



City of Miami Marked Agenda City Commission

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

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

Thursday, February 24, 2005

9:00 AM

City Hall Commission Chambers

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.19 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.6 - EO - Accepting US HUD Grant Funds

10:30 A.M. - PH.7 - Reverting Parcels of Land from BAME Development Corp.

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

Present: Vice Chairman González, Commissioner Winton, Chairman Sanchez, Commissioner Regalado and Commissioner Allen

On the 24th day of February, 2005, the City Commission of the City of Miami, Florida, met at its regular meeting place in City Hall, 3500 Pan American Drive, Miami, Florida, in regular session. The meeting was called to order by Chairman Joe Sanchez at 9:30 a.m., with Commissioner Allen absent, recessed at 11:49 a.m., reconvened at 2:43 p.m., recessed at 3:55 p.m., reconvened at 4:18 p.m., and adjourned at 5:50 p.m.

Note for the Record: Commissioner Allen entered the meeting at 9:32 a.m.

ALSO PRESENT:

Joe Arriola, City Manager
Jorge L. Fernández, City Attorney
Priscilla A. Thompson, City Clerk
Sylvia Scheider, Assistant City Clerk

PRESENTATIONS AND PROCLAMATIONS

Commissioner Allen presented a proclamation to native Miamian Ruby Strickland on her 91st Birthday and for her contributions to the community throughout the years.

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.)

NO MAYORAL VETOES

APPROVING THE MINUTES OF THE FOLLOWING MEETING:

Planning and Zoning Meeting of January 27, 2005

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

Motion to APPROVE PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

ORDER OF THE DAY**CONSENT AGENDA**

Direction by Chairman Sanchez to the City Clerk to ensure that deferred items that deal with regular issues be scheduled on the next regular agenda and items that deal with Planning and Zoning issues be scheduled on the next Planning and Zoning agenda; further directing the City Manager not to place agenda items that deal with contracts over \$1 million on the Consent Agenda.

CA.1 05-00049 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY BORIS AND LILLIANA BLANCO, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$60,000 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 BORIS AND LILLIANA BLANCO VS. CITY OF MIAMI, ET AL., IN THE UNITED STATES DISTRICT COURT, CASE NO. 04-20218-CIV-JORDAN, UPON EXECUTING A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF-INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

05-00049-cover memo.pdf, 05-00049-budget.pdf, 05-00049-resolution.pdf

R-05-0110

This Matter was **ADOPTED** on the Consent Agenda.

CA.2 05-00085 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING A GRANT FROM THE MIAMI-DADE COUNTY OFFICE OF AMERICAN DISABILITIES ASSOCIATION COORDINATION, IN THE AMOUNT OF \$37,444.49; ALLOCATING SAID FUNDS, IN AN AMOUNT OF \$24,846.49 FOR THE PURCHASE OF A FOURTEEN (14) PASSENGER, WHEELCHAIR ACCESSIBLE MINIBUS, AND ALLOCATING THE AMOUNT OF \$12,598 TOWARDS PROGRAM EXPENSES FOR THE DEPARTMENT OF PARKS AND RECREATION DISABILITIES DIVISION'S NINE-WEEK SUMMER CAMP; AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AND TO EXECUTE THE NECESSARY DOCUMENTS FOR SAID PURPOSE; APPROPRIATING SAID FUNDS INTO THE CITY OF MIAMI PROGRAMS FOR PERSONS WITH DISABILITIES ACCOUNT NO. 110112.058078.4.506.

05-00085-summary form.pdf, 05-00085-memo.pdf, 05-00085-city letter.pdf, 05-00085-check.pdf, 05-00085-resolution.pdf

R-05-0111

This Matter was **ADOPTED** on the Consent Agenda.

CA.3 05-00086 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH

ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AN AIRSPACE AGREEMENT AND ADDENDUM TO AIRSPACE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE USE OF RIGHT-OF-WAY PARCEL NO. 0001/RWMS 1059, LOCATED UNDER I-95 BETWEEN NORTHWEST 4TH TO NORTHWEST 7TH STREETS, MIAMI, FLORIDA, FOR THE PUBLIC PURPOSE AND USE AS PARKING FOR POLICE AND IMPOUNDED VEHICLES, FOR A FIVE-YEAR PERIOD, WITH AN ANNUAL RENT OF \$1.00, WITH ALL TERMS AND CONDITIONS AS MORE PARTICULARLY SET FORTH IN SAID AGREEMENT; FURTHER AUTHORIZING THE CITY MANAGER TO EXTEND SAID AGREEMENT AND ADDENDUM AS NECESSARY, UNDER THE SAME TERMS AND CONDITIONS AS THE AGREEMENT ATTACHED HERETO.

05-00086-summary form.pdf, 05-00086-memo.pdf, 05-00086-pre resolution.pdf, 05-00086-resolution.pdf, 05-00086-exhibit1.pdf, 05-00086-exhibit2.pdf, 05-00086-exhibitA.pdf, 05-00086-exhibitB.pdf, 05-00086-exhibitC.pdf, 05-00086-exhibitD.pdf

R-05-0112

This Matter was **ADOPTED** on the Consent Agenda.

CA.4 05-00087

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A NEGOTIATED PROFESSIONAL SERVICES AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, WITH COOPER, ROBERTSON AND PARTNERS, TO PROVIDE A MASTER PLAN FOR THE MUSEUM OF SCIENCE (B30169) AND THE MIAMI ART MUSEUM (B30170), COLLECTIVELY KNOWN AS BICENTENNIAL PARK "MUSEUM PARK MIAMI" MASTER PLAN, IN THE AMOUNT NOT TO EXCEED \$1,344,455, FOR THE CONTRACT COSTS AND AN AMOUNT NOT TO EXCEED \$ 55,545, FOR ADDITIONAL COSTS INCURRED BY THE CITY OF MIAMI FOR SAID PROJECT; ALLOCATING FUNDS IN THE AMOUNT NOT TO EXCEED \$ 650,000, FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") NO. 333143, THE AMOUNT NOT TO EXCEED \$650,000, FROM CIP NO. 333144 AND THE AMOUNT NOT TO EXCEED \$100,000, FROM AVAILABLE SOURCES TO BE IDENTIFIED BY THE CITY MANAGER AND REPORTED TO THE CITY COMMISSION NO LATER THAN MARCH 24, 2005.

05-00087-summary form.pdf, 05-00087-pre resolution.pdf, 05-00087-acceptance of recommendation.pdf, 05-00087-master plan.pdf, 05-00087-section1.pdf, 05-00087-section2.pdf, 05-00087-section3.pdf, 05-00087-section 4.pdf, 05-00087-section5.pdf, 05-00087-section6.pdf, 05-00087-RFQ information form.pdf, 05-00087-certificates of authority.pdf, 05-00087-imdemnification and insurance.pdf, 05-00087-7.4-7.6.pdf, 05-00087-city owned properties.pdf, 05-00087-email.pdf, 05-00087-pre resolution2.pdf, 05-00087-pre resolution3.pdf, 05-00087-resolution.pdf, 05-00087-exhibit1.pdf, 05-00087-exhibitA.pdf, 05-00087-exhibitB.pdf, 05-00087-exhibitC.pdf

R-05-0113

This Matter was **ADOPTED** on the Consent Agenda.

CA.5 05-00088 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AMENDING RESOLUTION NO. 04-0622, ADOPTED SEPTEMBER 23, 2004, FOR THE PURCHASE OF CELLULAR AND PAGING EQUIPMENT AND SERVICE, BY INCLUDING THE LANGUAGE "AND GRANTS, OR LAW ENFORCEMENT TRUST FUNDS" AS ADDITIONAL SOURCES OF FUNDS, AS STATED HEREIN.

05-00088-summary form.pdf, 05-00088-pre resolution.pdf, 05-00088-certification.pdf, 05-00088-memo1.pdf, 05-00088-memo2.pdf, 05-00088-memo3.pdf, 05-00088-memo4.pdf, 05-00088-memo5.pdf, 05-00088-memo6.pdf, 05-00088-amendment No.1.pdf, 05-00088-memo7.pdf, 05-00088-certification of contract.pdf, 05-00088-contract administrator.pdf, 05-00088-instructions to bidders.pdf, 05-00088-technical specifications.pdf, 05-00088-general conditions.pdf, 05-00088-amendment No.2.pdf, 05-00088-amendment No.1A.pdf, 05-00088-equipment and services.pdf, 05-00088-resolution.pdf

R-05-0114

This Matter was **ADOPTED** on the Consent Agenda.

CA.6 05-00089 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE REQUEST FOR QUALIFICATIONS NO. 03-04-153 EVALUATION COMMITTEE'S FINDINGS THAT THE FIRM MOST QUALIFIED TO PROVIDE HOMELAND SECURITY AND EMERGENCY MANAGEMENT PLANNING, TRAINING AND MANAGEMENT CONSULTING SERVICES FOR THE DEPARTMENT OF FIRE-RESCUE IS DAVISLOGIC, INC. D/B/A ALL HANDS CONSULTING ("DAVISLOGIC"); AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT") WITH DAVISLOGIC, THE TOP-RANKED FIRM; DIRECTING THE CITY MANAGER TO PRESENT THE NEGOTIATED AGREEMENT TO THE CITY COMMISSION FOR CONSIDERATION.

05-00089-summary form.pdf, 05-00089-tabulation sheet.pdf, 05-00089-memo.pdf, 05-00089-city RFQ.pdf, 05-00089-pre resolution1.pdf, 05-00089-pre resolution2.pdf, 05-00089-resolution.pdf

MOTION

A motion was made by Commissioner Allen, seconded by Commissioner Winton, and was passed unanimously, to reject all proposals received in response to Request for Qualifications (RFQ) 03-04-153 to provide homeland security and emergency management planning, training and management consulting services; further instructing the City Manager to re-issue said RFQ addressing all of the Commission's concerns; further requesting that said RFQ include a contract for no more than 2 years, with the possibility of an extension.

A motion by a 4/5ths affirmative vote was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to extend the existing contract with Davis Logic, Inc., d/b/a All Hands Consulting, for homeland security services, for 90 days.

CA.7 05-00090 RESOLUTION

INCREASE IN THE CONTRACT AWARDED TO NES TRAFFIC SAFETY, PURSUANT TO RESOLUTION NO. 04-0392, ADOPTED JUNE 24, 2004, IN AN AMOUNT NOT TO EXCEED \$15,000, FROM \$15,000 TO \$30,000 ANNUALLY, FOR THE PROVISION OF ADDITIONAL BARRICADE RENTAL SERVICES, FOR THE DEPARTMENT OF POLICE, ON AN AS-NEEDED CONTRACT BASIS; ALLOCATING FUNDS FOR SAID INCREASE FROM THE DEPARTMENT OF POLICE GENERAL OPERATING BUDGET, ACCOUNT CODE NO. 001000.290201.6.610; AMENDING RESOLUTION NO. 04-0392 TO REFLECT SAID INCREASE.

05-00090-summary form.pdf, 05-00090-contract award.pdf, 05-00090-pre resolution.pdf, 05-00090-resolution.pdf

R-05-0115

This Matter was **ADOPTED** on the Consent Agenda.

CA.8 05-00091 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION ACCEPTING THE BID OF SOIL TECH DISTRIBUTORS, INC., FOR THE PROVISION OF RED CLAY AND SILICA SAND, FOR THE DEPARTMENT OF PARKS AND RECREATION, PURSUANT TO THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING CO-OPERATIVE BID NO. 752-9120, EFFECTIVE THROUGH JANUARY 11, 2006, SUBJECT TO ANY FURTHER EXTENSIONS OR REPLACEMENT CONTRACTS, ON AN AS-NEEDED CONTRACT BASIS, WITH THE OPTION TO EXTEND FOR FOUR (4) ADDITIONAL ONE-YEAR PERIODS, IN AN ANNUAL AMOUNT NOT TO EXCEED \$80,500; ALLOCATING FUNDS FOR THE CURRENT FISCAL YEAR FROM THE DEPARTMENT OF PARKS AND RECREATION OPERATING BUDGET, SAFE NEIGHBORHOOD PARK BOND AND/OR HOMELAND DEFENSE BOND, WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

05-00091-summary form.pdf, 05-00091-bid tabulation.pdf, 05-00091-award.pdf, 05-00091-memo1.pdf, 05-00091-memo2.pdf, 05-00091-letter.pdf, 05-00091-invitation to bid.pdf, 05-00091-general conditions.pdf, 05-00091-special conditions.pdf, 05-00091-bidder proposal page.pdf, 05-00091-resolution.pdf

R-05-0116

This Matter was **ADOPTED** on the Consent Agenda.

CA.9 05-00092 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING THE EXPANSION OF THE BOUNDARIES OF THE CITY OF MIAMI ("CITY") DESIGNATED BROWNFIELDS AREAS TO INCLUDE THE ENTERPRISE ZONE AS ILLUSTRATED AND DESCRIBED IN " EXHIBITS A AND B," ATTACHED AND INCORPORATED, IN ACCORDANCE WITH CHAPTER 376.80, FLORIDA STATUTES, WHICH WILL FACILITATE THE ASSESSMENT, REHABILITATION AND REDEVELOPMENT OF PROPERTIES WITHIN THE BROWNFIELDS AREA THAT HAVE BEEN DETERMINED TO HAVE A CRITICAL NEED FOR REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT OF SAID EXPANSION; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO UNDERTAKE ANY NECESSARY RELATED PROCEDURES, NOTICES, AND REQUIREMENTS AND TO NEGOTIATE AND TO EXECUTE ANY NECESSARY DOCUMENTS AND AGREEMENTS FOR SAID DESIGNATION, FOR SAID PURPOSES.

05-00092-summary form.pdf, 05-00092-pre resolution1.pdf, 05-00092-pre resolution2.pdf, 05-00092-attachment1.pdf, 05-00092-attachment2.pdf, 05-00092-resolution.pdf, 05-00092-exhibitA.pdf, 05-00092-exhibitB.pdf

R-05-0117

This Matter was **ADOPTED** on the Consent Agenda.

CA.10 05-00093

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO WAIVE THE FACILITY RENTAL FEES FOR THE USE OF THE COCONUT GROVE EXPO CENTER FOR THE MIAMI-DADE ADOPT-A-TREE PROGRAM, FOR A TREE GIVE-AWAY EVENT TO BE HELD ON MAY 14, 2005 FROM 9 AM TO 12 PM; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS FOR SAID PURPOSE.

05-00093-summary form.pdf, 05-00093-memo.pdf, 05-00093-letter.pdf, 05-00093-resolution.pdf

R-05-0124

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be **ADOPTED WITH MODIFICATIONS PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

CA.11 05-00094

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE A USE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, RELATING TO THE 2005 GOLD CUP SOCCER TOURNAMENT PRESENTED BY SOCCER UNITED MARKETING TO BE HELD AT THE ORANGE BOWL STADIUM ON JULY 6, 9, AND 11, 2005; AUTHORIZING A CAP ON THE USER FEE, IN AN AMOUNT NOT TO EXCEED \$5,000, FOR SAID EVENT; CONDITIONING SAID AUTHORIZATION UPON THE ORGANIZERS: (1) OBTAINING ALL PERMITS REQUIRED BY LAW; (2) PAYING FOR ALL NECESSARY COSTS OF CITY OF MIAMI ("MIAMI") SERVICES AND APPLICABLE FEES ASSOCIATED WITH SAID EVENT; (3) OBTAINING INSURANCE TO PROTECT THE CITY IN THE AMOUNT AS PRESCRIBED BY THE CITY MANAGER OR HIS DESIGNEE; AND (4) COMPLYING WITH ALL CONDITIONS AND LIMITATIONS AS MAY BE PRESCRIBED BY THE CITY MANAGER OR DESIGNEE.

05-00094-summary form.pdf, 05-00094-memo.pdf, 05-00094-resolution.pdf,
05-00094-exhibit.pdf

R-05-0118

This Matter was **ADOPTED** on the Consent Agenda.

CA.12 05-00097

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE BID OF METRO EXPRESS, INC., FOR THE PROJECT ENTITLED "ALLAPATTAH STREET IMPROVEMENTS PROJECT, B-40702," IN THE TOTAL AMOUNT NOT TO EXCEED \$ 1,761,646; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENTS PROJECT ("CIP") NO. 341183 IN THE AMOUNT NOT TO EXCEED \$1,200,000 AND THE REMAINING BALANCE IN THE AMOUNT NOT TO EXCEED \$561,646 FOR CONTRACT COSTS, FROM CIP NO. 341330 PLUS \$168,481 FOR ESTIMATED EXPENSES INCURRED BY THE CITY OF MIAMI, FOR TOTAL PROJECT COSTS NOT TO EXCEED \$1,930,127, AS SET FORTH ON THE FORMAL BID DOCUMENT AND THE DEPARTMENT OF CAPITAL IMPROVEMENTS PROJECT FACT SHEET, ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE.

05-00097-summary form.pdf, 05-00097-BID No. 04-05-011.pdf, 05-00097-addendum1.pdf, 05-00097-addendum2.pdf, 05-00097-table of contents.pdf, 05-00097-notice for bids.pdf, 05-00097-no bid form.pdf, 05-00097-general instructions to bidders.pdf, 05-00097-definitions.pdf, 05-00097-insructions to bidders.pdf, 05-00097-bid form.pdf, 05-00097-schedule of bid prices .pdf, 05-00097-city of miami lic.-permits-fees.pdf, 05-00097-bid bond form.pdf, 05-00097-questionnaire.pdf, 05-00097-customer reference listings.pdf, 05-00097-m-wbe affairs reg. affidavit.pdf, 05-00097-affirmative action.pdf, 05-00097-statement to comply.pdf, 05-00097-office location affidavit.pdf, 05-00097-drug free workplace.pdf, 05-00097-trench safety act.pdf, 05-00097-recycled content.pdf, 05-00097-additional forms.pdf, 05-00097-contract.pdf, 05-00097-performance bond.pdf, 05-00097-payment bond.pdf, 05-00097-certificate as to corporate principal.pdf, 05-00097-guaranty form.pdf, 05-00097-general conditions.pdf, 05-00097-supplementary conditions.pdf, 05-00097-additional articles.pdf, 05-00097-payroll request.pdf, 05-00097-employment and economic oppurtunity.pdf, 05-00097-statement of compliance.pdf, 05-00097-certificate of susstantial completion.pdf, 05-00097-final certificate of payment.pdf, 05-00097-final receipt.pdf, 05-00097-drawings index.pdf, 05-00097-addenda and modification.pdf, 05-00097-technical specs.pdf, 05-00097-resolution.pdf, 05-00097-exhibit1.pdf, 05-00097-exhibit2.pdf, 05-00097-exhibit 3.pdf

R-05-0119

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be **ADOPTED PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

Note for the Record: Item CA.12 was originally adopted on the Consent Agenda.

A motion was made by Vice Chairman González, seconded by Commissioner Winton, and was passed unanimously, to reconsider Item CA.12.

Note for the Record: Item CA.12 subsequently passed.

CA.13 05-00100

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE FLORIDA INLAND NAVIGATION DISTRICT ("FIND") WATERWAYS ASSISTANCE PROGRAM, IN AN AMOUNT NOT TO EXCEED \$2,200,000, FOR PHASE III OF THE BICENTENNIAL PARK SHORELINE STABILIZATION PROJECT ("PROJECT"); AUTHORIZING THE ALLOCATION OF REQUIRED MATCHING FUNDS FOR FIFTY PERCENT (50%) OF PROJECT COSTS, IN AN AMOUNT NOT TO EXCEED \$2,200,000, FROM THE PROCEEDS OF THE SECOND SERIES HOMELAND DEFENSE/NEIGHBORHOOD IMPROVEMENT BONDS PREVIOUSLY APPROVED BY VOTER REFERENDUM FOR CAPITAL IMPROVEMENT PROJECT NO. 331418, ENTITLED "BICENTENNIAL PARK IMPROVEMENTS;" AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SUBMISSION OF THE FIND GRANT APPLICATION FOR FISCAL YEAR 2005-2006, SUBJECT TO THE TERMS AND CONDITIONS OF SAID GRANT APPLICATION.

50-00100-summary form.pdf, 50-00100-resolution.pdf, 50-00100-exhibit.pdf

R-05-0120

This Matter was **ADOPTED** on the Consent Agenda.

CA.14 05-00101

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AND ISSUE A WORK ORDER AUTHORIZATION, IN SUBSTANTIALLY THE ATTACHED FORM, WITH ZYSCOVICH, INC. FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE COMPREHENSIVE DESIGN OF THE "JOSE MARTI PARK GYM, PROJECT NO. B-35857," IN AN AMOUNT NOT TO EXCEED \$580,828; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NUMBER 333142 ENTITLED "JOSE MARTI-EAST LITTLE HAVANA PARK EXPANSION."

05-00101-summary form.pdf, 05-00101-resolution.pdf, 05-00101-exhibit1.pdf, 05-00101-exhibit2.pdf, 05-00101-exhibit3.pdf, 05-00101-exhibitPSA.pdf, 05-00101-exhibit4.pdf, 05-00101-exhibit5.pdf, 05-00101-exhibit5A.pdf

R-05-0125

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be **ADOPTED WITH MODIFICATIONS PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

CA.15 05-00102**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE AND ISSUE A WORK ORDER AUTHORIZATION, IN SUBSTANTIALLY THE ATTACHED FORM, WITH ZYSCOVICH, INC. FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE COMPREHENSIVE DESIGN OF THE "LITTLE HAITI PARK CULTURAL COMPONENT, PROJECT NO. B-30295," IN AN AMOUNT NOT TO EXCEED \$ 1,080,000; ALLOCATING FUNDS FROM CAPITAL IMPROVEMENT PROJECT NUMBER 331412 ENTITLED "LITTLE HAITI PARK LAND ACQUISITION AND DEVELOPMENT."

05-00102-summary form.pdf, 05-00102-pre resolution.pdf, 05-00102-resolution .pdf, 05-00102-exhibit1.pdf, 05-00102-exhibit2.pdf, 05-00102-exhibit3.pdf, 05-00102-exhibitPSA.pdf, 05-00102-exhibit4.pdf, 05-00102-exhibit5.pdf, 05-00102-exhibit5A.pdf

R-05-0126

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

Motion that this matter be **ADOPTED WITH MODIFICATIONS PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

CA.16 05-00105**RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RESCINDING RESOLUTION NO. 04-0200, ADOPTED APRIL 8, 2004, THAT AUTHORIZED THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT WITH MIAMI ROWING AND WATERSPORTS CENTER, INC. ("MRWC"); AUTHORIZING THE CITY MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO TERMINATE ANY AND ALL RIGHTS OF MRWC, WHETHER EXPRESS OR IMPLIED, WHETHER SUCH RIGHTS WERE EXPRESSED ORALLY OR IN WRITING, FOR THE USE AND OCCUPANCY OF PROPERTY LOCATED AT 3601 RICKENBACKER CAUSEWAY, MIAMI, FLORIDA ("PROPERTY"), AS DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, FROM JANUARY 1, 2004 - FEBRUARY 28, 2005; ACCEPTING AN AMOUNT OF \$85,339.31 FROM MRWC AND THE PROGRAM OPERATOR(S) AS CONSIDERATION FOR OCCUPANCY AND USE OF THE PROPERTY DURING SUCH TIME; FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A REVOCABLE LICENSE AGREEMENT ("AGREEMENT"), IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, WITH SWIM GYM AQUATICS, INC. , A FOR-PROFIT CORPORATION, TO OCCUPY AND USE APPROXIMATELY 1.03 ACRES OF THE CITY-OWNED PROPERTY, FOR A PERIOD NOT TO EXCEED SEPTEMBER 30, 2005, SUBJECT TO TERMS SET

FORTH HEREIN AND AS MORE PARTICULARLY SET FORTH IN THE AGREEMENT.

05-00105-summary form.pdf, 05-00105-pre resolution1.pdf, 05-00105-pre resolution2.pdf, 05-00105-legal description.pdf, 05-00105-resolution.pdf

DEFERRED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to defer item CA.16 to the next regular Commission Meeting.

CA.17 05-00071

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY KENNETH MERKER, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$35,000 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI AND MARIA LUGO, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF KENNETH MERKER V. CITY OF MIAMI, ET AL., IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 02-11470 CA 13, UPON EXECUTING A GENERAL RELEASE OF THE CITY OF MIAMI, ITS PRESENT AND FORMER OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL CLAIMS AND DEMANDS; ALLOCATING FUNDS FROM THE SELF INSURANCE AND INSURANCE TRUST FUND, INDEX CODE NO. 515001.624401.6.652.

05-00071-cover memo.pdf, 05-00071-budget.pdf, 05-00071-resolution.pdf

R-05-0121

This Matter was **ADOPTED** on the Consent Agenda.

CA.18 05-00129

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY LISA ACEVEDO, WITHOUT ADMISSION OF LIABILITY, THE SUM OF \$57,500 IN FULL AND COMPLETE SETTLEMENT OF ANY AND ALL CLAIMS AND DEMANDS AGAINST THE CITY OF MIAMI, ITS OFFICERS, AGENTS AND SERVANTS, IN THE CASE OF LISA ACEVEDO V. CITY OF MIAMI, IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, CASE NO. 03-1018 CA (32), 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. 515001.624401.6.651.

05-00129-cover memo.pdf, 05-00129-budget.pdf, 05-00129-resolution.pdf

R-05-0122

This Matter was **ADOPTED** on the Consent Agenda.

CA.19 05-00130

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH

ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT AND EXTENSION TO THE PROFESSIONAL SERVICES AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, WITH BROWN AND BROWN, INC., TO PROVIDE INSURANCE BROKERAGE SERVICES FOR THE 2005-2006 PERIOD, WITH THE OPTION TO EXTEND FOR AN ADDITIONAL ONE-YEAR PERIOD, PURSUANT TO REQUEST FOR LETTERS OF INTEREST NO. 02-03-032, SUBJECT TO THE TERMS, CONDITIONS AND PRICING OF THE ORIGINAL AGREEMENT, IN AN ANNUAL AMOUNT NOT TO EXCEED \$110,000; ALLOCATING FUNDS IN AN ANNUAL AMOUNT NOT TO EXCEED \$110,000, FROM ACCOUNT CODE NO. 515001.624401.6340.65019, FOR THE CURRENT FISCAL YEAR WITH FUTURE FISCAL YEAR FUNDING SUBJECT ONLY TO BUDGETARY APPROVAL.

05-00130-summary form.pdf, 05-00130-pre resolution.pdf, 05-00130-insurance brokerage services.pdf, 05-00130-appendix A.pdf, 05-00130-pre resolution2.pdf, 05-00130-pre resolution3.pdf, 05-00130-PSA.pdf, 05-00130-attachment A.pdf, 05-00130-attachmentB.pdf, 05-00130-attachmentC.pdf, 05-00130-attachmentD.pdf, 05-00130-attachmentE.pdf, 05-00130-resolution.pdf, 05-00130-exhibit.pdf

R-05-0123

This Matter was **ADOPTED** on the Consent Agenda.

Adopted the Consent Agenda

MOVED: Johnny L. Winton

SECONDED: Angel González

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PRESENT: Vice Chairman González, Commissioner Winton, Chairman Sanchez, Commissioner Regalado and Commissioner Allen

END OF CONSENT AGENDA

MAYOR AND COMMISSIONER'S ITEMS

CITYWIDE

HONORABLE MAYOR MANUEL A. DIAZ

DISTRICT 1

VICE CHAIRMAN ANGEL GONZÁLEZ

DISTRICT 2

COMMISSIONER JOHNNY L. WINTON

D2.1 05-00110 DISCUSSION ITEM

DISCUSSION CONCERNING PROJECT PROPOSAL FOR JULIA TUTTLE STATUE.

05-00110-email.pdf

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, to support the concept of placing a statue of Julia Tuttle in an appropriate location near her home in the near future; further stating that the majority of the funding for said statue should come from private fundraising efforts.

DISTRICT 3

CHAIRMAN JOE SANCHEZ

DISTRICT 4

COMMISSIONER TOMAS REGALADO

DISTRICT 5

COMMISSIONER JEFFERY L. ALLEN

D5.1 05-00166 DISCUSSION ITEM

DISCUSSION CONCERNING A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), RELATING TO THE HAITIAN BICENTENNIAL CELEBRATION; AUTHORIZING THE CITY MANAGER TO EXECUTE TWO COVENANTS FROM MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM (S),FOR THE BEAUTIFICATION OF THE LITTLE HAITI FREEDOM GARDEN, CONSISTING OF A COVENANT OF CONSTRUCTION WITHIN THE RIGHT OF WAY AND A COVENANT FOR THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT OF WAY OWNED BY MIAMI-DADE COUNTY.

05-00166-email.pdf, 05-00166-landscape plan.pdf, 05-00166-draft resolution.pdf, 05-00166-exhibit.pdf, 05-00166-exhibit2.pdf

Discussion on Item D5.1 resulted in the resolution below:

(D5.1) 05-00166a RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE TWO COVENANTS AS STATED HEREIN, FROM MIAMI-DADE COUNTY, IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE BEAUTIFICATION OF THE LITTLE HAITI FREEDOM GARDEN LOCATED AT 6135 NORTH MIAMI AVENUE, MIAMI, FLORIDA, AS PART OF THE HAITIAN BICENTENNIAL CELEBRATION.

R-05-0136

MOVED: Jeffery L. Allen

SECONDED: Tomas Regalado

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PUBLIC HEARINGS**PH.1 05-00047 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING THE CITY MANAGER TO DECLARE SURPLUS THE CITY-OWNED REAL PROPERTY LOCATED AT 2459 SOUTHWEST 28TH STREET, MIAMI, FLORIDA ("PROPERTY"), AS MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED; AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT ("AGREEMENT"), IN SUBSTANTIALLY THE ATTACHED FORM, FOR THE SALE OF THE PROPERTY TO RUBIN BRICKMAN, TRUSTEE, NANCY RUBIN, AND DEBBIE BRICKMAN, TRUSTEE IN THE AMOUNT OF TWO THOUSAND SIX HUNDRED AND FOUR DOLLARS (\$2,604), AND TO CONSUMMATE SUCH TRANSACTION IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE AGREEMENT, WHICH TERMS MAY BE SOLELY AMENDED BY THE CITY MANAGER AS MAY BE NECESSARY IN ORDER TO EFFECT THE SALE IN AN EXPEDITIOUS MANNER.

05-00047-summary form.pdf, 05-00047-memo.pdf, 05-00047-notice of public hearing.pdf, 05-00047-resolution.pdf, 05-00047-exhibitA.pdf, 05-00047-exhibitB.pdf

R-05-0128

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PH.2 05-00050 RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "SOUTH DESIGN DISTRICT," 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.

05-00050-summary form.pdf, 05-00050-memo1.pdf, 05-00050-public hearing1.pdf, 05-00050-memo2.pdf, 05-00050-public hearing2.pdf, 05-00050-legal description.pdf, 05-00050-resolution.pdf, 05-00050-exhibit1.pdf, 05-00050-exhibitA.pdf, 05-00050-exhibit2.pdf, 05-00050-exhibit3.pdf, 05-00050-exhibit4.pdf, 05-00050-exhibit5.pdf, 05-00050-exhibit5A.pdf

R-05-0129

MOVED: Angel González

SECONDED: Jeffery L. Allen

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PH.3 05-00106

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), ACCEPTING THE PLAT ENTITLED "TUSCAN PLACE," 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.

05-00106-exhibit 1.pdf, 05-00106-exhibitA.pdf, 05-00106-exhibit2.pdf, 05-00106-exhibit3.pdf, 05-00106-exhibit maps.pdf, 05-00106-exhibit4.pdf, 05-00106-exhibit4A.pdf, 05-00106-legal description.pdf, 05-00106-memo1.pdf, 05-00106-memo2.pdf, 05-00106-public hearing1.pdf, 05-00106-public works notice.pdf, 05-00106-resolution.pdf, 05-00106-summary form.pdf

R-05-0130

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PH.4 05-00131

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 FINDING WAIVING THE REQUIREMENTS FOR COMPETITIVE SEALED BIDDING PROCEDURES, PURSUANT TO SECTIONS 18-89 AND 18-90 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, INCREASING THE CONTRACT AWARDED TO SHORELINE FOUNDATION, INC. ("CONTRACTOR"), PURSUANT TO RESOLUTION NO. 04-0107, ADOPTED FEBRUARY 26, 2004, IN THE AMOUNT NOT TO EXCEED \$3,372,617, INCREASING THE COMPENSATION AMOUNT FROM \$6,957,195 TO \$10,329,812,

FOR ADDITIONAL STRUCTURAL REPAIR WORK REQUIRED FOR THE PROJECT ENTITLED "BICENTENNIAL PARK SHORELINE STABILIZATION PROJECT, B-30293" (FORMERLY B-3293); AMENDING RESOLUTION NO. 04-0107 TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1, IN SUBSTANTIALLY THE ATTACHED FORM, TO THE AGREEMENT WITH THE CONTRACTOR; ALLOCATING FUNDS FOR SAID INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 331418; AND AMENDING RESOLUTION NO. 04-0107 TO REFLECT SAID INCREASE.

05-00131-summary form.pdf, 05-00131-memo.pdf, 05-00131-public hearing.pdf, 05-00131-pre resolution.pdf, 05-00131-budgetary impact.pdf, 05-00131-pre resolution2.pdf, 05-00131-contract.pdf, 05-00131-corporate resolution.pdf, 05-00131-code sect. 18-102.pdf, 05-00131-affidavit.pdf, 05-00131-bid summary.pdf, 05-00131-resolution.pdf, 05-00131-exhibit1.pdf, 05-00131-exhibitA.pdf, 05-00131-exhibit2.pdf, 05-00131-exhibit3.pdf

R-05-0131

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

PH.5 05-00096

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTH (4/5THS) AFFIRMATIVE VOTE, AFTER AN ADVERTISED PUBLIC HEARING, RATIFYING, APPROVING AND CONFIRMING THE CITY MANAGER'S FINDING OF AN EMERGENCY AND WAIVING COMPETITIVE BIDDING PROCEDURES IN THE AWARD OF ADDITIONAL WORK TO PROFESSIONAL GENERAL CONTRACTORS, INC., THE CONTRACTOR CURRENTLY PERFORMING STRUCTURAL WORK FOR THE PROJECT ENTITLED "ORANGE BOWL STADIUM STRUCTURAL REPAIRS, B-30297" (FORMERLY B-3297); PURSUANT TO CONTRACT DATED SEPTEMBER 2, 2003, AS AMENDED, AUTHORIZED BY RESOLUTIONS NO. 03-829, 04-0179, AND 04-0428 ("CONTRACT"), APPROVING AN AMENDMENT TO THE CONTRACT TO INCLUDE THE ADDITIONAL WORK AND INCREASE THE COMPENSATION TO THE CONTRACTOR BY \$3,717,005 FROM \$2,849,031 TO \$6,566,036; AMENDING RESOLUTION NO. 04-0428, TO REFLECT SAID INCREASE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE CONTRACT, IN SUBSTANTIALLY THE ATTACHED FORM; ALLOCATING FUNDS FOR SAID CONTRACT INCREASE FROM CAPITAL IMPROVEMENTS PROJECT NO. 324002.

05-00096-summary form.pdf, 05-00096-memo1.pdf, 05-00096-memo2.pdf, 05-00096-public hearing.pdf, 05-00096-pre resolution.pdf, 05-00096-memo3.pdf, 05-00096-pre contract.pdf, 05-00096-pre resolution2.pdf, 05-00096-first amendment.pdf, 05-00096-pre resolution3.pdf, 05-00096-second amendment.pdf, 05-00096-project analysis form.pdf, 05-00096-resolution.pdf, 05-00096-exhibit1.pdf, 05-00096-exhibit1A.pdf, 05-00096-exhibit1B.pdf

R-05-0132

MOVED: Angel González

SECONDED: Jeffery L. Allen

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Allen

NOES: Commissioner Regalado

10:30 A.M.

Note for the Record: Items PH. 6 & PH.7 were interpreted by a sign-language interpreter.

PH.6 05-00107

ORDINANCE

Emergency Ordinance

(4/5THS VOTE)

AN EMERGENCY ORDINANCE OF THE MIAMI CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ACCEPT UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ENTITLEMENT GRANT FUNDS UNDER THE FOLLOWING PROGRAMS: COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, AMERICAN DREAM DOWNPAYMENT INITIATIVE, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS, AND THE EMERGENCY SHELTER GRANT FOR FISCAL YEAR 2005; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO IMPLEMENT ACCEPTANCE OF SAID GRANTS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

05-00107-summary form.pdf, 05-00107-public notice.pdf, 05-00107-ordinance.pdf

12655

MOVED: Tomas Regalado

SECONDED: Angel González

UNANIMOUS

Motion that this matter be ADOPTED as an emergency measure, waiving the requirement for two separate readings PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PH.7 05-00040

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AUTHORIZING, DIRECTING AND CONFIRMING THE REVERSION OF THE PARCELS OF LAND PREVIOUSLY CONVEYED TO BAME DEVELOPMENT CORPORATION OF SOUTH FLORIDA, INC.,

LEGALLY DESCRIBED IN "EXHIBIT A," ATTACHED AND INCORPORATED, TO THE CITY OF MIAMI, WITH SAID TERMS AS DESCRIBED HEREIN.

05-00040-summary form.pdf, 05-00040-public notice.pdf, 05-00040-pre resolution1.pdf, 05-00040-pre resolution2.pdf, 05-00040-letter.pdf, 05-00040-pre resolution3.pdf, 05-00040-pre resolution4.pdf, 05-00040-BAME.pdf, 05-00040-pre memo.pdf, 05-00040-pre resolution5.pdf, 05-00040-pre resolution6.pdf, 05-00040-loan committee.pdf, 05-00040-pre resolution7.pdf, 05-00040-pre resolution8.pdf, 05-00040-pre resolution9.pdf, 05-00040-resolution.pdf, 05-00040-exhibitA.pdf

R-05-0133

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Sanchez, Regalado and Allen

ABSENT: Commissioner Winton

ORDINANCE - SECOND READING

SR.1 05-00048

ORDINANCE**Second Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 12613, ADOPTED NOVEMBER 18, 2004, EXTENDING THE TERM OF THE FRANCHISE AGREEMENT WITH NUI UTILITIES, INC., PREVIOUSLY D/B/A NUI CITY GAS COMPANY OF FLORIDA, NOW D/BA FLORIDA CITY GAS ("FRANCHISEE") UNTIL THE EARLIER OF 1) AUGUST 28, 2005, OR 2) THE DATE IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF ANY SUBSEQUENT FRANCHISE AGREEMENT ENTERED INTO BY THE CITY OF MIAMI AND THE FRANCHISEE; AUTHORIZING THE CITY MANAGER TO EXECUTE A FRANCHISE EXTENSION AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

05-00048-summary form.pdf, 05-00048-letter.pdf, 05-00048-ordinance.pdf, 05-00048-exhibit.pdf

12656**MOVED: Angel González****SECONDED: Tomas Regalado****UNANIMOUS****Motion that this matter be ADOPTED PASSED by the following vote.****AYES: Commissioner González, Winton, Sanchez, Regalado and Allen**

ORDINANCE - FIRST READING

FR.1 05-00044

ORDINANCE**First Reading**

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 10/ARTICLE I, OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("CITY CODE"), ENTITLED "BUILDINGS/IN GENERAL," BY AMENDING SECTION 10-4(D) OF THE CITY CODE THAT SET FEES FOR BUILDING, PLUMBING, ELECTRICAL, MECHANICAL, (INCLUDING BOILER AND ELEVATOR) INSPECTION, PERMIT AND CERTIFICATE FEES AND ADDING SECTION 10-4(I) TO INCLUDE A NEW PERMITTING CATEGORY ; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

05-00044-summary form.pdf, 05-00044-ordinance.pdf

MOVED: Angel González

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

RESOLUTION**RE.1 05-00167 RESOLUTION**

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S) , AUTHORIZING THE CITY MANAGER TO EXECUTE A NON-BINDING MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF MIAMI, MIAMI-DADE COUNTY AND THE FLORIDA MARLINS, L.P. TO PROVIDE FOR THE PARTIES' JOINT EFFORTS TO DESIGN, DEVELOP, CONSTRUCT AND OPERATE A MAJOR LEAGUE BASEBALL FACILITY AND RELATED PARKING FACILITIES ADJACENT TO THE ORANGE BOWL STADIUM.

05-00167-resolution.pdf, 05-00167-exhibit.pdf, 05-00167-MOU.pdf

R-05-0127

MOVED: Jeffery L. Allen

SECONDED: Angel González

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

DISCUSSION ITEMS**DI.1 04-01316 DISCUSSION ITEM**

DISCUSSION CONCERNING A FINANCIAL UPDATE AND A BUDGET OUTLOOK.

04-01316-cover memo.pdf

DISCUSSED

Direction to the City Manager by Commissioner Regalado to study possible use of hybrid cars when replacing appropriate city vehicles, keeping in mind the savings realized in cost of fuel.

DI.2 04-01295 DISCUSSION ITEM

DISCUSSION AND POSSIBLE RESOLUTION REGARDING A POSSIBLE SETTLEMENT IN THE MATTER OF NATIONAL ADVERTISING V. CITY OF MIAMI.
(BILLBOARD LITIGATION)

04-01295-email.pdf

DEFERRED

A motion was made by Commissioner Regalado, seconded by Commissioner Allen, and was passed unanimously, with Vice Chairman González and Commissioner Winton absent, to defer item DI.2 to the next regular Commission Meeting currently scheduled for March 10, 2005.

PART B

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

PZ.1 05-00081 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 **SOLEIL** PROJECT, TO BE LOCATED AT APPROXIMATELY 3100 BISCAYNE BOULEVARD, MIAMI, FLORIDA, TO CONSTRUCT A 514-FOOT, 43-STORY HIGH MIXED-USE STRUCTURE ADJACENT TO AN EXISTING 86,801 SQUARE FOOT OFFICE BUILDING TO BE COMPRISED OF APPROXIMATELY 288 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 9,188 SQUARE FEET OF RETAIL SPACE, APPROXIMATELY 2,907 SQUARE FEET OF RESTAURANT SPACE, AND APPROXIMATELY 876 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 Soleil Project

LOCATION: Approximately 3100 Biscayne Boulevard

APPLICANT(S): Pivotal Holdings, LLC

APPLICANT(S) AGENT: Patricia M. Baloyra, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

URBAN DEVELOPMENT REVIEW BOARD: Recommended approval with conditions* on November 17, 2004 by a vote of 3-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on January 19, 2005 by a vote of 7-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Soleil** Project.

05-00081 Fact Sheet.pdf, 05-00081 Analysis.PDF, 05-00081 Zoning Map.pdf, 05-00081 Aerial Map.pdf, 05-00081 UDRB Reso.PDF, 05-00081 Zoning Analysis.PDF, 05-00081 Pre-Application Design Comments.PDF, 05-00081 Traffic Impact Letter.PDF, 05-00081 School Board Comments.PDF, 05-00081 PAB Reso.PDF, 05-00081 Legislation.PDF, 05-00081 Exhibit A.PDF, 05-00081 Exhibit B.PDF, 05-00081 Exhibit C.PDF, 05-00081 Table of Contents.PDF, 05-00081 Letter of Intent.PDF, 05-00081 Application for MUSP.PDF, 05-00081 Affidavit.PDF, 05-00081 Disclosure of Ownership.PDF, 05-00081 Articles of Incorporation.PDF, 05-00081 Certificate of Good Standing.PDF, 05-00081 Zoning Write Up.PDF, 05-00081 Aerials.PDF, 05-00081 Zoning Atlas.PDF, 05-00081 Project Data Sheet.PDF, 05-00081 Computer Tax Printout-Deed.PDF, 05-00081 Ownership List.PDF, 05-00081 Owner's Authorization.PDF, 05-00081 Presentation Renderings.PDF, 05-00081 Project Desc - Zoning Ord No. 11000.PDF, 05-00081 Minority Construction Employment Plan.PDF, 05-00081 Traffic Impact Analysis.PDF, 05-00081 Site Utility Study.PDF, 05-00081 Economic Impact Study.PDF, 05-00081 Survey of Property.PDF, 05-00081 Drawings.PDF

R-05-0134

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner Winton, Sanchez, Regalado and Allen

ABSENT: Commissioner González

Direction to the City Manager by Commissioner Winton to create a database of qualified, minority, local contractors to be handed out to all developers.

PZ.2 05-00082

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, APPROVING WITH CONDITIONS, A MAJOR USE SPECIAL PERMIT PURSUANT TO ARTICLES 5, 13 AND 17 OF ZONING ORDINANCE NO. 11000, AS AMENDED, FOR THE **SILVERTON** PROJECT, TO BE LOCATED AT APPROXIMATELY 300, 324, 326, 338, 342 AND 344 NORTHWEST 36TH STREET, MIAMI, FLORIDA, TO CONSTRUCT A 113-FOOT, 10-STORY HIGH MIXED-USE STRUCTURE CONSISTING OF APPROXIMATELY 112 TOTAL MULTIFAMILY RESIDENTIAL UNITS WITH RECREATIONAL AMENITIES, APPROXIMATELY 9,456 SQUARE FEET OF RETAIL SPACE, AND APPROXIMATELY 250 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 Silverton Project

LOCATION: Approximately 300, 324, 326, 338, 342 and 344 NW 36th Street

APPLICANT(S): Urban Builders, LLC

APPLICANT(S) AGENT: Gilberto Pastoriza, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval with conditions*.

URBAN DEVELOPMENT REVIEW BOARD: Recommended approval with conditions* on July 21, 2004 by a vote of 5-0.

ZONING BOARD: Recommended approval with conditions* of a special exception to City Commission on December 13, 2004 by a vote of 8-0.

PLANNING ADVISORY BOARD: Recommended approval with conditions* to City Commission on January 19, 2005 by a vote of 7-0.

*See supporting documentation.

PURPOSE: This will allow the development of the **Silverton** Project.

05-00082 MUSP Fact Sheet.pdf, 05-00082 MUSP Analysis.PDF, 05-00082 Zoning Map.pdf, 05-00082 Aerial Map.pdf, 05-00082 Pre-Application Comments.PDF, 05-00082 UDRB Reso.PDF, 05-00082 Traffic Letter.PDF, 05-00082 Zoning Analysis.PDF, 05-00082 Sp Ex Fact Sheet.pdf, 05-00082 Sp Ex Analysis.PDF, 05-00082 ZB Reso.PDF, 05-00082 School Board Comments.PDF, 05-00082 PAB Reso.PDF, 05-00082 Legislation.PDF, 05-00082 Exhibit A.PDF, 05-00082 Exhibit B.PDF, 05-00082 Exhibit C.PDF, 05-00082 Table of Contents.PDF, 05-00082 Article I - Project Information.PDF, 05-00082 Article II - Project Description.PDF, 05-00082 Survey.PDF, 05-00082 Site Plan.PDF, 05-00082 Traffic Impact Analysis I.PDF, 05-00082 Traffic Impact Analysis II.PDF, 05-00082 Site Utility Study.PDF, 05-00082 Economic Impact Study.PDF, 05-00082 Minority Construction Employment Plan.PDF, 05-00082 Drawings.PDF

R-05-0135

MOVED: Johnny L. Winton

SECONDED: Angel González

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez and Allen

ABSENT: Commissioner Regalado

PZ.3 04-00573

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 FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2143 AND 2161 SOUTHWEST 6TH STREET AND 2160 SOUTHWEST 5TH 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 2143 and 2161 SW 6th Street and 2160 SW 5th Street

APPLICANT(S): Edward D. Pascoe, Owner and Salomon Sutton/Punta Diamante, LLC, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on May 19, 2004 by a vote of 6-2. See companion File ID 04-00573a.

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

04-00573 Fact Sheet.pdf, 04-00573 Analysis.PDF, 04-00573 Land Use Map.pdf, 04-00573 & 04-00573a Aerial Map.pdf, 04-00573 PAB Reso.PDF, 04-00573 Application & Supp Docs.PDF, 04-00573 Legislation.PDF, 04-00573 & 04-00573a Exhibit A.PDF, 04-00573-submittal-liquor survey.pdf

12657

MOVED: Joe Sanchez

SECONDED: Jeffery L. Allen

UNANIMOUS

Motion that this matter be **ADOPTED PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.4 04-00573a

ORDINANCE

Second 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-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL TO "C-1" RESTRICTED COMMERCIAL, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 2160 SOUTHWEST 5TH STREET AND 2143 AND 2161 SOUTHWEST 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 R-3 Multifamily Medium-Density Residential to C-1 Restricted Commercial to Change the Zoning Atlas

LOCATION: Approximately 2160 SW 5th Street and 2143 and 2161 SW 6th Street

APPLICANT(S): Edward D. Pascoe, Owner and Salomon Sutton/Punta Diamante, LLC, Contract Purchaser

APPLICANT(S) AGENT: Simon Ferro, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on June 14, 2004 by a vote of 5-4. See companion File ID 04-00573.

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

04-00573a Fact Sheet.pdf, 04-00573a Analysis.PDF, 04-00573a Zoning Map.pdf, 04-00573 & 04-00573a Aerial Map.pdf, 04-00573a ZB Reso.PDF, 04-00573a Application & Supp Docs.PDF, 04-00573a Legislation.PDF, 04-00573 & 04-00573a Exhibit A.PDF, 04-00573a-submittal-liquor survey.pdf

12658

MOVED: Joe Sanchez

SECONDED: Tomas Regalado

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.5 04-01358

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, AMENDING ORDINANCE NO. 11000, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY AMENDING ARTICLE 10, SECTION 10.4 RELATING TO SIGN REGULATIONS/GENERAL REQUIREMENTS; MORE PARTICULARLY BY AMENDING SUBSECTION 10.4.5 TO MODIFY LANGUAGE PERTAINING TO OUTDOOR ADVERTISING SIGNS TO ALLOW FOR ISSUANCE OF SIGN PERMITS THAT RESULT IN A NET REDUCTION IN THE NUMBER OF EXISTING OUTDOOR ADVERTISING SIGNS PURSUANT TO CITY COMMISSION AUTHORIZED SETTLEMENT AGREEMENTS; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE; AND, PROVIDING FOR A RETROACTIVE EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on January 19, 2005 by a vote of 5-0.

PURPOSE: This will allow for issuance of sign permits that result in a net reduction in the number of existing outdoor advertising signs.

04-01358 Fact Sheet.pdf, 04-01358 PAB Reso.PDF, 04-01358 Legislation.PDF

12659

MOVED: Angel González

SECONDED: Jeffery L. Allen

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Regalado and Allen

ABSENT: Commissioner Sanchez

PZ.6 04-01440

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 350, 360, 370 AND 380 NW 24TH STREET, AND 301 AND 311 NW 23RD STREET, MIAMI, FLORIDA, FROM "INDUSTRIAL" TO "GENERAL COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

APPLICANT(S): Pompei Warehouses, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

04-01440 Fact Sheet.pdf, 04-01440 Analysis.PDF, 04-01440 Land Use Map.pdf, 04-01440 & 04-01440a Aerial Map.pdf, 04-01440 PAB Reso.PDF, 04-01440 Application & Supp Docs.PDF, 04-01440 Legislation.PDF, 04-01440 & 04-01440a Exhibit A.PDF

MOVED: Jeffery L. Allen

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.7 04-01440a 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 "I" INDUSTRIAL TO "C-2" LIBERAL COMMERCIAL WITH AN "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT WITH AN F.A.R. OF 2.35, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 350, 360, 370 AND 380 NORTHWEST 24TH STREET; 301 AND 311 NORTHWEST 23RD STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

APPLICANT(S): Pompei Warehouses, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

04-01440a Fact Sheet.pdf, 04-01440a Analysis.PDF, 04-01440a Zoning Map.pdf, 04-01440 & 04-01440a Aerial Map.pdf, 04-01440a ZB Reso.PDF, 04-01440a Application & Supp Docs.PDF, 04-01440a Legislation.PDF, 04-01440 & 04-01440a Exhibit A.PDF

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.8 04-01268a

ORDINANCE

First Reading

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

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

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

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

04-01268a Fact Sheet.pdf, 04-01268a Analysis.PDF, 04-01268a Land Use Map.pdf, 04-01268a Aerial Map.pdf, 04-01268a School Board Comments.PDF, 04-01268a PAB Resos.PDF, 04-01268a Application & Supporting Docs.PDF, 04-01268a Legislation.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner Allen, and was passed unanimously, to continue Item PZ. 8 to the next Planning and Zoning meeting currently scheduled for March 24, 2005; further directing the Administration to meet with area residents to explain the zoning history of the area and what are the realistic expectations for the change in the character of the neighborhood; further requesting that the developer meet with area residents to negotiate a compromise.

PZ.9 04-01268b

ORDINANCE

First Reading

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

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

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

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

04-01268b Fact Sheet.pdf, 04-01268b Analysis.PDF, 04-01268b Zoning Map.pdf, 04-01268b Aerial Map.pdf, 04-01268b ZB Resos.PDF, 04-01268b Application & Supporting Docs.PDF, 04-01268b Legislation.PDF, 04-01268b Exhibit A.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Commissioner Allen, and was passed unanimously, to continue Item PZ. 9 to the next Planning and Zoning meeting currently scheduled for March 24, 2005; further directing the Administration to meet with the area residents to explain the zoning history of the area and what are the realistic expectations for the change in the character of the neighborhood; further requesting that the developer meet with area residents to negotiate a compromise.

PZ.10 04-01178

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 3155 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, FROM "DUPLEX RESIDENTIAL" TO "RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3155 SW 22nd Terrace

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

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

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

04-01178 Fact Sheet.pdf, 04-01178 Analysis.PDF, 04-01178 Land Use Map.pdf, 04-01178 & 04-01178a Aerial Map.pdf, 04-01178 PAB Resos.PDF, 04-01178 Application & Supp Docs.PDF, 04-01178 Legislation.PDF, 04-01178 & 04-01178a Exhibit A.PDF, 04-01178-submittal-petition.pdf, 04-01178 & 04-01178b -City Attorney Memo.pdf, 04-01178 & 04-01178a Motion to Reconsid. Memo - 2.pdf

MOVED: Tomas Regalado

SECONDED: Johnny L. Winton

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.11 04-01178a

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 WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT, FOR THE PROPERTY LOCATED AT APPROXIMATELY 3155 SOUTHWEST 22ND TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 3155 SW 22nd Terrace

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

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

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

04-01178a Fact Sheet.pdf, 04-01178a Analysis.PDF, 04-01178a Zoning Map.pdf, 04-01178 & 04-01178a Aerial Map.pdf, 04-01178a ZB Reso.PDF, 04-01178a Application & Supp Docs.PDF, 04-01178a Legislation.PDF, 04-01178 & 04-01178a Exhibit A.PDF

MOVED: Tomas Regalado

SECONDED: Angel González

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.12 04-01438

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN BY CHANGING THE LAND USE DESIGNATION OF THE PROPERTIES LOCATED AT APPROXIMATELY 244 AND 252 SOUTHWEST 6TH STREET, MIAMI, FLORIDA, FROM "INDUSTRIAL" TO "RESTRICTED COMMERCIAL"; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 244 and 252 SW 6th Street

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

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

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

04-01438 Fact Sheet.pdf, 04-01438 Analysis.PDF, 04-01438 Land Use Map.pdf, 04-01438 Aerial Map.pdf, 04-01438 PAB Reso.PDF, 04-01438 Application & Supporting Docs.PDF, 04-01438 Legislation.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to continue item PZ.12 to the Commission Meeting currently scheduled for April 28, 2005.

PZ.13 04-01438a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 36 OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "I" INDUSTRIAL AND "C-1" RESTRICTED COMMERCIAL TO "SD-7" CENTRAL BRICKELL RAPID TRANSIT COMMERCIAL-RESIDENTIAL DISTRICT, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 244 AND 252 SOUTHWEST 6TH STREET; 219, 233, 243, 253 AND 257-259 SOUTHWEST 7 TH STREET, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN " EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from I Industrial and C-1 Restricted Commercial to SD-7 Central Brickell Rapid Transit Commercial-Residential District to Change the Zoning Atlas

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

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

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

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

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

04-01438a Fact Sheet.pdf, 04-01438a Zoning Map.pdf, 04-01438a Analysis.PDF, 04-01438a Aerial Map.pdf, 04-01438a ZB Reso.PDF, 04-01438a Application & Supporting Docs.PDF, 04-01438a Legislation.PDF, 04-01438a Exhibit A.PDF

CONTINUED

A motion was made by Commissioner Winton, seconded by Vice Chairman González, and was passed unanimously, with Commissioner Regalado absent, to continue item PZ.13 to the Commission Meeting currently scheduled for April 28, 2005.

PZ.14 04-01441

ORDINANCE

First Reading

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

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

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

04-01441 Fact Sheet.PDF, 04-01441 Analysis.PDF, 04-01441 PAB Reso.PDF, 04-01441 Legislation.PDF

MOVED: Johnny L. Winton

SECONDED: Tomas Regalado

UNANIMOUS

Motion that this matter be **PASSED ON FIRST READING WITH MODIFICATIONS PASSED** by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, directing the City Manager to begin the process to modify the NCD-3 Coconut Grove Neighborhood Conservation Overlay District by limiting square footage of large retailers within its C-1 areas to no more than 70,000 square feet and further to limit square footage of retailers within its SD-2 and SD-13 areas (downtown Coconut Grove and 27th Avenue) to no more than 20,000 square feet; further directing the Manager to refer this to the appropriate boards and complete the process with due haste.

PZ.15 04-01441a

ORDINANCE

First Reading

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

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

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

APPLICANT(S): Planning Department

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

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

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

04-01441a Fact Sheet.PDF, 04-01441a Analysis.PDF, 04-01441a Zoning Maps.pdf, 04-01441a PAB Reso.PDF, 04-01441a Legislation.PDF, 04-01441a Exhibit A.pdf

MOVED: Johnny L. Winton

SECONDED: Angel González

UNANIMOUS

Motion that this matter be PASSED ON FIRST READING PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.16 04-01442

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, BY AMENDING ARTICLE 6, SECTION 629, TO ESTABLISH NE 2ND AVENUE SPECIAL OVERLAY DISTRICT; IN ORDER TO CREATE THE HISTORIC LEMON CITY/LITTLE HAITI VILLAGE SPECIAL OVERLAY DISTRICT, ADD AN INTENT STATEMENT, CREATE SPECIAL DISTRICT REQUIREMENTS AND LIMITATIONS ON USES, AND TO REQUIRE CLASS II SPECIAL PERMITS FOR EXTERIOR WORK; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000 Text

APPLICANT(S): Joe Arriola, City Manager

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 15, 2004 by a vote of 7-0. See companion File ID 04-01442a.

PURPOSE: This will establish the NE 2nd Avenue Special Overlay District and create the Historic Lemon City/Little Haiti Village Special Overlay District.

04-01442 Fact Sheet.pdf, 04-01442 Analysis.PDF, 04-01442 PAB Reso.PDF, 04-01442 Legislation.PDF

12660

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.17 04-01442a

ORDINANCE

Second Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING PAGE NOS. 13, 14, 15 AND 16 OF THE ZONING ATLAS OF THE CITY OF MIAMI, FLORIDA, BY ADDING THE SD-29 HISTORIC LEMON CITY/LITTLE HAITI VILLAGE SPECIAL OVERLAY DISTRICT TO ALL UNDERLYING ZONING CLASSIFICATIONS IN THE AREA GENERALLY BOUNDED BY NORTHEAST SECOND AVENUE, FROM NORTHEAST FIFTY-SECOND STREET TO NORTHEAST SEVENTY-FIRST STREET AND LIBERALLY BOUNDED BY APPROXIMATELY 100-150 FEET ON THE EAST AND WEST SIDE OF NORTHEAST SECOND AVENUE (PROPERTIES ZONED C-1, SEE ZONING ATLAS); SEE MAP OF EXACT PROPERTIES ATTACHED HERETO AS EXHIBIT "A" AND MADE A PART HEREOF AND COMPLETE LEGAL DESCRIPTIONS ON FILE; MAKING FINDINGS; CONTAINING A REPEALER PROVISION AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, To Add the SD-29 Historic Lemon City/Little Haiti Village Special Overlay District to All Underlying Zoning Classifications to Change the Zoning Atlas

LOCATION: The Area Generally Bounded by NE 2nd Avenue, from NE 52nd Street to NE 71st Street, and Liberally Bounded by Approximately 100-150 Feet on the East and West Side of NE 2nd Avenue

APPLICANT(S): Planning Department

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

PLANNING ADVISORY BOARD: Recommended approval to City Commission on December 15, 2004 by a vote of 7-0. See companion File ID 04-01442.

PURPOSE: This will change the above properties to SD-29 Historic Lemon City/Little Haiti Village Special Overlay District.

04-01442a Fact Sheet.pdf, 04-01442a Analysis.PDF, 04-01442a Zoning Map 1 .pdf, 04-01442a Zoning Map 2.pdf, 04-01442a Aerial Map 1.pdf, 04-01442a Aerial Map 2.pdf, 04-01442a PAB Reso.PDF, 04-01442a Legislation.PDF, 04-01442a Exhibit A (1 of 2).pdf, 04-01442a Exhibit A (2 of 2).pdf

12661

MOVED: Johnny L. Winton

SECONDED: Jeffery L. Allen

UNANIMOUS

Motion that this matter be ADOPTED PASSED by the following vote.

AYES: Commissioner González, Winton, Sanchez, Regalado and Allen

PZ.18 04-00854

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 1262 SOUTHWEST 21ST TERRACE, MIAMI, FLORIDA, FROM "SINGLE FAMILY RESIDENTIAL" TO "RESTRICTED COMMERCIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 1262 SW 21st Terrace

APPLICANT(S): Ive Group One, LLC

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on July 7, 2004 by a vote of 5-2. See companion File ID 04-00854a.

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

04-00854 Fact Sheet.pdf, 04-00854 Analysis.PDF, 04-00854 Land Use Map.pdf, 04-00854 Aerial Map.pdf, 04-00854 PAB Reso.PDF, 04-00854 Application & Supporting Docs.PDF, 04-00854 Legislation.PDF, 04-00854 Exhibit A.PDF

CONTINUED

A motion was made by Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, to continue item PZ.18 to the Commission Meeting currently scheduled for April 28, 2005; further requesting that the applicant continue to work with the City Administration to appropriately modify proposed use of property and further for applicant to meet and attempt to compromise with area residents.

PZ.19 04-00854a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 38, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT AND "R-1" SINGLE-FAMILY RESIDENTIAL WITH AN "SD-12" BUFFER OVERLAY DISTRICT TO "C-1" RESTRICTED COMMERCIAL WITH AN "SD-23" CORAL WAY SPECIAL OVERLAY DISTRICT AND "SD-19" DESIGNATED F.A.R. OVERLAY DISTRICT, WITH A SPECIFIC F.A.R. OF 2.4, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1249 AND 1265 SOUTHWEST 22ND STREET AND 1262 SOUTHWEST 21ST TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A," CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

REQUEST: To Amend Ordinance No. 11000, from C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District and R-1 Single-Family Residential with an SD-12 Buffer Overlay District to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District and SD-19 Designated F.A.R. Overlay District, with a Specific F.A.R. of 2.4 to Change the Zoning Atlas

LOCATION: Approximately 1249 and 1265 SW 22nd Street and 1262 SW 21st Terrace

APPLICANT(S): Ive Group One, LLC, Owner/Contract Purchaser and Maria Garcia, Owner

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

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended approval, which failed (4-4), constituting a recommendation of denial to City Commission on November 22, 2004 by a vote of 4-4. See companion File ID 04-00854.

PURPOSE: This will change the above properties to C-1 Restricted Commercial with an SD-23 Coral Way Special Overlay District and SD-19 Designated F.A.R. Overlay District, with a specific F.A.R. of 2.4.

04-00854a Fact Sheet.pdf, 04-00854a Analysis.PDF, 04-00854a Zoning Map.pdf, 04-00854a Aerial Map.pdf, 04-00854a ZB Reso.PDF, 04-00854a Application & Supporting Docs.PDF, 04-00854a Legislation.PDF, 04-00854a Exhibit A.PDF

CONTINUED

A motion was made by Chairman Sanchez, seconded by Commissioner Winton, and was passed unanimously, to continue item PZ.19 to the Commission Meeting currently scheduled for April 28, 2005; further requesting that the applicant continue to work with the City Administration to appropriately modify proposed use of property and further for applicant to meet and attempt to compromise with area residents.

PZ.20 04-01439

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 7825 NORTHEAST 10TH AVENUE, MIAMI, FLORIDA, FROM "SINGLE FAMILY RESIDENTIAL" TO "MEDIUM DENSITY MULTIFAMILY RESIDENTIAL;" MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A REPEALER PROVISION AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

LOCATION: Approximately 7825 NE 10th Avenue

APPLICANT(S): Robyn and Roberto Orta, Owners of Orta Development Corp.

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

PLANNING ADVISORY BOARD: Recommended denial to City Commission on December 1, 2004 by a vote of 6-0. See companion File ID 04-01439a.

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

04-01439 Fact Sheet.pdf, 04-01439 Analysis.PDF, 04-01439 Land Use Map.pdf, 04-01439 & 04-01439a Aerial Map.pdf, 04-01439 PAB Reso.PDF, 04-01439 Application & Supporting Docs.PDF, 04-01439 Legislation.PDF, 04-01439 & 04-01439a Exhibit A.PDF

DENIED

A motion was made by Commissioner Allen seconded by Chairman Sanchez, and was passed unanimously, to deny item PZ.20.

PZ.21 04-01439a

ORDINANCE

First Reading

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING PAGE NO. 8, OF THE ZONING ATLAS OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ARTICLE 4, SECTION 401, SCHEDULE OF DISTRICT REGULATIONS, BY CHANGING THE ZONING CLASSIFICATION FROM "R-1" SINGLE FAMILY RESIDENTIAL TO "R-3" MULTIFAMILY MEDIUM-DENSITY RESIDENTIAL, FOR THE PROPERTY LOCATED AT APPROXIMATELY 7825 NORTHEAST 10TH 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 R-1 Single-Family Residential to R-3 Multifamily Medium-Density Residential to Change the Zoning Atlas

LOCATION: Approximately 7825 NE 10th Avenue

APPLICANT(S): Robyn and Roberto Orta, Owners of Orta Development Corp.

FINDINGS:

PLANNING DEPARTMENT: Recommended denial.

ZONING BOARD: Recommended denial to City Commission on January 10, 2005 by a vote of 9-0. See companion File ID 04-01439.

PURPOSE: This will change the above property to R-3 Multifamily Medium-Density Residential.

04-01439a Fact Sheet.pdf, 04-01439a Analysis.PDF, 04-01439a Zoning Map.pdf, 04-01439 & 04-01439a Aerial Map.pdf, 04-01439a ZB Reso.PDF, 04-01439a Application & Supporting Docs.PDF, 04-01439a Legislation.PDF, 04-01439 & 04-01439a Exhibit A.PDF

DENIED

A motion was made by Commissioner Allen, seconded by Chairman Sanchez, and was passed unanimously, to deny item PZ.21.

PZ.22 04-01386

RESOLUTION

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT, GRANTING A SPECIAL EXCEPTION REQUIRING CITY COMMISSION APPROVAL, AS LISTED IN SECTION 1305 OF ORDINANCE NO. 11000, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, TO ALLOW A CHANGE OF OWNERSHIP FOR A COMMUNITY-BASED RESIDENTIAL FACILITY, FOR THE PROPERTIES LOCATED AT APPROXIMATELY 1024 AND 1144 SOUTHWEST 19TH AVENUE AND 1800 AND 1895 SOUTHWEST 11TH TERRACE, MIAMI, FLORIDA, MORE PARTICULARLY DESCRIBED IN "EXHIBIT A."

REQUEST: Special Exception Requiring City Commission Approval

LOCATION: Approximately 1024 and 1144 SW 19th Avenue and 1800 and 1895 SW 11th Terrace

APPLICANT(S): Family Boarding Home, Inc.

APPLICANT(S) AGENT: Jeffrey Flanagan, Esquire

FINDINGS:

PLANNING DEPARTMENT: Recommended approval.

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

PURPOSE: This will allow a change of ownership to four community-based residential facilities.

04-01386 Fact Sheet.pdf, 04-01386 Analysis.PDF, 04-01386 Zoning Map.pdf, 04-01386 Aerial Map.pdf, 04-01386 ZB Reso.PDF, 04-01386 Application & Supporting Docs.PDF, 04-01386 Legislation.PDF, 04-01386 Exhibit A.PDF

DENIED

A motion was made by Commissioner Regalado, seconded by Commissioner Winton, and was passed, with Commissioner Allen voting against the measure, to deny item PZ.22.

NON AGENDA ITEMS**NA.1 05-00183 DISCUSSION ITEM**

A motion was made by Commissioner Winton, seconded by Commissioner Regalado, and was passed unanimously, to direct the City Manager to execute a contract with the South Florida Workforce Board, Inc. in substantially the terms of the attached draft memorandum of understanding.

MOTION