Miami River Commission Meeting Minutes February 1, 2021

The Miami River Commission (MRC) public meeting convened at noon, February 1, 2021, Curtis Park Neighborhood Center's outdoor back porch, 1901 NW 24 Ave.

Miami River Commission (MRC) Policy Committee Members and/or Designees attending:

Horacio Stuart Aguirre, MRC Chairman

Patty Harris, designee for Governor

John Michael Cornell, designee for Member at Large Appointed by the Governor

County Commissioner Eileen Higgins

Maggie Fernandez, designee for Commissioner Higgins

David Maer, designee for Miami-Dade ST Attorney Fernandez-Rundle

Megan Kelly, designee for City of Miami Mayor Suarez

Jim Murley, designee for Miami-Dade County Mayor Cava

Philip Everingham, designee for Miami Marine Council

Neal Schafers, designee for Downtown Development Authority

Richard Dubin, designee for Miami River Marine Group

Sandy O'Neil, designee for Greater Miami Chamber of Commerce

Roselvic Noguera, designee for Sara Babun

Tom Kimen, designee for Neighborhood Representative appointed by City of Miami

Mike Simpson, designee for Neighborhood Representative appointed by Miami-Dade County

MRC Staff:

Brett Bibeau, Managing Director

Others attending interested in the River:

Ann McNeil, MCO Construction Rick Veber, Spring Garden Resident Steve Wernick, Wernick and Co. Mark Bailey, Miami River Marine Group Lourdes Isalgue, Miami River District Resident - 2 -

I) Chair's Report

MRC Chairman Horacio Stuart Aguirre provided the following report:

Just like the Miami River District strikes the balance between mixed-uses, the Miami River Commission will strike the critical balance between being as safe as possible during this deadly pandemic, while continuing to have public meetings and providing needed services in the Miami River District.

There are 2 proposed riverfront developments applying to the City of Miami for up-zonings in the historically designated Spring Garden neighborhood. The MRC notified the Spring Garden Civic Association on January 5 that the 2 items had been invited to present during today's public MRC meeting. After both items accepted the MRC's invitation to present today, the Spring Garden Civic Association asked them to defer their presentations to the MRC, and meet with the Spring Garden Civic Association first, and both applicants agreed. All parties have agreed to take these 2 items up at the MRC's next public meeting on April 5. The MRC will not host a public meeting in March, and will meet every other month until the Covid Pandemic is over. This will allow the applicants and residents from Spring Garden an additional 2 months (3 months total) to meet and communicate prior to the MRC considering the items during our April 5 public meeting. Therefore, there will be no reason to defer the items again, and the MRC will vote on the items during our next public meeting on April 5 at noon.

On behalf of the Miami River Commission, I extend our warm welcome to recently appointed new MRC volunteer board members Mayor Cava and her appointed designee Jim Murley, Senator Ana Maria Rodriguez, Chair of the Dade Delegation, and her appointed designee Senator Ileana Garcia. The MRC looks forward to working closely with our new members on continued improvements along the Miami River.

The free 24th Annual Miami Riverday will sadly but understandably not be held on April 3, 2021, due to Covid 19. Therefore, we look forward to hosting Miami Riverday on the first Saturday in April 2022, again featuring free Miami River boat rides, live music, environmental education, historic re-enactors, children's activities, food, drinks, and more.

In lieu of Miami Riverday in 2021, the Miami River Commission is reaching out to Riverday sponsors and any potential new supporters with the "Your Miami River" fundraising campaign, where 90% of all donations will be spent directly removing litter and invasive plant species, landscaping, and painting over graffiti along the Miami River.

In addition, advertisements are currently for sale in the 18th Annual Miami River Map and Guide.

The Miami River Commission has been actively assisting the efforts of the City, County, State, and private sector to clean up the Miami River District. In addition to the maintenance professionals the MRC pays to remove litter, invasive plant species, graffiti and provide landscaping services along the Miami River, the MRC thanks the volunteers from Hands on Miami whom on February 6 will pick-up garbage along the shoreline in City owned Curtis Park, and on February 20 will pick up garbage along the Miami River's shoreline at the County owned affordable housing at 1407 NW 7 ST.

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II) Consideration of Supporting Miami Dade County's Request to U.S. Army Corp of Engineers for time extension "Miami Dade Back Bay Storm Risk Management Feasibility Study"

Niklas Hallberg, P.E., Project Manager, Norfolk District, U.S. Army Corps of Engineers presented the distributed PowerPoint. (to view the US Army Corps Backbay presentation to the Miami DDA Board, the discussion begins at the 5:00 minute mark, and the actual presentation begins at the 11:15 minute mark: https://zoom.us/rec/share/cmzKjjOl7raANch6k9ggTcml79hu3N7SXX-jTeNbnqkt7bhHAJRgKLzqOS8CGNkV.Z8aNMC64pogpBwRX Access Passcode: %iPK#ev8

The Miami Dade County Letter to the U.S. Army Corp of Engineers requesting a waiver to extend the project timeline was distributed. In addition, letters were distributed from U.S. Senator Rubio and Congresswoman Shalala in support of Miami-Dade County's request for a waiver to extend the project timeline.

Commissioner Higgins made a motion for the MRC to support the County's distributed request for the Army Corps of Engineers to provide a time extension for the "Miami Dade Back Bay Storm Risk Management Feasibility Study". The motion was seconded by Richard Dubin and unanimously adopted by the Miami River Commission.

The MRC adopted a unanimous resolution supporting the bill pending in the current Florida legislative session which would include seawalls in the state's P.A.C.E. program.

III. Miami River Commission Subcommittee Reports

- **A. Greenways Subcommittee -** MRC Director Bibeau distributed copies of the "Miami River Greenway Update Aerials presented from East to West 1/21/21". The document depicts the 6/75 miles of constructed public Miami River Greenway, and the remaining 3.25 miles which need to be constructed by the City, County, FDOT, and Miami Parking Authority. Currently 4 sections of the public Riverwalk are under construction at Aston Martin Residences (private sector), both sides of the 1 ST Bridge (FDOT), and Fern Isle Park (City of Miami). The MRC thanks the FDOT for awarding \$2 million in 2 federal grants to the City of Miami to construct the next section of the public Miami River Greenway. The MRC is pursuing multiple public and private funding sources for the remaining funding needed to construct and help maintain the remaining sections of the public Riverwalk.
- **B. Stormwater Subcommittee -** The MRC is communicating with the City of Miami regarding stormwater drainage in the riverfront Durham Park neighborhood.

IV. New Business

The Miami River Commission's 2020 Annual Report was distributed.

The meeting adjourned.



Miami River Seafood and Lobster in East Little Havana

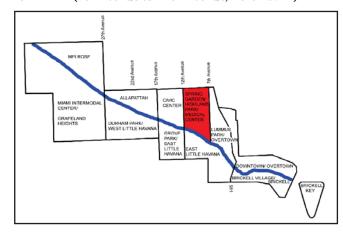
physical and cultural enhancement to the neighborhood but will provide improved educational opportunity as well.

A redevelopment site of particular interest in this district is the former Miami News site, a large riverfront parcel to the east of NW 12th Avenue. The successful redevelopment of this site is viewed by many as a critical to the success of the surrounding area. While its size and waterfront location are appealing, the site has limited access; the possibility of improving access to the site from NW 12th Avenue southbound should be investigated so as to improve the site's linkage to the medical and civic centers flanking 12th Avenue just across the river.



Redevelopment site- The former Miami News Site (20)

SPRING GARDEN/HIGHLAND PARK/MEDICAL CENTER (7th Avenue to 12th Avenue, north bank)



Like much of the Miami River corridor, these neighborhoods were once home to pioneer homesteaders, starch millers, and tourist-attraction operators. One early Miami settler, William Wagner, established a homestead in the 1850s in what is today called Highland Park; the house he built for his family remained in place until the 1970s and now stands, restored, in Lummus Park. Wagner's daughter sold his land in 1909; in 1911 the homestead was platted as a subdivision called Highland Park. The first lots had been sold and the neighborhood's first houses built when in 1913 the area was annexed into the City of Miami, the western boundary of which had previously been 7th Avenue.

Miami's third mayor, John Sewell, built a mansion northwest of Highland Park in 1916; Halissee Hall, as he named it, remains today in the midst of the Jackson/University of Miami Medical Center that grew up all around it.



Two-story masonry house in Spring Garden







This district's riverfront remained undeveloped until 1918; however, an entrepreneur known as Alligator Joe ran a successful attraction for tourists visiting by riverboat at the point formed by the intersection of the river and Wagner Creek. Spring Garden subdivision remains today as one of Miami's four historic districts and the active Spring Garden Civic Association.

Allowable uses along the Spring Garden riverfront are mediumdensity multifamily residential; allowable uses along Wagner Creek (known as the Seybold Canal south of NW 11th Street) are liberal commercial, restricted commercial, office, and both single-family and medium-density multifamily residential.

Liberal commercial zoning is inappropriate for the riverfront, and should be re-oriented toward water-dependent commercial or industrial use, possibly allowing associated mixed-use development for increased compatibility with the both the Spring Garden and Lummus Park neighborhoods and with the river itself. Similarly, residential development as allowed under the medium-density residential zoning classification is not appropriate to the riverfront; the establishment of stricter height, FAR, and parking limits for these parcels is recommended so as to maintain the scale and character of the Spring Garden waterfront.

As on the riverfront, liberal commercial uses should not be allowed on the Seybold Canal; water-dependent commercial or industrial uses, with associated mixed-use development, should be required where zoning presently allows for liberal commercial. Existing single-family zoning along the canal should be protected, while multifamily zoning should be treated as discussed in the previous paragraph so as to maintain



Looking north up the Seybold Canal. On the right is canal front property, that is well suited for water-dependant commercial or industrial uses.



Spring Garden Neighborhood Conservation District study area, outlined in red (21)

the scale and character of the historic district.

Running from southeast to northwest through the Spring Garden/Highland Park/Medical Center neighborhood is Wagner Creek, a partly culverted, partly exposed tributary of the Miami River. South of NW 11th Street, in Spring Garden, this water body is navigable and is known as the Seybold Canal. Not long ago declared to be the state's most polluted waterway, efforts to improve Wagner Creek have been moving forward slowly; efforts to dredge contaminated sediment from the creek are moving forward and the Miami River Greenway Master Plan recommends improving the banks of the creek with



One story masonary house with mediterranean details









Two-story masonry house in Spring Garden

walkways and passive green spaces to the extent possible.

North of NW 11th Street is Highland Park, a residential neighborhood distinguished by its significant concentration of frame vernacular single family homes dating from 1910s and 1920s. Few of its houses are elaborately ornamented, but its wood frame houses feature functional elements appropriate to the climate of the region, with porches, deep overhanging eaves, and layouts inviting cross-ventilation. The design of the neighborhood is of particular significance; Highland Park stretched long and narrow from NW 11th to 20th Streets, with blocks focusing on a series of centrally-located open spaces reminiscent of the neighborhood squares of Savannah, Georgia.

The neighborhood fell into decline as the decades wore on, and its original plan was interrupted with the construction in the late 1960s of an embanked highway severing the neighborhood at NW 14th Street. North of 14th the area was zoned Governmental/ Institutional to compliment the adjacent hospital-related uses, while the southern remnant was targeted for related high-density residential and office development. Construction of the Culmer Metrorail station at NW 11 Street reinforced this intent, but Highland Park failed to develop as anticipated. The area became one of speculative investment and deferred maintenance, with few homeowners and a transient renter population. Another result of the decline was the alteration of the characteristic features of many of its homes - porches enclosed, and floor plans subdivided by the creation of rental units. Preserved, however, were the neighborhood's mature oak, banyan, and mahogany trees, as well as one of its original community greens - a mahogany-shaded circle at the



Spring Garden's tropical riverfront character

intersection of NW 13th Street and 8th Avenue.

The recent construction of new single family housing in the neighborhood has sparked interest in the preservation of Highland Park, and the Miami City Commission has issued a directive to rezone the neighborhood to lower density. A survey the neighborhood's historic resources is under way; already a portion of the area has been found eligible for listing in the National Register of Historic Places. A neighborhood conservation district should be established to encourage restoration of the neighborhood's historic housing and to ensure that alterations and new development in the neighborhood reflect the massing, siting, and articulation of existing structures.

Between the Spring Garden Historic District and Highland



Mature tree canopy in roundabout at NW 13th Street and NW 8th Avenue









Wood frame house with roof bracket details in Highland Park

Park is a group of blocks forming a triangle; this area should be investigated for its potential to simultaneously 1) accommodate higher-density development taking advantage of the nearby Culmer Metrorail station and 2) compliment the adjacent historic neighborhoods of Spring Garden and Highland Park. Key factors in ensuring compatibility include location of parking, height and unit density of development, and treatment of project edges and entrances. In keeping with the open, eyes-on-the-street urbanism of Spring Garden and Highland Park, gates and high walls would be inappropriate, as would auto-oriented entry ways. All new development should respect the one- to two-story frame and masonry residential stock of these neighborhoods, with their rich and eclectic architectural character – including substantial concentrations of frame



Highland Park Neighborhood Conservation District study area, outlined in red (22)



A potentially historic house in Highland Park that has been severely altered from its original layout

vernacular, bungalow, and Mediterranean revival structures – and mature tree canopies, including oak hammocks and a generous assortment of gumbo limbo, mahoganies, royal poincianas, coconut palms and royal palms.

Central to this transitional area between the two neighborhoods is the Culmer Metrorail station. In keeping with Miami-Dade Transit's policy of encouraging transit-oriented development at all Metrorail stations, it is anticipated that an RFP for public-private development will be released by the transit agency in the near future. Guidelines for development compatible in scale and character with the adjacent historic district should be developed prior to release of an RFP, and Miami-Dade transit should involve representatives of the City of Miami Planning Zoning Department, the Miami River Commission as well as residents of the Spring Garden and Highland Park neighborhoods in the project selection process.

The Jackson Memorial and University of Miami Hospitals situated to the north of Highland Park, together with the Lindsay Hopkins Technical School, the Miami-Dade Community College Medical Campus, County Medical Examiner's Office, and numerous other health-related institutions in the district, form an major employment center not only for the middle river but for the region. Secreting two historic structures that offer clues to the medical center's past – Halissee Hall and the Alamo, the original Miami Hospital building – the complex is a labyrinthine warren of structures, streets, and pedestrian ways much in need of a master plan. Also in need of room to expand, the complex's major institutions should partner to ensure that their growth does not negatively

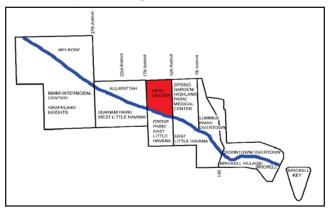






impact the surrounding neighborhoods. The University of Miami has taken steps toward initiating such a partnership; its neighboring institutions should give the effort their full participation and carry it forward. Together, these entities could make strategic investments that would both improve their own environment – including access to and amenities for the Miami River, Wagner Creek, and the area's parks – and the quality of life of their neighborhoods, including Highland Park, Spring Garden, Lummus Park, the Civic Center, and Allapattah.

CIVIC CENTER/ MEDICAL CENTER (12th Avenue to 17th Avenue, north bank)



This neighborhood was once home to the Miami Golf Links. The Miami Country Club, located at the river's edge, lives on only in the subtlest of ways: a tiny residential subdivision called Golf View Park. Today, the Civic Center riverfront is zoned not for recreation but for an awkward trio of uses: mainly office, waterfront industrial, and a small section of medium-density multifamily residential.

Another significant chapter in the Civic Center neighborhood's heritage is Merrill Stevens, the neighborhood's sole industrial waterfront business – and Miami's oldest such business. Merrill Stevens is a strong presence on the Civic Center waterfront and an important contributor to the region's marine economy.

The remainder of the Civic Center's waterfront, however, is less vital. An underutilized civic club on a substantial riverfront parcel lies adjacent to acres of surface parking lots, and a gated multifamily structure stands in the way of public access to the river. Consideration should be given to rezoning all non-waterfront industrial parcels along this segment of the Miami River for mixed use development encouraging water-dependent and related uses as well as restaurants, markets, and residential. Public access to the river should be maximized and amenities

provided so as to benefit the large employment and residential base of this district.

North of the riverfront, there are several distinct



Merrill Stevens- Miami's oldest waterfront industrial business

"neighborhoods": a cluster of government-owned court-related uses (including the State's Attorney's office and a County jail), a cluster of bail bondsmen's offices (many located in converted single family homes, including several historic houses), a pair of hospitals (Cedars, a private hospital, and a Veteran's Hospital and residential facility), and predominantly medium-density multifamily residential district distinguished by difficult circulation and lack of coherence and neighborhood identity. As in Spring Garden, Highland Park, and the Medical Center, Wagner Creek should be cleaned and made accessible to the public – both to neighborhood residents and to the neighborhood's many workers – to the greatest extent possible.

A potentially significant redevelopment opportunity in the Civic Center neighborhood focuses on the Mahi Shrine site (24). Located on the riverfront with close proximity to the Civic Center's court complex and public and private hospitals, this site also has excellent north-south transportation access via NW 12th and 17th Avenues. With the cooperation of Miami-Dade County, two County-owned surface parking lots located to the east of the Shrine site could be jointly developed in a public-private venture (25); such a partnership would result in creation of the Miami River's largest waterfront development site. Commercial (including restaurants, cafes, bookstores, and shops), residential, office, and hotel uses could be linked to the water's edge via a "Riverwalk"-type plaza and accessed both from the greenway as well as from the river itself.

The following page illustrates one of many development scenarios that could occur on the Mahi Shrine Site and the surface parking lots to the east.







Eleven Ten North River Drive

1100 & 1110 NW N River Drive, Miami, FL 33129





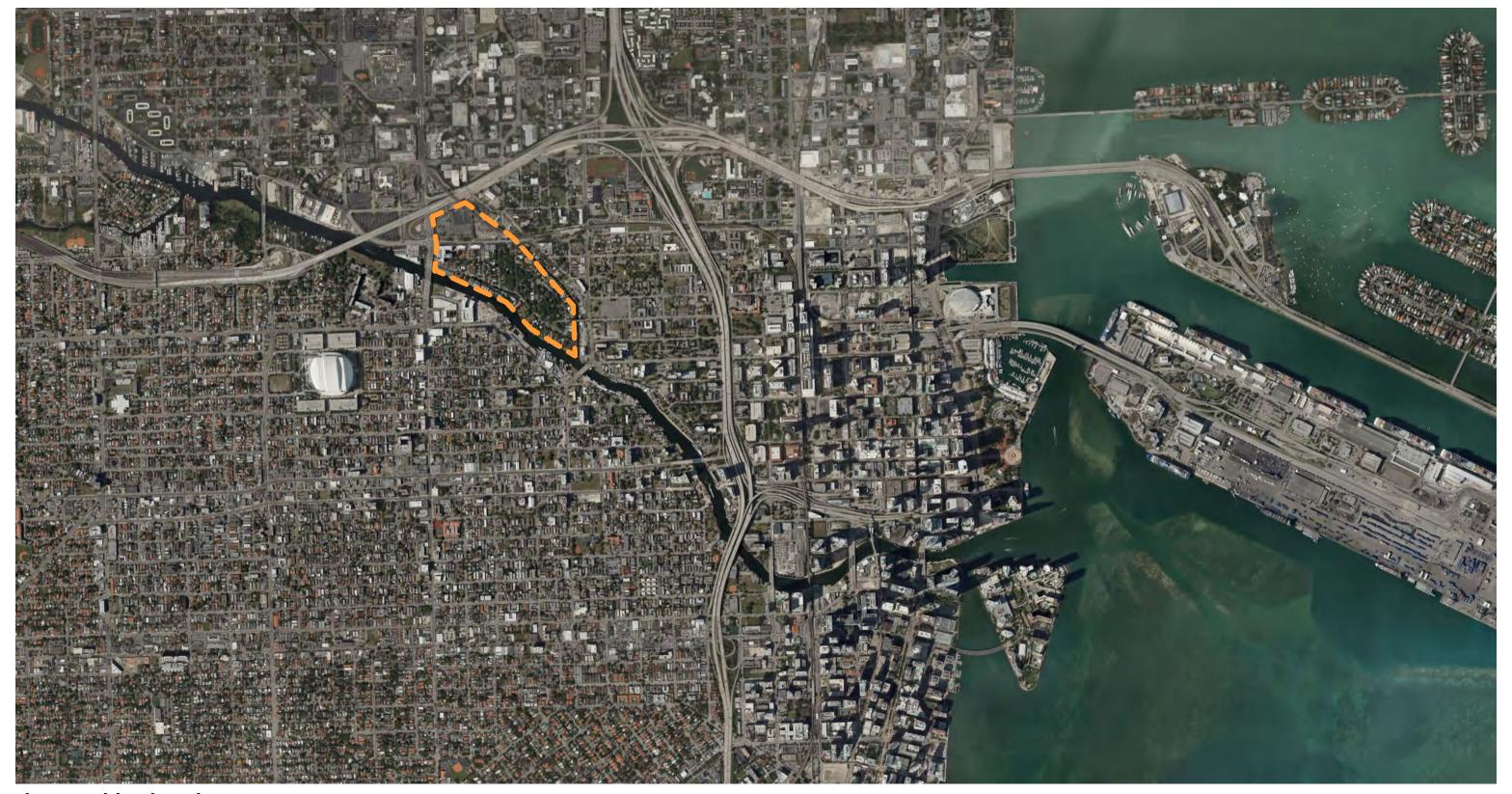
Future Vision Studios

Interdisciplinary Design for the 21 st Century

Presentation to Spring Garden Civic Association & Miami River Commission
March 2021



EXISTING CONDITIONS



The Neighborhood

Spring Garden was settled in the 1840s. The neighborhood is bound by the Dolphin Expressway (SR 836) to the north, the Seybold Canal (formerly Wagner Creek and Northwest Eighth Street Road to the east, by the Miami River to the southwest, and West 12th Avenue (SR 933) to the west.







Context Photos



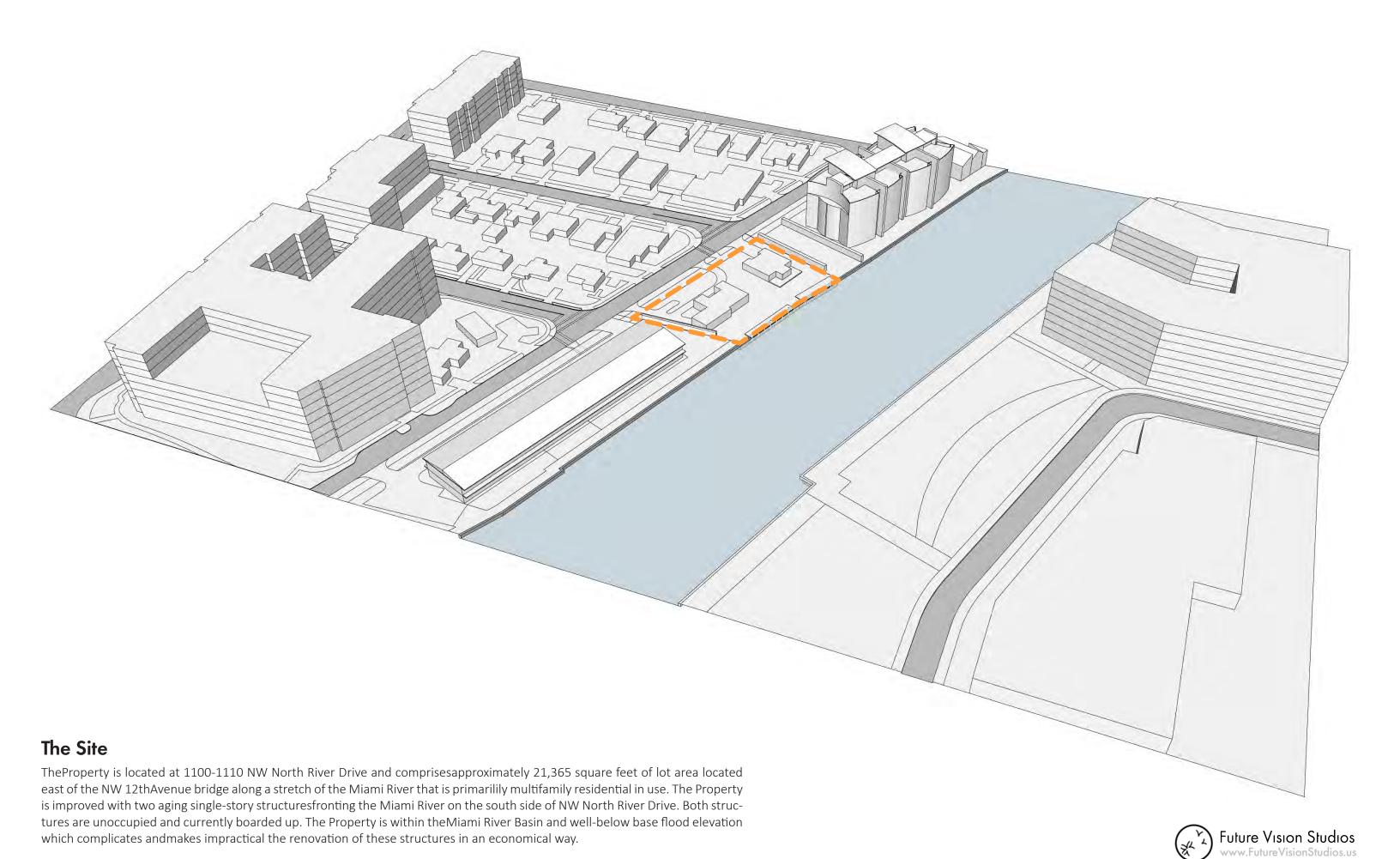


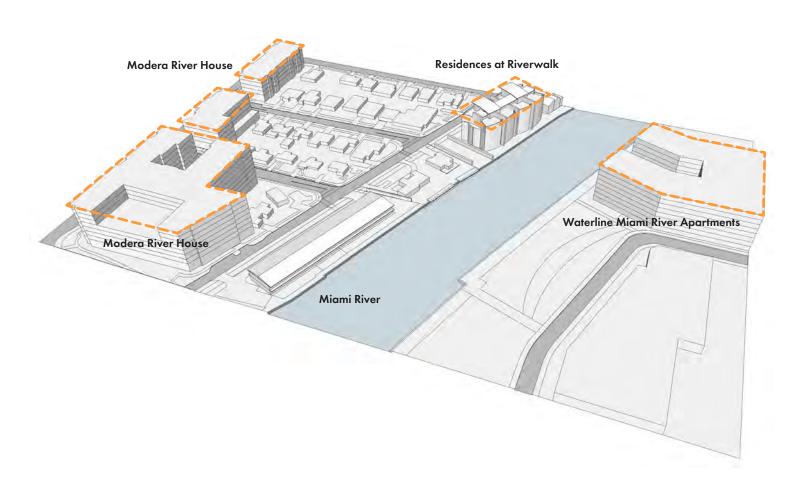


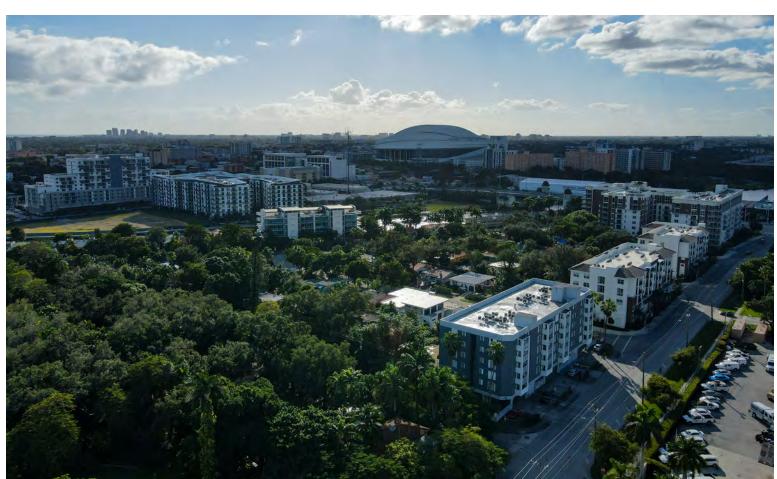
Aerial photo of site looking east

Context Photos









Existing Context - Edge Development Pattern Supports 5 - 10 Stories

To the North/NW: a 10-story condominium tower adjacent to the SW 12th Avenue Bridge, and two 5-story apartment buildings spanning full blocks on the south side of NW 11th Street, which together comprise the Modera Riverhouse apartment complex with a total 289 units. To the East: a 6-story condominium called Residence at Riverwalk, separated from the Property by Greenfield garden park, a pocket park providing public access to the water. To the West: a 2-story multifamily apartment building adjacent to the 12th Avenue bridge, that is anticipated to be redeveloped in the near future. To the South: immediately south across the Miami River from the Property is Miami Riverwalk, a 688-unit apartment complex on a 6.3-acre site at 1001 Northwest Seventh Street.









CURRENT ZONING & & FUTURE LAND USE



Miami 21 - Current Zoning Map

The Property is classified as *Medium Density Multifamily Residential* on the City's Future Land Use Map, which permits up to 65 units/acre 32 units max), equivalent to T5 transect zone. The Property is currently classified as T4-R on the City's Zoning Atlas, which establishes more restrictive standards standards that would limit future development to 36 units/acre (17 units).



Existing Future Land Use Map

Subject Property - Property Line





Development Potential as T4

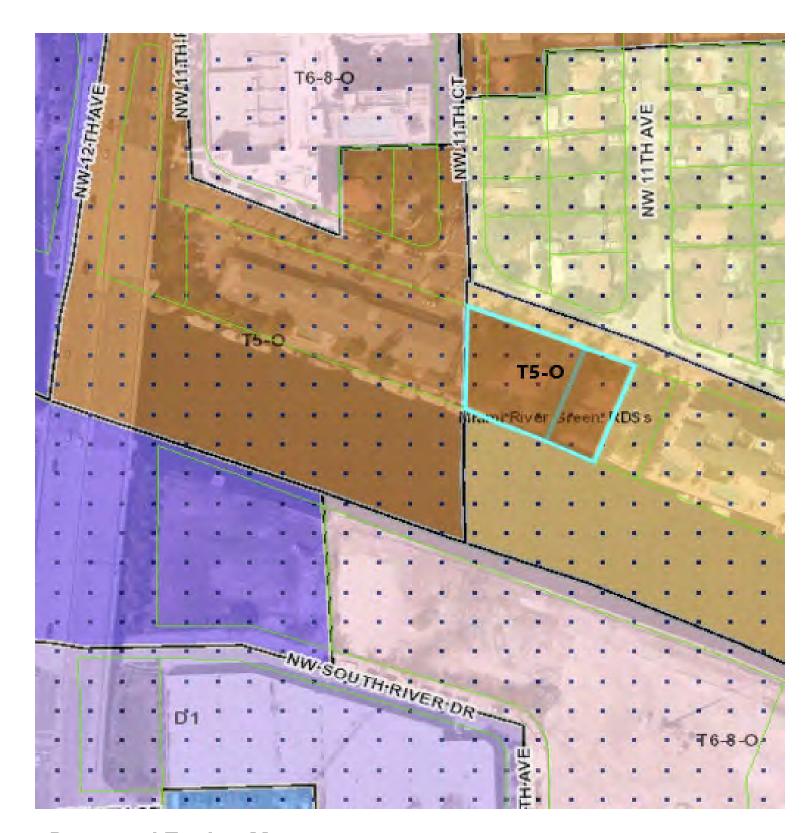
This diagram of the Subject Property includes a conceptual Site Plan design of a building under the T4 designation. To maintain active uses facing the street and also create the necessary parking on the ground level, there will need to be a driveway entrance on the side of the property. To maximize the rentable area with the desirable views facing the Miami River the building will span the property side to side, abutting the property line with 0' setbacks. T4 does not require a Riverwalk so the rear yard will be private space. No additional waterfront side setbacks limit views to water.





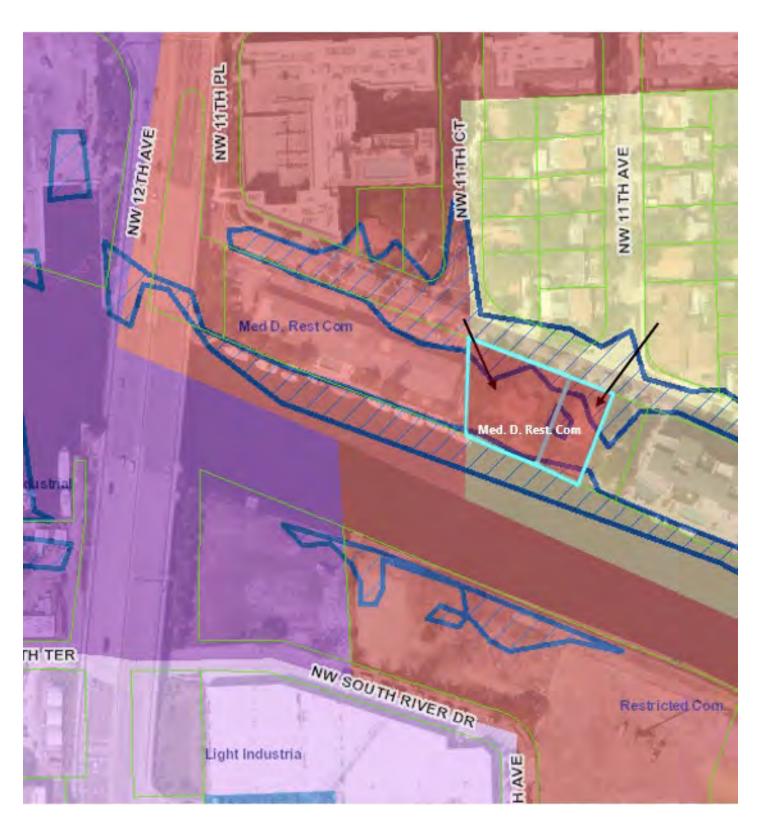


PROPOSED APPLICATION



Proposed Zoning Map

T5-O



Proposed Future Land Use Map

Medium Density Restricted Commercial

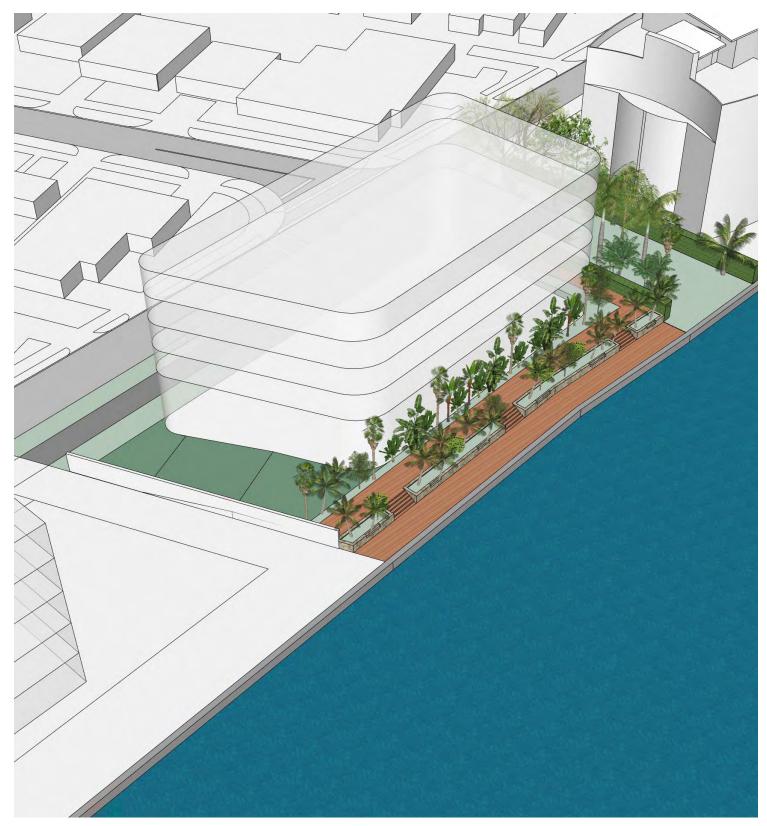


Development Potential as T5

This diagram of the Subject Property includes a conceptual Site Plan design of a building under the T5 designation. The east side of the property contains a public walkway to access the newly created Riverwalk that will extend along the entire rear property line. T5 requires side setbacks that for the property will total approximately 45'6", allowing view corridors from the River to NW N River Drive.

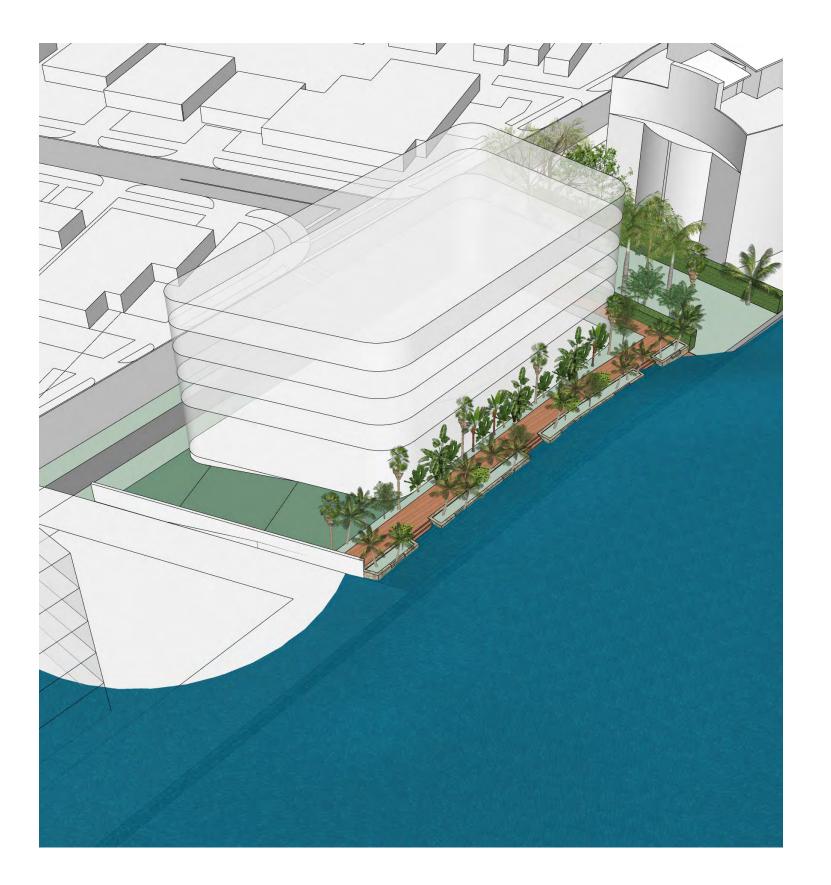








This diagram illustrates a conceptual Riverwalk with a tiered sea wall. The lower dock allows for a more intimate interaction between people and the River. A wall that also serves as a portion of a planter with native landscaping will add beauty and reduce the heat island effect. Stairs and benches can be integrated into the wall. The image on the right demonstrates an increased water height from a storm event or possibly a king tide in the future, in addition to an increased sea height. The walls keep the River at bay, offering increased storm protection to the property and the neighborhood. Whereas, current conditions on site cannot accommodate sea level rise.





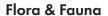






Maritime History & Subtropical Vernacular















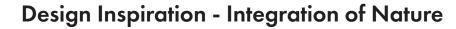
Source: All images of Flora and Fauna, Spring Garden Historic Neighborhood FB.











Spring Garden, and the Subject Site, border the Miami River which has a strong Maritime History and is still an important working River. A crab fisherman builds, mends, and launches his crab pots from his dock only a few properties to the west of the subject property. The massing of the project is inspired by the stacked formations of his crab pots. The neighborhood is full of natural Oolite Limestone, used in decorative features and to build up properties to protect them from flooding. The neighborhood also has diverse flora and fauna. We propose to integrate Oolite as well as pockets of landscaping on the facade and roof of the project, creating an architecture that embraces nature.











City of Miami Planning Department & Office of Zoning http://www.miarnigov.com/planning http://www.miamigov.com/zoning E-mail: eplanpz@miamigov.com Planning: (305) 416-1400

Zoning: (305) 416-1495

RE-Zoning Application Application

Request Number PZ-20-7677

SUBMITTER INFORMATION

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Steven

Last Name:

Wernick

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sjw@wernickco.com

PRIMARY APPLICANT INFORMATION

Steven J. Wemick, Esq., AICP Last Name: First Name:

JBF1 RIVER

on behalf of

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Corporation: Wernick & Co. PLLC

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89 NE 27th Street

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33137

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PRIMARY OWNER INFORMATION

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PROJECT INFORMATION

Project Name:

1100-1110 NW N River Drive (Rezone)

Project Address:

1100 NW NORTH RIVER DR

Unit Number:

City:

Miami

State:

Florida

Zip:

33136

Master Folio Number:

0131350260280

SIGNATURE

That under the penalty of perjury, I declare that all the information contained in this permit application is accurate to the best of my knowledge.

- That NO work or installation will commence prior to the issuance of a building permit and that all work will be performed to meet the standards of all laws
 regulating construction and zoning in this jurisdiction.
- I will, in all respects, perform work in accordance with the scope of the permit, the City of Miami's codes and all other applicable laws, regulations, standard and ordinances.
- That all information given will be accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.
- That separate permits may be required unless specifically covered with the submittal of this application.
- That there may be additional permits required from other entities.
- Fees shall be paid prior to the review and issuance of the permit, as necessary.
- Permit fees are non-refundable

	APPLICANT	OWNER / OWNER REPRESENTATIVE	
First Name:	Steven J. Last Name: Wernich	First Steven J. Last Name: Wernick	
Signature:	Suif	Signature:	
Date:	8/11/2020	Date: 8/11/2020	



City of Miami Planning Department & Office of Zoning http://www.miamigov.com/planning

http://www.miamigov.com/zoning E-mail: eplanpz@miamigov.com Planning: (305) 416-1400 Zoning; (305) 416-1495

Comprehensive Plan Application Application

Request Number PZ-20-7991

SUBMITTER INFORMATION

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PRIMARY APPLICANT INFORMATION

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(786) 232-0900

PROJECT INFORMATION

Project Name:

1100-1110 NW N River Drive (FLUM)

Project Address:

1100 NW NORTH RIVER DR

Unit Number:

City:

Miami

State:

Florida

Zip:

33136

Master Folio Number:

0131350260280

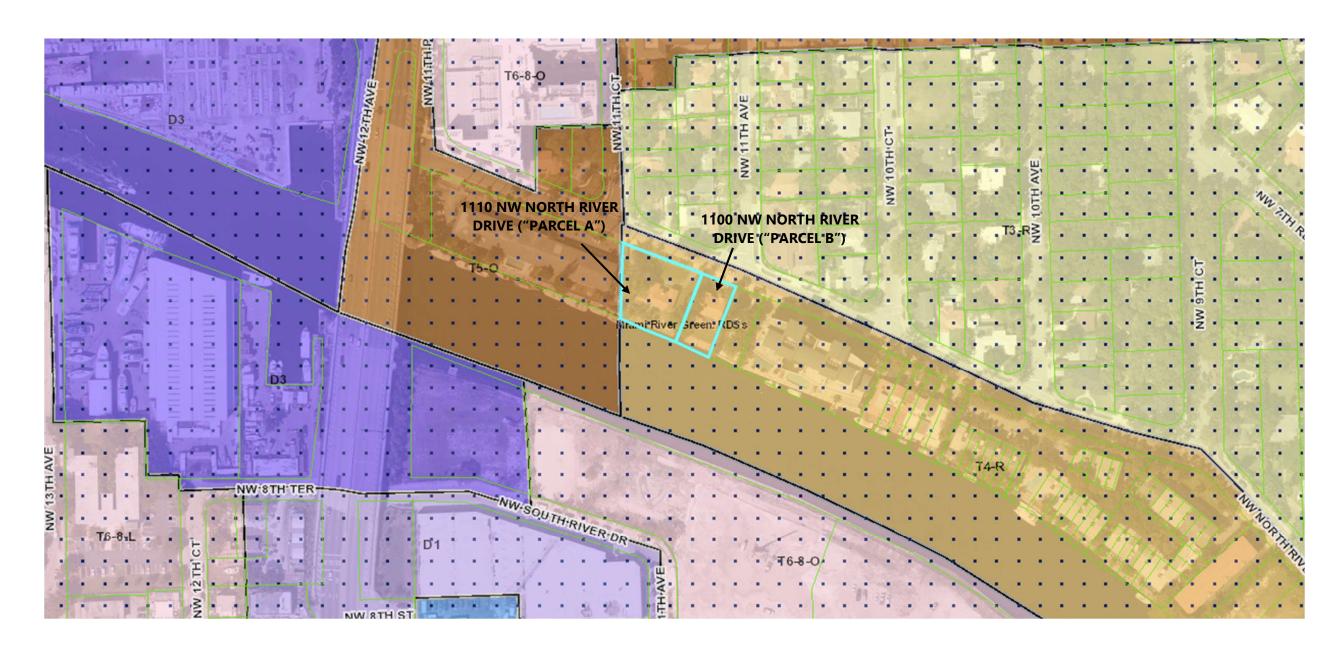
SIGNATURE

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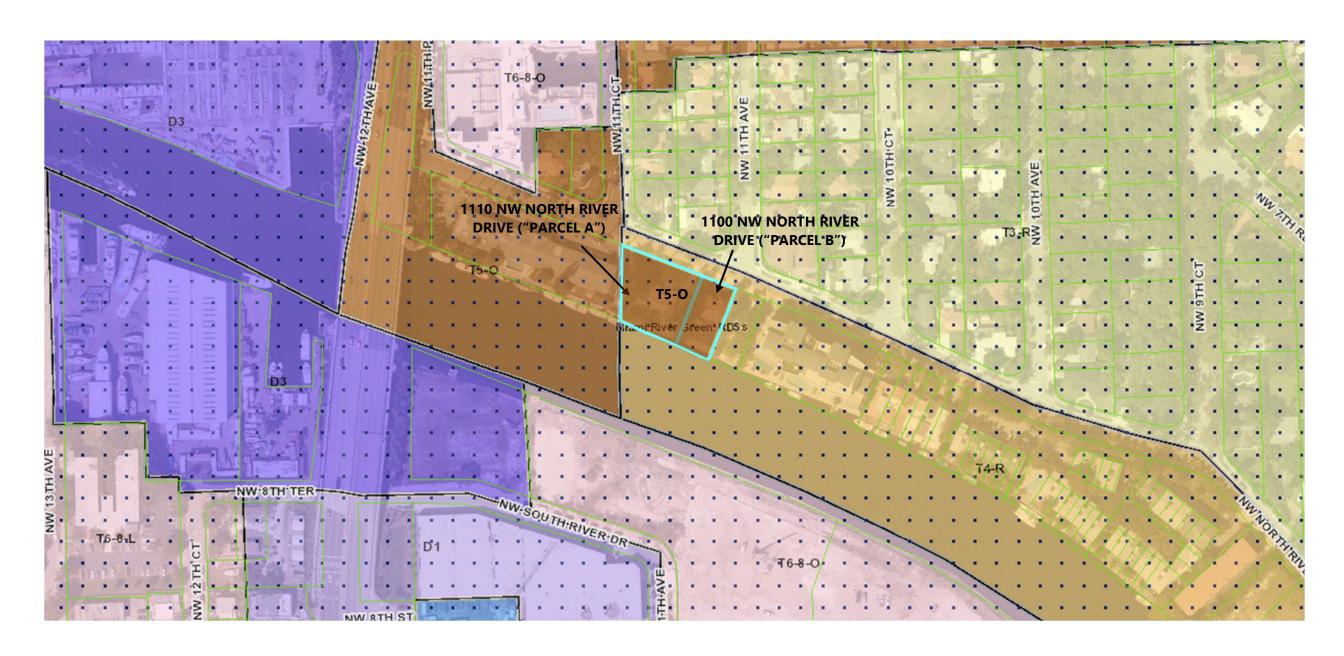
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APPLICANT		OWNER / OWNER REPRESENTATIVE		
First Name:	Steven J. Last Name: Wernich	First Name:	Last Wernick	
Signature	Diil	Signature:	8mil	
Date:	8/11/2020	Date:	8/11/2020	

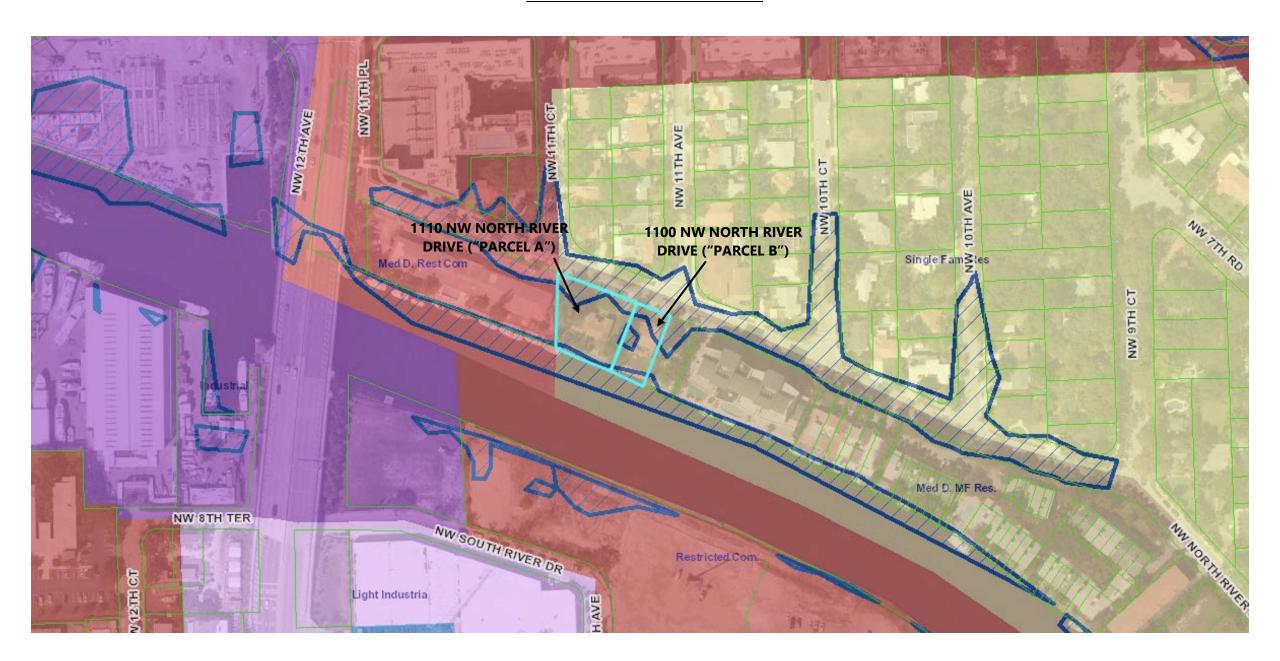
<u>PZD-5</u> <u>EXISTING ZONING MAP</u>



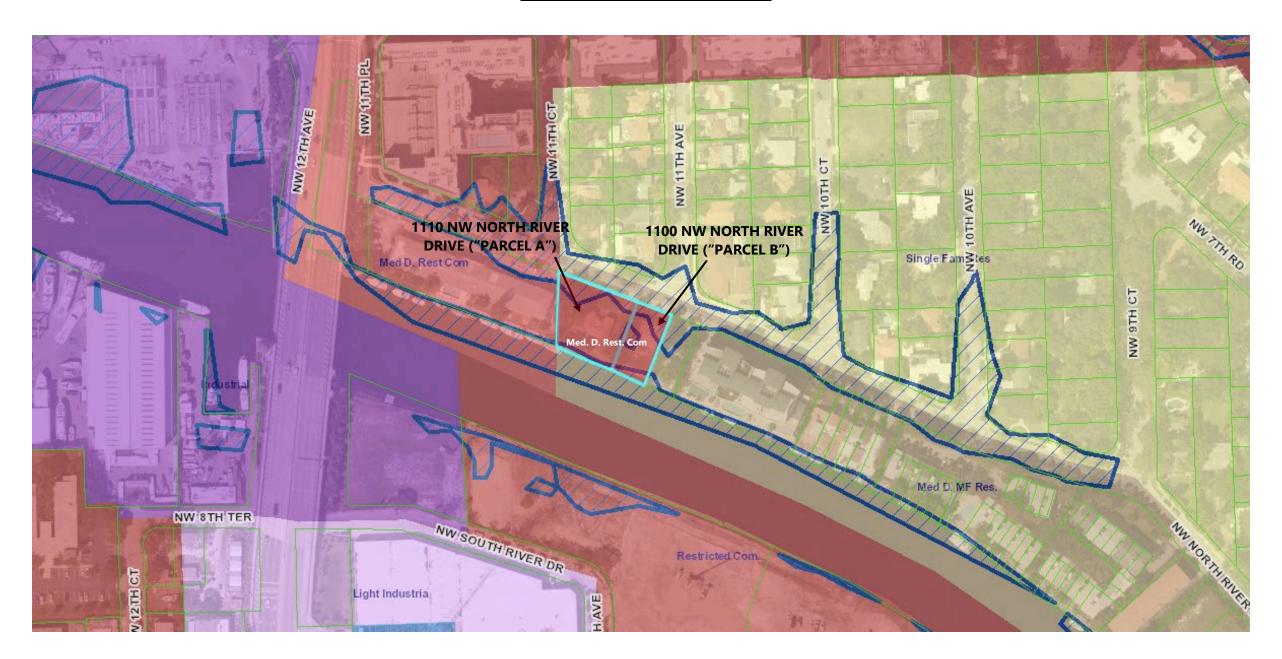
PZD-6
PROPOSED ZONING MAP



<u>PZD-5</u> <u>EXISTING FUTURE LAND USE MAP</u>



PZD-6
PROPOSED FUTURE LAND USE MAP





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August 14, 2020 *Rev'd* Nov. 30, 2020

Via Electronic Delivery

Francisco J. Garcia, Director City of Miami Planning Department 444 SW 2nd Avenue, 3rd Floor Miami, FL 33130

RE: Application for Rezoning (PZ-20-7677) /FLUM Amendment (PZ-20-7991)

Applicant: JBF1 River Development, LLC Primary Address: 1100 NW North River Drive

Letter of Intent

Dear Mr. Garcia,

WERNICK & CO, PLLC serves as land use counsel to JBF1 River Development, LLC ("Owner"), the owner of the contiguous properties located at 1100 & 1110 NW North River Drive (collectively the "Property").¹

This letter of intent accompanies Owner's applications to the City of Miami ("City") Planning Department for Rezoning & Future Land Use Map ("FLUM") Amendment to be included in the Spring 2021 Cycle, respectfully requesting amendments to the City's Zoning Atlas and the FLUM, in compliance with applicable criteria set forth in Article 7, Section 7.1.2.8 of Miami 21 and Chapter 62 of the City of Miami Code of Ordinances, and in accordance with goals, objectives and policies of the City's Comprehensive Neighborhood Plan.

This letter of intent (PZD-3) amends and replaces the August 14, 2020 Letter of Intent, and addresses staff comments released in November 2020.

<u>Background || Property Conditions</u>. The Property comprises approximately 21,365 square feet of lot area (.49 acres)² located on NW North River Drive, east of the NW 12th Avenue bridge along a stretch of the Miami River that is generally residential in use.

The Property is improved with two aging single-story residential structures fronting the Miami River on the south side of NW North River Drive. Both structures are unoccupied and currently boarded up. The Property has private waterfront access with an existing dock on the Miami River.

¹ The collective Property and corresponding folios are as follows:

¹¹⁰⁰ NW North River Drive/ folio no. 01-3125-026-0280

¹¹¹⁰ NW North River Drive/ folio no. 01-3125-026-0270

² As depicted on the Survey prepared by South Peninsula Surveying, Corp., dated June 10, 2020, 1100 NW North River Drive is 7,375.97 square feet (0.17 acres); 1110 NW North River Drive is 13,931.04 square feet (0.32 acres). The total Property area is 21,307 sf (0.49 acres).



The Property is located on the western edge of the Spring Garden Historic District, centrally located in the City of Miami, in close proximity to the Health District and the Culmer Metrorail Station.

The Property is within the Miami River Basin and well-below base flood elevation. Unlike many of the residential structures in the surrounding neighborhood, the existing structures are not elevated, which complicates and makes impractical the renovation of these existing structures in an economical way.

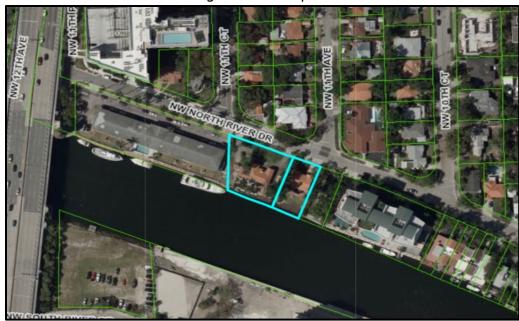


Figure 1: Aerial Map

The Property is classified as *Medium Density Multifamily Residential* on the City's Future Land Use Map (FLUM), which permits generally up to 65 units/acre and primarily residential uses. However, the Property is currently T4-R on the City's Zoning Atlas, which imposes more restrictive standards on use and density, height, lot coverage and other standards than contemplated by the FLUM.

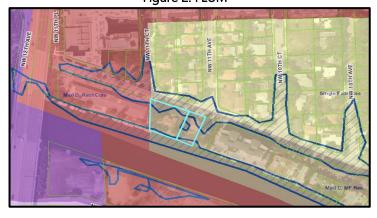
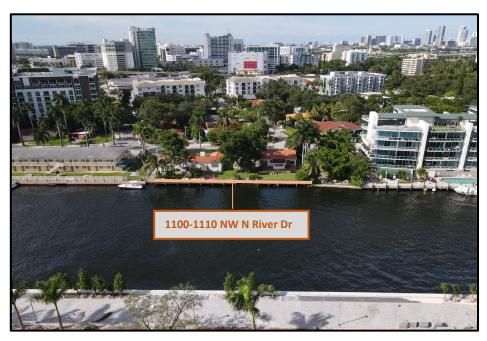


Figure 2: FLUM



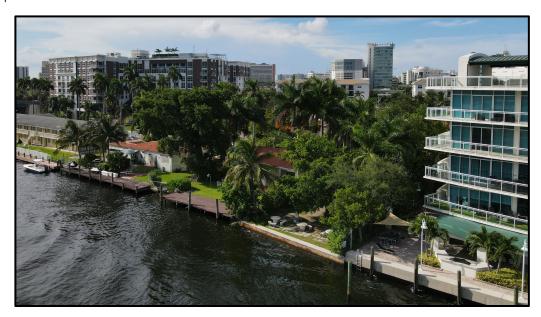


<u>Background || Surrounding Neighborhood and Changing Conditions</u>. The surrounding area – in all directions north, west, east and south – has been experiencing a significant transition in recent years. With demand for multifamily apartments in this area that is well-located to centers of employment in Miami, including the Health District and Downtown, there have been several new vertical multi-family developments springing up along NW 11th Street, NW 12th Avenue, NW North River Drive and along the Miami River.



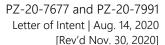


- *To the North / NW.* a 10-story condominium tower adjacent to the SW 12th Avenue Bridge, and two 5-story apartment buildings spanning full blocks on the south side of NW 11th Street, which together comprise the *Modera Riverhouse* apartment complex with a total 289 units.
- To the East. a 6-story condominium called Residence at Riverwalk, separated from the Property by Greenfield garden park, a pocket park maintained by Spring Garden Civic Association providing public access to the water.



- *To the West*: a 2-story multifamily apartment building adjacent to the 12th Avenue bridge, that is anticipated to be redeveloped in the near future, and is currently zoned T5-O.
- To the South. immediately south across the Miami River from the Property is Miami Riverwalk, a 688-unit apartment complex on a 6.3-acre site at 1001 Northwest Seventh Street







To the NE / Spring Garden Historic District. The Property is located on the southwestern edge of the Spring Garden Historic District, which was established in 1997. The Properties are referenced only by virtue of inclusion on a black and white map showing 2D figure ground drawings of contributing structures vs. non-contributing structures within the boundaries of the district. There is no further analysis specifically related to the subject Property within the Historic Designation Report, nor are we aware of any previous zoning applications related to this subject Property.

The Historic Designation Report references several significant noteworthy buildings and general architectural styles represented in the neighborhood; however, based on our research, there is no evidence that the subject Property was evaluated at that time nor subsequently beyond the period in which the structures were originally built in the 1940s and 1950s.

The Historic Designation Report references a mix of residential uses and contemplates multifamily structures as an important part of the Spring Garden Historic District. Given the evolution of Miami over the past 27+ years and the current housing crunch being experienced in Miami, these Applications will allow for thoughtful and compatible development - consistent with the City's policies under Miami 21 and the MCNP, without changing the character of the immediate area.

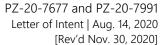
Interestingly, whereas single family structures deemed contributing on that map are generally located within the T3 transect zone within the core of the neighborhood (see Figure 1), and singlefamily on the City's FLUM (See Figure 2), the subject Property has been Miami 21 Zoning Atlas, as adopted by City of Miami in 2009, classified this Property as T4 and the City's FLUM categorized as Medium Density Multifamily Residential.

Nature of Applications. The Owner respectfully submits these Applications for (a) an amendment to the City's FLUM to change the Property's classification from Med. Density MF Residential to Med. Density Rest. Commercial, which is consistent with those properties immediately to the west and northwest of the Property, and (b) an amendment to the City's Zoning Atlas from T4-R to T5-O.

Article 7, Section 7.1.2.8.a and c. – Compliance with Rezoning Criteria

The following reflects justification for approval of the presented Applications as appropriate to the current and future conditions in the surrounding area. In addition, please find the Technical Analysis of compliance with criteria set forth in Section 7.1.2.8 of Miami 21, Exhibit 1, which demonstrates competent substantial evidence to approve the applications.

Changing Conditions Support the Applications. The southwest pocket of the Spring Garden neighborhood has experienced several changes in conditions over the past ten years. There have been several new buildings constructed in the immediate area. To the northwest of The Property, there is an 11-story residential building next to the NW 12th Avenue Bridge that is much more intense in character than even a T5-O Zone. To the east of this property, there is a six-story 20+ unit, multifamily residential condominium that was built fronting the Miami River, just as these properties do.





When evaluating the development capacity under the proposed zoning in the context of the built environment, it is evident that with the proposed rezoning, the Property is entirely consistent in scale and intensity with the adjacent properties to both the east and west. Furthermore, when considering the waterfront setbacks and the Greenfield garden community park, development on the Property under the proposed rezoning would ensure view corridors are protected for the neighborhood. It is also consistent with the evolving edge condition around Spring Garden for those multifamily properties on the larger thoroughfares, including the Modera Riverhouse complex recently constructed on the south side of NW 11th Street. See Exhibit 2 (Illustrative Diagram), as prepared by Future Vision Studios.

With the changed conditions since the 1990s to the immediate east, north, and south of the Property, the current structures are not well-suited to their location. The desirability of a single-family structure immediately next to a 6 -story modern condo tower and directly across the river from a 600+ multi-phased apartment complex is questionable at best. Furthermore, treating this Property with more restrictive zoning is inconsistent with the immediate surrounding similarly-situated properties fronting on the Miami River.

Finally, Miami has experienced a number of changes with respect to climate change and sea level rise, which has evolved studies related to seawalls and mitigation strategies for rising tides and also a new Freeboard requirement which would elevate structures beyond that of the existing conditions today. The proposed rezoning will be more responsive and conducive to implementation of climate change adaptation strategies being implemented by City of Miami and other state and local regulatory agencies.

<u>Change of Zoning Serves Valid Public Interest.</u> This application for rezoning would provide for more housing options on a Property that is currently underutilized and practically unable to be retrofitted or restored. This rezoning would introduce these properties to the future expansion area for the Miami Riverwalk. With T4-R transect zones, the Riverwalk is not required for redevelopment. However, under Section 3.11 of Miami 21, properties within the T5-O transect zone are required to comply with the waterfront standards of Miami 21 and the design guidelines in Appendix B, which would expand the network and public access from today's conditions.

Lastly, since the site is located within the Spring Garden historic district, any future demolition and/or new construction would require approval from the Historic and Environmental Preservation Board (HEPB), thus providing additional formal review and public hearings to ensure future development on the Property is compatible with the surrounding neighborhood and consistent with Chapter 23 of the City Code.

Article 2, Section 2 .1, Intent and Preservation and Enhancement of Neighborhoods

Miami 21 has general purpose and intent of preserving neighborhoods (See Miami 21, Article 2, Section 2.1.2a). Neighborhoods best accommodate the needs of Miami's residents when they include a mix of compatible land uses and mix of housing typologies, particularly here where there are practical challenges with reactivating the existing structures.



The Applications further the goal of this section of Miami 21 by:

- (i) *enhancing connectivity to the waterfront* through the Riverwalk, which will be required in the T5 zone, but not required under the current zoning;
- (ii) contributing to an evolving mix of housing in the neighborhood, and
- (iii) that is *compatible with the scale of recent development in the surrounding area,* including those properties immediately abutting the Property along the Miami River.

Conclusion

Please accept this letter of intent along with the Applications and the supporting materials required to accompany the Applications submitted through the City's E-Plan System as of August 14, 2020 (and in response to staff comments posted through November 2020).

For the above-referenced reasons, we respectfully request APPROVAL of the Applications.

Sincerely,

Steven J. Wernick WERNICK & Co, PLLC

cc: Sue Trone, AICP, Chief of Comprehensive Planning Jacqueline Ellis, Chief of Land Development Erin L. Sutherland, Wernick & Co, PLLC

EXHIBIT 1

Rezoning/FLUM Applications JBF1 River Development, LLC 1100-1110 NW N River Drive PZ-20-7677 | PZ-20-7991

Technical Analysis – Miami 21 Sec. 7.1.2.8

The following technical analysis sets forth the applicable criteria evaluated in connection with a site-specific zoning atlas change in City of Miami, pursuant to Miami 21, Article 7, Section 7.1.2.8. Based on the criteria, as applied, there is *competent substantial evidence to support a recommendation of approval* of the proposed zoning changes for the subject properties.

7.1.2.8.a Successional Zoning



Section 7.1.2.8.a requires that the subject properties be rezoned within their respective transect zone or into the next higher transect zone.

The application as proposed is in *COMPLIANCE* with Section 7.1.2.8.a.

- The subject Property is currently zoned T4R.
- The application proposes a *change in transect zone from T4R to T5-O, consistent with successional zoning* chart in Section 7.1.2.8.a.

7.1.2.8.c EXTENSION OF TRANSECT ZONE BOUNDARY



Section 7.1.2.8.c requires either an extension of an existing transect zone boundary, or evidence that the subject property exceed minimum of 40,000 square feet or 200 feet of linear frontage

The application as proposed is in *COMPLIANCE* with Section 7.1.2.8.c.

The application as proposed would extend existing contiguous transect zone of T5-O. [Because
this application proposes an extension of existing transect boundaries, the analysis need not
address criteria based on square footage or linear feet of frontage. However, the Property also
incorporates more than 200 feet of linear frontage]

7.1.2.8.f REZONING CRITERIA



The application as proposed is in *COMPLIANCE* with Section 7.1.2.8.f.

1(a) Proposed Amendment's Relationship to the goals, objectives and policies of the Comprehensive Plan

The proposed amendment furthers important goals, objectives and policies of the MCNP in several ways, as identified below.

Rezoning/FLUM Applications
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The <u>Future Land Use Element</u> of the MCNP calls for, among other applicable goals, objectives and policies:

- Goal LU-1: Maintain a land use pattern that protects and enhances the quality of life in the
 City's neighborhoods. The Applications will help provide a greater mix of housing options
 and to today's standards which help provide more sustainable network of infrastructure to
 reduce impacts from stormwater intrusion and seal level rise impacting the immediate area
 within the flood zone.
- Policy LU-1.1.7: Allow for the redevelopment of well-designed mixed-use neighborhoods
 that provide the full range of residential and neighborhood retail in a walkable area and
 that are amendable to a variety of transportation modes, including pedestrian, bicycles,
 automobiles and mass transit. The Applications will result in new transect zone better
 facilitates pedestrian-oriented development, pedestrian circulation and connectivity by
 virtue of requirement for a Riverwalk, which does not apply under the current zoning.
- Objective LU-1.3: The City will continue to encourage the development of well designed, mixed-use neighborhoods that provide for a variety of uses within a walkable area. The transition to T5 zone on the subject property encourages the development of welldesigned mixed-use neighborhoods.
- Objective LU-1.5: Land development regulations will protect the city's unique natural and coastal resources, its neighborhoods, and its historic and cultural heritage. Whereas currently there is no public access to the Miami River today or with development under the current trnasect zone of T4-R, the Application will help facilitate enhanced public access to the Miami River and connectivity of the Riverwalk along this portion of the Miami River. which is a key priority of the Miami River Commission and City of Miami. The Application thus celebrates and enhances the unique natural and coastal resources of the Spring Garden neighborhood and the Miami River. Note that these goals were not contemplated at the time of the creation of the Spring Garden Historic District.
- Objective LU-1.8: Redevelopment in the City shall ensure the protection of natural resources and systems by recognizing, and sensitively responding to constraints posed by climate change and sea level rise. The Applications will help facilitate appropriate redevelopment that responds to more recently recognized constraints posed by climate change and sea level rise.
- **Policy LU-1.8.2**: Adapt the built environment to the impacts of climate change and sea level rise. The Applications will futher the adaptation of the built environment to the impacts of climate change and sea level rise, in a manner that is compatible with changing conditions and recent development in the surrounding area.
- Objective PA-1.1: The City shall regulate the Port of Miami River's expansion and redevelopment in coordination with applicable future land use and coastal management goals, objectives, policies.

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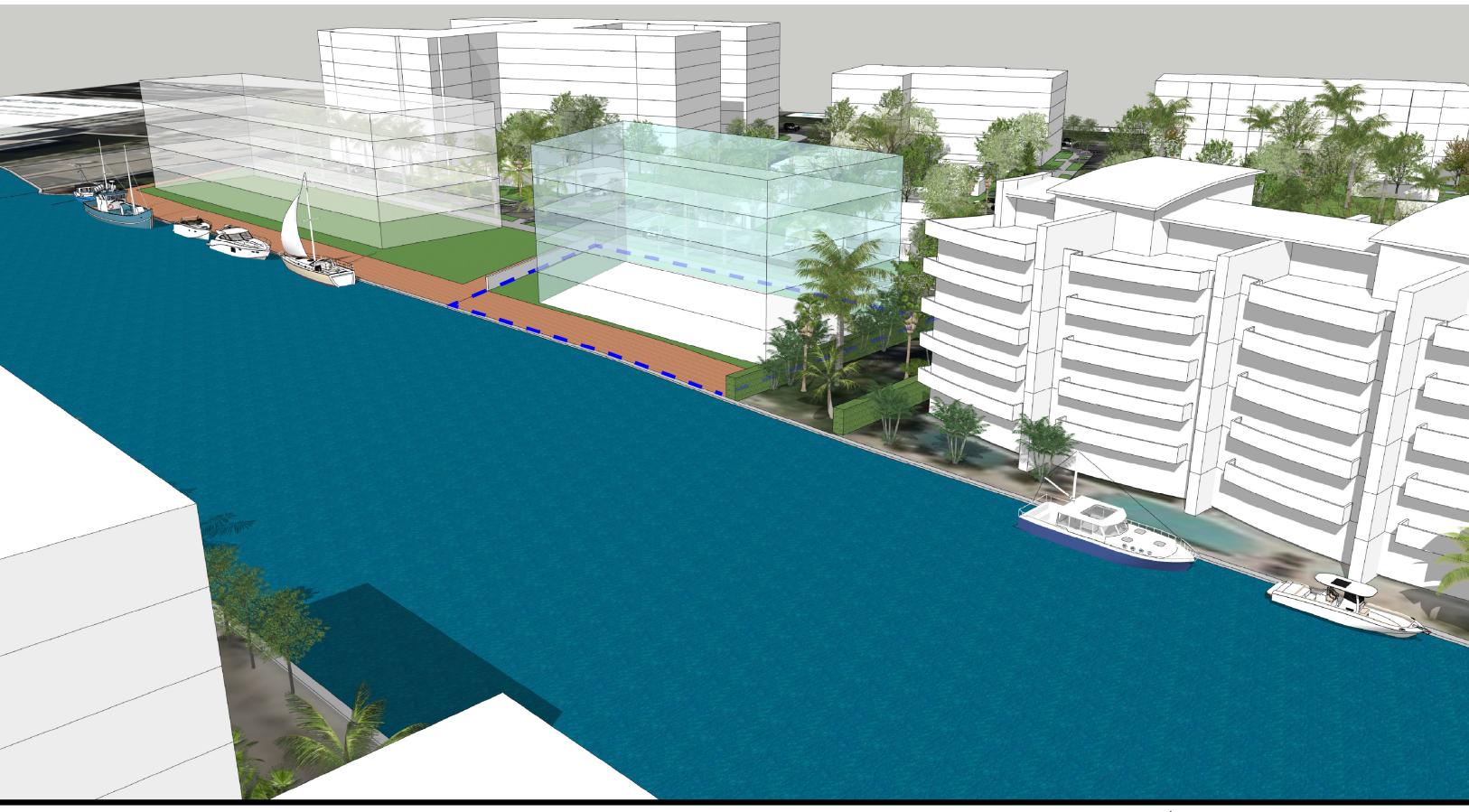
The <u>Miami River Corridor Urban Infill Plan</u> ("MRCP") identifies major goals and objectives to support reinvestment along the Miami River. The proposed rezoning and comprehensive plan amendment ("<u>the application</u>") further supports those goals as stated below:

- The application will stimulate private sector investment in the Miami River Corridor.
- The application will require the development of a Riverfront walkway, which under the current T4-R zoning, is not required. The development of a Riverwalk will provide a continuous recreational corridor on the River, and both water and greenway access will be available to pedestrians.
- As identified in MRCP, there is a "clear need for ongoing improvement of the Miami River Corridor's existing housing stock". The need for increasing the number of residential units through the corridor will necessitate the loss of some existing fabric, and the value of newly developed housing will be greatly enhanced.
- The redevelopment of the Property could "result in a re-weaving of the corridor's torn fabric".
- *Goal PR-1:* Provide sufficient opportunities for active and passive recreation to all City residents.
- Objective PR-1.1: The City shall work to achieve a medium-term objective of providing a
 park within a ten-minute walk of every resident. Citywide parks include linear parks
 (greenways).
- Objective PR-3.2: Enhance the public's visual and physical access to waterfront areas.
- *Policy PR-3.2.1:* The City will continue to work to complete the Riverwalk and the Miami River Greenway.

Lastly, the proposed amendment also furthers the objectives, policies and goals of the Housing Element of the MCNP, which calls for:

- *Policy HP-2.1.4:* The City will continue to promote development of new, high quality, dense urban neighborhoods along the Miami River.
- 1(b) The need and justification for the proposed change. Today, despite the Property's prime waterfront location, the structures are in disrepair and currently provide no active housing for residents in Miami. If they were to be repaired, at most there could be three (3) dwelling units on 0.49 acres, the equivalent of 6 units/acre. Under the current T4-R zoning, the maximum density would allow for only 17 units. The proposed rezoning provides for more appropriate density consistent with the future land use category already in place, which permits up to 65 units per acre; whereas the current zoning on the property is overly restrictive given the location of the site and the recent development immediately to the east of the Property.

EXHIBIT 2



1100 & 1110 NW N River Drive Miami, FL 33136

Legend

Opaque Structures - Existing neighborhood buildings

Translucent Blue Form & Dashed Line - Subject Property, 1100 & 1110 NW N River Drive, with example of building envelope, conceptual massing, for illustrative purposes only

Translucent White Form - Neighboring property, example of building envelope, conceptual massing, for illustrative purposes only



NEIGHBORHOOD GATHERING

Join us for a brief presentation on a zoning application filed with the City of Miami to improve the built and natural environment for the site.

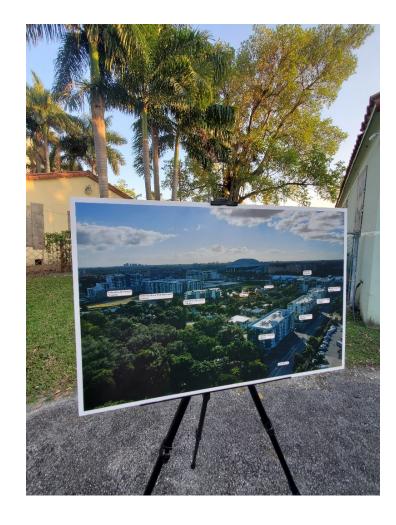
All are welcome!

Light bites and refreshments will be served.

We kindly ask attendees to wear a mask and respect social distancing protocols.

1100 NW NORTH RIVER DRIVE THURSDAY, MARCH 4 4:00 PM - 6:00 PM

FOR MORE INFORMATION,
REACH OUT TO ERIN SUTHERLAND AT 305.877.8822











TIMELINE

Eleven Ten NW N River Drive Application (Rezoning)

AUG 2020		NOV '20	JAN '21	FEB '21	MAR '21	APR '21	MAY ′21
Aug 14th File Rezoning Application for Spring 2021 Cy		Nov 30 th Applicant Response to City staff RFIs mence Community Outreach	Study existing site conditions & setback requirements	Feb 1 st MRC Meeting (Item deferred to Apr 5 th)	March 2 nd April 5 th Presentation & MRC Meeting with SGCA Presentation Board Meeting March 4 th	MRC	PZAB Meeting City Commission Meetings per Art 7, M21 <i>(TBD)</i>
	Request opportunity to present to SGCA			- 1 - /	Applicant Community Engagement Event		





