATED; FURTHER CLARIFYING THAT SAID PROPERTY WILL BE CONVEYED TO THE CITY OF MIAMI UPON ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR SAID PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), FOR SAID PURPOSE.

**PH.9 06-00824**

*Department of  
Community  
Development*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO CONVEY, WITH PARCEL REVERTER PROVISIONS, TWO (2) CITY OF MIAMI OWNED PARCELS OF LAND LOCATED AT 6005 NORTHWEST 15 AVENUE, MIAMI, FLORIDA AND 1687 NORTHWEST 58 TERRACE, MIAMI, FLORIDA, AS LEGALLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO MIAMI DREAM HOME INVESTMENT GROUP, INC., FOR THE DEVELOPMENT OF AFFORDABLE HOUSING FOR ELIGIBLE LOW AND MODERATE INCOME FAMILIES; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENT(S), FOR SAID PURPOSE.

**RESOLUTIONS****RE.1 06-00787**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE CITY OF MIAMI'S ("CITY'S") 2005-2006 MULTI-YEAR CAPITAL PLAN ("PLAN"), ATTACHED AND INCORPORATED, AS REQUIRED BY SECTION 163.3177, FLORIDA STATUTES (2005) AND PURSUANT TO CHAPTER 18/ ARTICLE IX/DIVISIONS 1 AND 2 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "FINANCE/FINANCIAL POLICIES/ANTI-DEFICIENCY ACT/FINANCIAL INTEGRITY PRINCIPLES," TO SET FORTH THE CITY'S FISCAL NEEDS FOR CAPITAL IMPROVEMENTS, SUBJECT TO AN ANNUAL PLAN REVIEW OF THE PLAN TO DETERMINE PROJECT PRIORITIES AND TO MODIFY FUNDING ALLOCATIONS AS NECESSARY.

**RE.2 06-00798**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING AND APPROPRIATING TWO NEW CAPITAL IMPROVEMENT GRANTS, IN THE TOTAL AMOUNT OF \$1,200,000; AMENDING THE CAPITAL IMPROVEMENTS 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 INTO THE CAPITAL IMPROVEMENT PROJECT NUMBERS SPECIFIED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT ACCEPTANCE AGREEMENT(S), IN SUBSTANTIALLY THE ATTACHED FORM(S), AND ANY NECESSARY DOCUMENT(S), TO IMPLEMENT ACCEPTANCE OF SAID GRANTS.

**RE.3 06-00770**

*Department of  
Capital  
Improvement  
Programs/Transportation*

**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE DESIGN FOR THE "BRYAN PARK NEW TENNIS CENTER," PROJECT B-30134, DATED FEBRUARY 20, 2006, PREPARED BY THE DEPARTMENT OF CAPITAL IMPROVEMENTS AND TRANSPORTATION ("DEPARTMENT"); DIRECTING THE DEPARTMENT TO IMPLEMENT SAID PROJECT.

**RE.4      06-00795***Department of  
Fire-Rescue***RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S EMERGENCY FINDING; WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTION 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA; AUTHORIZING AN AWARD OF A CONTRACT TO TEN-8 FIRE EQUIPMENT, INC., FOR THE IMMEDIATE REPAIR OF A DAMAGED BASKET ON AERIAL 1, FOR THE DEPARTMENT OF FIRE-RESCUE, IN AN AMOUNT NOT TO EXCEED \$36,310; ALLOCATING FUNDS FROM THE FIRE ASSESSMENT ACCOUNT CODE NO. 109001.280905.6.840.

**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.

**DI.1      06-00774**

*Department of  
Finance*

**DISCUSSION ITEM**

DISCUSSION CONCERNING A FINANCIAL UPDATE AND BUDGET  
OUTLOOK.

**PART B**

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

**PZ.1      06-00380mm      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 **HOTEL DE L'OPERA** PROJECT, LOCATED AT APPROXIMATELY 1771 NE 4TH AVENUE, MIAMI, FLORIDA, TO ALLOW THE MODIFICATION OF THE PREVIOUSLY APPROVED MIRAMAR CENTRE PHASE II AND III, PURSUANT TO RESOLUTION NO. 01-0199, ADOPTED FEBRUARY 22, 2001, TO CONSTRUCT AN APPROXIMATE 400-FOOT, 34-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 350 HOTEL ROOMS, APPROXIMATELY 44,606 SQUARE FEET OF CLASS A OFFICE SPACE, APPROXIMATELY 5,886 SQUARE FEET OF RETAIL SPACE, AND APPROXIMATELY 309 TOTAL PARKING SPACES; DIRECTING TRANSMITTAL; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for the Hotel de l'Opera Project

LOCATION: Approximately 1771 NE 4th Avenue

APPLICANT(S): A. Vicky Garcia-Toledo, Esquire, on behalf of Tibor Hollo, Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* to City Commission on April 5, 2006 by a vote of 8-0.

\*See supporting documentation.

PURPOSE: This will allow the development of the **Hotel de l'Opera** project.

**PZ.2      06-00376mu      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 **WEST BRICKELL CENTRE** PROJECT, TO BE LOCATED AT APPROXIMATELY 240-270 AND 290 SOUTHWEST 10TH STREET AND 245, 251-253, 255 AND 267 SOUTHWEST 11TH STREET, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 165-FOOT, 14-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 192 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 2,780 SQUARE FEET OF ANCILLARY RETAIL SPACE; AND APPROXIMATELY 323 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 West Brickell Centre Project

LOCATION: Approximately 240-270 and 290 SW 10th Street and 245, 251-253, 255 and 267 SW 11th Street

APPLICANT(S): Ben Fernandez, Esquire, on behalf of Tiner USA, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* on April 5, 2006 to City Commission by a vote of 9-0.

\*See supporting documentation.

PURPOSE: This will allow the development of the **West Brickell Centre** project.

**PZ.3      06-00386mu      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 **SEVEN 7** PROJECT, TO BE LOCATED AT APPROXIMATELY 2728 NORTHEAST 2ND AVENUE, 169 NORTHEAST 27TH STREET AND 167 NORTHEAST 28TH STREET, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 183-FOOT, 18-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 88 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 4,018 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 139 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 Seven 7 Project

LOCATION:      Approximately    2728 NE    2nd    Avenue,    169 NE  
27th Street and 167 NE 28th Street

APPLICANT(S):    Ben Fernandez, Esquire, on behalf of R & L  
Development, LLC

FINDINGS:

PLANNING DEPARTMENT:      Recommended approval with  
conditions\*.

PLANNING ADVISORY BOARD:      Recommended approval  
with conditions\* to City Commission on April 5, 2006 by a vote  
of 9-0.

\*See supporting documentation.

PURPOSE:    This will allow the development of the **Seven 7**  
project.

**PZ.4      06-00402mu      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 **1080 BRICKELL** PROJECT, TO BE LOCATED AT APPROXIMATELY 1110 BRICKELL AVENUE, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 491-FOOT, 43-STORY HIGH MIXED-USE STRUCTURE TO BE COMPRISED OF APPROXIMATELY 315 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; APPROXIMATELY 1,250 SQUARE FEET OF RETAIL SPACE; AND APPROXIMATELY 691 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 1080 Brickell Project

LOCATION: Approximately 1110 Brickell Avenue

APPLICANT(S): Adrienne F. Pardo, on behalf of 1080 Brickell LLC, as Contract Purchaser and 1110 Brickell Venture Par LLC, as Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* to City Commission on April 19, 2006 by a vote of 8-0.

ZONING BOARD: Recommended denial of a Variance to City Commission on March 27, 2006 by a vote of 4-2.

\*See supporting documentation

PURPOSE: This will allow the development of the **1080 Brickell** project.

**PZ.5      06-00384mu      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 **AJA ON THE BAY** (FKA ELECTRA ON THE BAY) PROJECT, TO BE LOCATED AT APPROXIMATELY 709 AND 721 NORTHEAST 26TH STREET, AND 700 NORTHEAST 26TH TERRACE, MIAMI, FLORIDA, TO CONSTRUCT AN APPROXIMATE 439-FOOT, 41-STORY HIGH RESIDENTIAL STRUCTURE TO BE COMPRISED OF APPROXIMATELY 129 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES; AND APPROXIMATELY 150 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 Aja on the Bay Project

LOCATION: Approximately 709 and 721 NE 26th Street, and 700 NE 26th Terrace

APPLICANT(S): Adrienne F. Pardo, Esquire, and Gilberto Pastoriza, Esquire, on behalf of Electra on The Bay, LLC

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended approval with conditions\* excluding condition #11b in the Development Order to City Commission on May 3, 2006 by a vote of 5-4.

\*See supporting documentation

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

PZ.6 06-00085

**ORDINANCE****SECOND READING****DEFERRED**

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.

**DATE: APRIL 27, 2006**  
**MOVER: CHAIRMAN GONZÁLEZ**  
**SECONDER: COMMISSIONER SPENCE-JONES**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

PZ.7 06-00085a

**ORDINANCE****SECOND READING****DEFERRED**

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.

**DATE:** APRIL 27, 2006  
**MOVER:** CHAIRMAN GONZÁLEZ  
**SECONDER:** COMMISSIONER SPENCE-JONES  
**VOTE:** AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES  
**ACTION:** PASSED ON FIRST READING

**PZ.8 06-00213lu****ORDINANCE****SECOND READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 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.

**DATE: APRIL 27, 2006**  
**MOVER: COMMISSIONER SANCHEZ**  
**SECONDER: VICE CHAIRMAN WINTON**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.9 06-00213zc****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 "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.

**DATE: APRIL 27, 2006**  
**MOVER: COMMISSIONER SANCHEZ**  
**SECONDER: COMMISSIONER SPENCE-JONES**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.10 06-00351lu****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 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, 06-00352zc and 06-00799zt.

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

**DATE: APRIL 27, 2006**  
**MOVER: CHAIRMAN GONZÁLEZ**  
**SECONDER: COMMISSIONER REGALADO**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.11 06-00351zc****ORDINANCE****SECOND 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, 06-00352zc and 06-00799zt.

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

**DATE: APRIL 27, 2006**  
**MOVER: CHAIRMAN GONZÁLEZ**  
**SECONDER: COMMISSIONER REGALADO**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.12 06-00352lu****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 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, 06-00351zc and 06-00799zt.

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

**DATE: APRIL 27, 2006**  
**MOVER: CHAIRMAN GONZÁLEZ**  
**SECONDER: COMMISSIONER SANCHEZ**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.13 06-00352zc****ORDINANCE****SECOND 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, 06-00351zc and 06-00799zt.

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

**DATE: APRIL 27, 2006**  
**MOVER: CHAIRMAN GONZÁLEZ**  
**SECONDER: COMMISSIONER SANCHEZ**  
**VOTE: AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON, SANCHEZ, REGALADO AND SPENCE-JONES**  
**ACTION: PASSED ON FIRST READING**

**PZ.14 06-00799zt****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI AND CHARITY UNLIMITED OF FLORIDA, FOR THE PURPOSE OF IMPLEMENTING A HOMELESS PLAN.

REQUEST: To Implement a Homeless Plan

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

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Pending recommendation on May 17, 2006. See related File IDs 06-00351lu, 06-00351zc, 06-00352lu and 06-00352zc.

PURPOSE: This will aid the City's efforts to implement a Homeless Plan.

**PZ.15 06-00367zt****ORDINANCE****SECOND 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.

**DATE: APRIL 27, 2006**

**MOVER: COMMISSIONER SANCHEZ**

**SECONDER: COMMISSIONER REGALADO**

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

**ABSENT: 1 - COMMISSIONER GONZÁLEZ**

**ACTION: PASSED ON FIRST READING**

PZ.16 05-01525a

ORDINANCE

FIRST READING

**DEFERRED**

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 1919, 1927, 1935, 1945 AND 1965 SOUTHWEST 9TH STREET, 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 1919, 1927, 1935, 1945 and 1965 SW 9th Street

APPLICANT(S): Renaissance Pointe, LLC

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

## 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 January 18, 2006 by a vote of 3-4. See companion File ID 05-01525.

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

**DATE: MARCH 23, 2006**

**ACTION: CONTINUED**

PZ.17 05-01525

**ZB RESOLUTION****DEFERRED**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 39, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1919, 1927, 1935, 1945 AND 1965 SOUTHWEST 9TH 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-1" Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 1919, 1927, 1935, 1945 and 1965 SW 9th Street

APPLICANT(S): Renaissance Pointe, LLC

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

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended of approval with a condition\* to City Commission on December 12, 2005 by a vote of 7-1. See companion File ID 05-01525a.

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

**DATE: MARCH 23, 2006**

**ACTION: CONTINUED**

PZ.18 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**

**DATE: APRIL 27, 2006**

**ACTION: CONTINUED**

**PZ.19 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**

**DATE: APRIL 27, 2006**

**ACTION: CONTINUED**

**PZ.20 06-003591u****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, BY CHANGING THE LAND USE DESIGNATION FOR THE APPROXIMATE 0.54± ACRES OF PROPERTIES LOCATED AT APPROXIMATELY 27 AND 29 NORTHWEST 34TH TERRACE AND 34 NORTHWEST 35TH STREET, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" AND "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" 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 "Duplex Residential" and "Medium Density Multifamily Residential" to "General Commercial" to Change the Future Land Use Map of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 27 and 29 NW 34th Terrace and 34 NW 35th Street

APPLICANT(S): Adrienne F. Pardo, on behalf of North Miami Avenue LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 19, 2006 by a vote of 8-0. See companion File ID 06-00409zc.

PURPOSE: This will change the above properties to General Commercial for the proposed Midtown Park Major Use Special Permit.

**PZ.21 06-00409zc****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 21, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-2" TWO-FAMILY RESIDENTIAL AND "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-2" LIBERAL COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 27 AND 29 NORTHWEST 34TH TERRACE AND 34 NORTHWEST 35TH 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 and "R-3" Multifamily Medium-Density Residential to "C-2" Liberal Commercial to Change the Zoning Atlas

LOCATION: Approximately 27 and 29 NW 34th Terrace and 34 NW 35th Street

APPLICANT(S): Adrienne F. Pardo, Esquire, on behalf North Miami Avenue, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on March 27, 2006 by a vote of 6-0. See companion File ID 06-00359lu.

PURPOSE: This will change the above properties to C-2 Liberal Commercial for the proposed Midtown Park Major Use Special Permit.

**PZ.22 06-00401lu****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, BY CHANGING THE LAND USE DESIGNATION FOR THE APPROXIMATE 1.64± ACRES OF PROPERTIES LOCATED AT APPROXIMATELY A PORTION OF 600 BRICKELL AVENUE AND 57 SOUTHEAST 7TH STREET, 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 Map of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately a Portion of 600 Brickell Avenue and 57 SE 7th Street

APPLICANT(S): Gilberto Pastoriza, Esquire, on behalf of 600 Brickell, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on April 19, 2006 by a vote of 8-0. See companion File ID 06-00481a and related File ID 06-00481.

PURPOSE: This will change the above properties to Restricted Commercial for the proposed 600 Brickell Major Use Special Permit.

PZ.23 06-00481a

**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 "SD-5" BRICKELL AVENUE AREA RESIDENTIAL-OFFICE DISTRICT TO "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICTS AND "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, TO INCREASE THE NON-RESIDENTIAL F.A.R. FROM 2.25 TO 3.25 AND REDUCE THE RESIDENTIAL F.A.R. FROM 6.0 TO 3.0 FOR A TOTAL F.A.R. OF 6.25, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 57 SOUTHEAST 7TH STREET AND A PORTION OF 600 BRICKELL 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-5" Brickell Avenue Area Residential-Office District to "SD-7" Central Brickell Rapid Transit Commercial-Residential Districts and "SD-19" Designated F.A.R. Overlay District, to Increase the Non-Residential F.A.R. from 2.25 to 3.25 and Reduce the Residential F.A.R. from 6.0 to 3.0 for a Total F.A.R. of 6.25 to Change the Zoning Atlas

LOCATION: Approximately 57 SE 7th Street and a Portion of 600 Brickell Avenue

APPLICANT(S): Gilberto Pastoriza, Esquire, on behalf of 600 Brickell, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended approval of the change to SD-7 excluding Lot 3 and Lot 7 and denial of the change to SD-19.

ZONING BOARD: Recommended approval to City Commission on March 13, 2006 by a vote of 5-3. See companion File ID 06-00401lu and related File ID 06-00481.

PURPOSE: This will change the above properties to SD-7 Central Brickell Rapid Transit Commercial-Residential Districts and SD-19 Designated F.A.R. Overlay District, to increase the non-residential F.A.R. from 2.25 to 3.25 and reduce the residential F.A.R. from 6.0 to 3.0 for a total F.A.R. of 6.25 for the proposed 600 Brickell Major Use Special Permit.

**PZ.24 06-00481****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 "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICTS TO "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICTS AND "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, TO INCREASE THE NON-RESIDENTIAL F.A.R. FROM 2.25 TO 3.25 AND REDUCE THE RESIDENTIAL F.A.R. FROM 6.0 TO 3.0 FOR A TOTAL F.A.R. OF 6.25, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 33 AND 45 SOUTHEAST 7TH STREET AND 38, 40 AND 44 SOUTHEAST 6TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from "SD-7" Central Brickell Rapid Transit Commercial-Residential Districts to "SD-7" Central Brickell Rapid Transit Commercial-Residential Districts and "SD-19" Designated F.A.R. Overlay District, to Increase the Non-Residential F.A.R. from 2.25 to 3.25 and Reduce the Residential F.A.R. from 6.0 to 3.0 for a Total F.A.R. of 6.25 to Change the Zoning Atlas

LOCATION: Approximately 33 and 45 SE 7th Street and 38, 40 and 44 SE 6th Street

APPLICANT(S): Gilberto Pastoriza, Esquire, on behalf of 600 Brickell, LLC

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval to City Commission on March 13, 2006 by a vote of 6-2. See related File IDs 06-00401lu and 06-00481a.

PURPOSE: This will change the above properties to SD-7 Central Brickell Rapid Transit Commercial-Residential Districts and SD-19 Designated F.A.R. Overlay District, to increase the non-residential F.A.R. from 2.25 to 3.25 and reduce the residential F.A.R. from 6.0 to 3.0 for a total F.A.R. of 6.25 for the proposed 600 Brickell Major Use Special Permit.

**PZ.25 06-003561u****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 FOR THE APPROXIMATE 0.20± ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3840 NORTHWEST 7TH 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 Map of the Miami Comprehensive Neighborhood Plan

LOCATION: Approximately 3840 NW 7th Street

APPLICANT(S): Simon Ferro, Esquire, on behalf of Hasred Inc., Contract Purchaser and Mavicmar Inc., Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 15, 2006 by a vote of 8-0. See companion File ID 06-00356zc and related File ID 06-00440zc.

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

**PZ.26 06-00356zc****ORDINANCE****FIRST 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 "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3840 NORTHWEST 7TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from "R-3" Multifamily Medium-Density Residential to "C-1" Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 3840 NW 7th Street

APPLICANT(S): Simon Ferro, Esquire, on behalf of Hasred Inc., Contract Purchaser and Mavicmar Inc., Owner

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on April 24, 2006 by a vote of 7-0. See companion File ID 06-00356lu and related File ID 06-00440zc.

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

**PZ.27 06-00440zc****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 34 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-1" SINGLE-FAMILY RESIDENTIAL TO "R-1" SINGLE-FAMILY RESIDENTIAL WITH AN "SD-12" BUFFER OVERLAY DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 3885 NORTHWEST 6TH STREET AND 600 NORTHWEST 38TH 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-1" Single-Family Residential to "R-1" Single-Family Residential with an "SD-12" Buffer Overlay District to Change the Zoning Atlas

LOCATION: Approximately 3885 NW 6th Street and 600 NW 38th Court

APPLICANT(S): Simon Ferro, Esquire on behalf of Hasred, Inc.

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

ZONING BOARD: Recommended approval to City Commission on April 24, 2006 by a vote of 5-2. See related File IDs 06-00356lu and 06-00356zc.

PURPOSE: This will change the above properties to R-1 Single-Family Residential with an SD-12 Buffer Overlay District.

**PZ.28 06-00396lu****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 3921 WEST FLAGLER STREET, MIAMI, FLORIDA, FROM "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL" AND "SINGLE FAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3921 West Flagler Street

APPLICANT(S): Ben Fernandez, Esquire, on behalf of Premier Management and Investments Company, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on March 1, 2006 by a vote of 6-1. See companion File ID 06-00396zc.

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

**PZ.29 06-00396zc****ORDINANCE****FIRST READING**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 32 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-1" SINGLE-FAMILY RESIDENTIAL AND "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3921 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 "R-1" Single-Family Residential and "R-3" Multifamily Medium-Density Residential to "C-1" Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 3921 West Flagler Street

APPLICANT(S): Ben Fernandez, Esquire, on behalf of Premier Management and Investments Company, Inc.

**FINDINGS:**

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial upon a motion to approve, which failed to City Commission on April 24, 2006 by a vote of 3-4, requiring five (5) favorable votes. See companion File ID 06-00396lu.

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

PZ.30 03-0415

**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, FOR THE **KUBIK AT MORNINGSIDE PROJECT**, TO BE LOCATED AT APPROXIMATELY 5600-5780 BISCAYNE BOULEVARD, MIAMI, FLORIDA, TO BE PROPOSED AS TWO 14-STORY BUILDINGS WITH TWO DESIGN OPTIONS WITH THE "ALTERNATIVE A" OPTION COMPRISED OF 293 MULTIFAMILY RESIDENTIAL UNITS, 41,745 SQUARE FEET OF RETAIL/RESTAURANT SPACE, AND APPROXIMATELY 422 TOTAL PARKING SPACES; OR THE "ALTERNATIVE B" OPTION WHICH IS COMPRISED OF 293 MULTIFAMILY RESIDENTIAL UNITS, 33,046 SQUARE FEET OF RETAIL/RESTAURANT SPACE, AND APPROXIMATELY 362 TOTAL PARKING SPACES.; DIRECTING TRANSMITTAL; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: Major Use Special Permit for the Kubik at Morningside Project

LOCATION: Approximately 5600-5780 Biscayne Boulevard

APPLICANT(S): Kubik, LLC; Biscayne Premier Investments, Inc and Mark's Classics Corp

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

**FINDINGS:**

PLANNING AND ZONING DEPARTMENT: Recommended approval with conditions\*.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 17, 2003 by a vote of 4-2. Recommended approval with conditions\* of the substantial modification to City Commission on April 7, 2004 by a vote of 5-4.

ZONING BOARD: Recommended approval of special exceptions to City Commission on December 15, 2004 by a vote of 9-0.

\*See supporting documentation.

PURPOSE: This will allow a mixed-use multifamily residential development.

NOTE: On March 22, 2006, the Circuit Court remanded this item to the City Commission for further proceedings.

**DATE:** APRIL 22, 2004  
**ACTION:** CONTINUED

**DATE:** MAY 6, 2004  
**ACTION:** CONTINUED

**DATE:** JUNE 10, 2004  
**MOVER:** COMMISSIONER WINTON  
**SECONDER:** CHAIRMAN TEELE  
**VOTE:** AYES: 5 - COMMISSIONER GONZÁLEZ, WINTON,  
SANCHEZ, REGALADO AND TEELE  
**ACTION:** ADOPTED WITH MODIFICATIONS

**DATE:** JUNE 14, 2004  
**ACTION:** SIGNED BY THE MAYOR

PZ.31 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, affirm the decision of the Zoning Board and uphold 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 allow not 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  
**DATE:** APRIL 27, 2006  
**ACTION:** CONTINUED

**PZ.32 06-00263****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, REQUIRED OFFSTREET PARKING, TO WAIVE ALL EIGHT OF THE REQUIRED EIGHT PARKING SPACES, FOR THE PROPERTY LOCATED AT APPROXIMATELY 2240 SOUTHWEST 12TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Variance

LOCATION: Approximately 2240 SW 12th Street

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

FINDINGS:

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

ZONING BOARD: Denied the Variance on February 13, 2006 by a vote of 8-0.

PURPOSE: The approval of this appeal will allow three new tennis courts and a tennis center for an existing park without the required parking.

**DATE: MARCH 23, 2006**

**ACTION: DEFERRED**

**PZ.33 06-00399v****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, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, REQUIRED SIDE YARD, TO ALLOW A SIDE YARD SETBACK OF 0'0" (10'0" REQUIRED) FOR THE PROPERTY LOCATED AT APPROXIMATELY 630 NORTHEAST 62ND STREET, MIAMI, FLORIDA, LEGALLY DESCRIBED IN ATTACHED "EXHIBIT A."

REQUEST: Appeal of a Zoning Board Decision of a Variance

LOCATION: Approximately 630 NE 62nd Street

APPELLANT(S): Cristiano M. Martins, Adjacent Property Owner

APPLICANT(S): Ben Fernandez, Esquire, on behalf of Milebella Investments, LLC

FINDINGS:

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

ZONING BOARD: Granted the Variance on April 10, 2006 by a vote of 5-4. During this hearing, the front yard setback was withdrawn by the applicant.

PURPOSE: The approval of this appeal will not allow a multifamily project with less setbacks than required.

**PZ.34 06-00422ii****RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), DENYING OR GRANTING THE APPEAL BY BRENDA KUHNS, WENDY STEPHAN, PAT KELLY AND THE BUENA VISTA EAST HISTORIC NEIGHBORHOOD ASSOCIATION, AFFIRMING OR REVERSING THE DECISION OF THE ZONING BOARD, THEREBY APPROVING OR DENYING THE CLASS II SPECIAL PERMIT APPLICATION NO. 05-0313, ISSUED BY THE PLANNING DIRECTOR ON JANUARY 18, 2006, TO ALLOW FOR NEW CONSTRUCTION OF ELECTRA TWO, LOCATED AT APPROXIMATELY 100 NORTHEAST 39TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

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

LOCATION: Approximately 100 NE 39th Street

APPELLANT(S): Brenda Kuhns, Wendy Stephan, Pat Kelly and the Buena Vista East Historic Neighborhood Association, Adjacent Property Owners

APPLICANT(S): Gilberto Pastoriza, Esquire, on behalf of Electra Two, Ltd.

**FINDINGS:**

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

ZONING BOARD: Denied the Class II Special Permit appeal on March 27, 2006 by a vote of 5-1.

PURPOSE: The approval of this appeal will not allow the construction of the Electra Two project.