

**Miami River Commission**  
**Meeting Minutes**  
**March 4, 2013**

Mr. Horacio Stuart Aguirre, Chairman of the Miami River Commission (MRC), convened the public meeting at noon, March 4, 2013, 1407 NW 7 ST, Miami, FL.

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

Horacio Stuart Aguirre, Chairman

Jay Carmichael, Vice-Chairman

Patty Harris, designee for Governor

Frank Balzebre, designee for Miami-Dade County Mayor Gimenez

Marlene Avalo, designee for Miami-Dade County Commissioner Barreiro

Javier Betancourt, designee for Downtown Development Authority

Richard Dubin, Miami River Marine Group

Megan Kelly, designee for Greater Miami Chamber of Commerce

Philip Everingham, designee for Marine Council

Christian Larach, designee for Sara Babun

Ernie Martin, Neighborhood Representative appointed by the City of Miami Commission

Sallye Jude, Neighborhood Representative appointed by the County Commission

**MRC Staff:**

Brett Bibeau, Managing Director

**Others attending interested in the River:**

Please see attached sign in sheets.

**I. Chair Report** – Chairman Horacio Stuart Aguirre provided the following report:

The MRC unanimously adopted the MRC's previously distributed draft January 7 and February 4 public meeting minutes.

The rotating PowerPoint presentation features pictures from the February 23 Miami River Greenway beautification volunteer event. On behalf of the MRC, I thank all of the MIRA USA volunteers whom expanded the community free vegetable and fruit garden and picked up litter along the Miami River Greenway's south shore, from 13 Ave to I-836. In preparation we hired professional arborists which removed massive overgrown invasive species such as Brazilian pepper, which had taken over the shoreline.

Chairman Aguirre provided a friendly reminder for everyone to attend the free 17<sup>th</sup> Annual Miami Riverday on April 6, 1-6 PM, in Lummus Park, 250 NW North River Drive. Chairman Aguirre thanked all the generous sponsors and participants.

Jay Carmichael, Chair of the MRC's Voluntary Improvement Plan (VIP) addressed the following items:

- 1) I thank FPL which in February completed repairs to the broken Street lights along the Miami River Greenway's north shore, from I-95 to Lummus Park, Garcia's and Casablanca Restaurants.
- 2) I thank the City of Miami which in February reopened the Miami River's only public boat ramp in Curtis Park.
- 3) I thank FDOT and the City of Miami's Homeless Assistance Department which in late February conducted a significant outreach, assistance and cleanup beneath the Brickell and Flagler Bridges in late February.
- 4) MRC recently reported to the City that their decorative trash cans are overflowing along the public Miami River Greenway between Lummus Park and I-95

## **II. Review Proposed Mixed-Use Development Plans, 1500 NW North River Drive (Mahi-Shrine Site)**

Ms. Vicky Garcia Toledo, Bilzin Sumberg, presented a PowerPoint regarding the proposed "River Landing", mixed-use development at the current "Mahi-Shrine Temple", featuring 475,000 square feet of retail, 444 residential units, in 6 floors of retail, 12 floors of residential, above a 12 story parking garage (total 24 stories), height 280 feet where FAA allows up to 310 feet, more parking spots than required by law, LEED certified, temporary recreational boat dockage, disclosure that the project is located on the working Miami River with marine industrial businesses, a 50-foot wide public riverwalk, 2 side yards and middle corridor are all publicly accessible 24 hours per day, 7 days per week, with no waivers, exemptions, exceptions or reductions of the public riverwalk provisions required under City Code, i.e. Miami 21 sections 3.11, and Appendix B. Ms Garcia Toledo added for the first time that the City recently determined the proposed project also requires a zoning amendment from T6-8 to T6-24.

The proposed project was presented to the MRC's Urban Infill and Greenways subcommittees on January 23, which recommended approval subject to 5 conditions. Revised plans were presented to the MRC subcommittee's on February 15, which per the distributed public meeting minutes found all 5 conditions were met, therefore MRC Urban Infill Chairman Murley and Greenways Chairman Martin found the revised proposal consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan*.

**The MRC unanimously found the presented "River Landing" plans consistent with the adopted *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan*.**

This project is scheduled before the Miami's Planning Zoning and Appeals Board (PZAB) in April, and the City Commission in April or May.

Ms. Vicky Garcia Toledo indicated they would like the County to give the developer the County owned riverfront parcel immediately east of the site, which the developer would improve and

maintain as a public greenspace featuring the public riverwalk. Chairman Aguirre and the MRC asked to potentially consider that separate proposed component during the MRC's April 15 public meeting.

### **III. Review 5th Draft Miami-Dade County New Zoning Code “Article XXXIII(S) Palmer Lake Metropolitan Urban Center District”**

The subject 5<sup>th</sup> draft ordinance, list of current allowable uses, and the following memo were distributed:

## **Memorandum**

**To:** Miami River Commission (MRC) Board Members

**From:** MRC UIWG Chairman Jim Murley

**Date:** 4/8/2013

**Re:** Recommendations for MRC's March 4, 2013 Agenda Item III

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**III. Review 5th Draft Miami-Dade County New Zoning Code “Article XXXIII(S) Palmer Lake Metropolitan Urban Center District”** – After the MRC Urban Infill and Greenways subcommittee public meetings in February, the Miami-Dade County Planning Department provided the distributed significantly revised 5<sup>th</sup> draft new zoning code for the Miami River's south shore in unincorporated Dade-County. The new 5<sup>th</sup> draft ordinance was approved at first reading, and is scheduled for a public hearing at the County's Land Use and Development Committee on March 14.

The MRC's distributed December 2012 public meeting minutes include the MRC's required advisory recommendation on the previous 4<sup>th</sup> draft ordinance. Portions of the new 5<sup>th</sup> draft ordinance are problematic to implement and lack sufficient standards. Therefore in recommending approval of the revised 5<sup>th</sup> draft ordinance, I suggest the MRC adopt the following additional conditions:

- 1) Delete “33-284.99.59 (B)(2)(iii.) Other water-dependent uses not specifically enumerated in this section or in the IU-1 and IU-2 districts (includes 131 different uses) as determined by the Director.” (handwritten page 13)
- 2) Delete “33-284.99.59 (B)(3)(iv.) Other water-dependent uses not specifically enumerated in this section or in the IU-1 and IU-2 districts (includes 131 different uses) as determined by the Director.” (handwritten page 13)
- 3) Delete “33-284.99.59 (B)(4)(i.-ii.) The following additional uses shall be permitted...only when the Director determines...” (pages 13-14)

Should a new unknown use which is not specifically enumerated within the 131 different uses be proposed, then it would be considered under existing public processes such as adding the additional missing use to the code, or amending the zoning to the category which includes that proposed use.”

**The MRC unanimously recommended approval of the 5<sup>th</sup> draft Miami-Dade County New Zoning Code “Article XXXIII(S) Palmer Lake Metropolitan Urban Center District, subject to the previously adopted conditions stated in the MRC’s December 3, 2012 public meeting minutes, and the following additional conditions:**

- 1) Delete “33-284.99.59 (B)(2)(iii.) Other water-dependent uses not specifically enumerated in this section or in the IU-1 and IU-2 districts (includes 131 different uses) as determined by the Director.” (handwritten page 13)**
- 2) Delete “33-284.99.59 (B)(3)(iv.) Other water-related uses not specifically enumerated in this section or in the IU-1 and IU-2 districts (includes 131 different uses) as determined by the Director.” (handwritten page 13)**
- 3) Delete “33-284.99.59 (B)(4)(i.-ii.) The following additional uses shall be permitted...only when the Director determines...” (pages 13-14)**

### **III. Committee Reports**

#### **A. Greenways Subcommittee – Chair Dr. Ernie Martin provided the following report:**

The Greenways subcommittee’s February 13, 2013 public meeting minutes were distributed.

The next monthly volunteer Miami River beautification event is on Saturday, March 23, 9 AM, starting in Lummus Park, 250 NW North River Drive.

The Greenways subcommittee’s next regularly scheduled 2<sup>nd</sup> Wednesday of every month, 2 PM, public meeting will be held Wednesday, March 13, 1407 NW 7 ST.

Vice Chairman Carmichael expressed concern over delays in the City’s completing construction of several sections of the public Miami River Greenway. Director Bibeau stated updated estimated timelines will be provided at the next public meeting.

#### **B. Stormwater Subcommittee - Chair Sallye Jude provided the following report:**

The next public Storm Water subcommittee meeting is March 6, 1 PM, 1407 NW 7 ST. environmental regulatory agencies will present their respective updates on implementing FDEP’s Wagner Creek and Seybold Canal *Walk the WBID*, and the *Miami River Basin Water Quality Improvement Plan*.

Vice Chairman Carmichael asked for an update on implementing FDEP's Wagner Creek and Seybold Canal *Walk the WBID*, and the *Miami River Basin Water Quality Improvement Plan*. Director Bibeau stated an update will be provided at the next public meeting.

The meeting adjourned.

**Miami River Commission  
 Public Meeting**

Monday, ~~February~~ <sup>March</sup> 4, 2013  
 Noon  
 1407 NW 7 ST  
 Miami, FL

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE / FAX / E-MAIL</u>
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Yechy Garcia-Teleso Josh Oberhausen	Bolton Suckey Same	305 350 2409 Same
NESTOR GARRIDO	SFWMD	(561) 682-6908
Bob Weintreb	City of Miami	305 416-1208
Lisa Spadafino	MDC-DEKAL	(305) 372-6841
Mark Bailey	Miami River Main Group	305 637-7977
JENNIFER MAKOWSKI	USCG-SECTOR MIAMI	305-535-8724
Jess Lim	Miami Dade City	305 325 2812
ERIC SILVA	/	/
JOHN McWILLIAMS	KIMBLEY-HORN, AND ASSOCIATES, INC	954-535 5100
Corette Penabad	River Landuse Development, LLC	305 442-3109
Andrew Dellinger	RIVER Landuse Development, LLC	305-442-3109
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 Public Meeting**

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 Noon  
 1407 NW 7 ST  
 Miami, FL

<u>NAME</u>	<u>ORGANIZATION</u>	<u>PHONE / FAX / E-MAIL</u>
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Marlene Avalo Vicky Garcia Toledo	OFF. of Commissioner Barreno	