

**CITY OF MIAMI GARDENS
REGULAR ZONING MINUTES
MAY 2, 2012**

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

The City Council sitting as the Zoning Board, met in regular session, Wednesday, May 2, 2012, beginning at 7:05 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, Suite 200, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Oliver G. Gilbert III, and Council members: Lisa C. Davis, André Williams, Felicia Robinson and David Williams Jr.

Motion offered by Vice Mayor Gilbert, seconded by Councilman David Williams Jr., to excuse the absence of Councilman Aaron Campbell Jr.

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Dickens and City Clerk Ronetta Taylor.

2. INVOCATION:

3. PLEDGE OF ALLEGIANCE:

Recited in unison.

4. APPROVAL OF MINUTES:

4-A) Regular Zoning Minutes – March 7, 2012

Motion offered by Councilwoman Robinson, seconded by Councilman David Williams Jr., to approve the minutes with necessary corrections, if any. There being no discussion to motion to approve passed and carried by a unanimous vote.

**5. AGENDA ORDER OF BUSINESS
(ADDITIONS/DELETIONS/AMENDMENTS) BUSINESS (Items shall be pulled
from the Consent Agenda at this time):**

Motion offered by Vice Mayor Gilbert, seconded by Councilman David Williams Jr., to approve the official agenda, as presented. This motion passed and carried by a unanimous voice vote.

The City Clerk swore in all parties participating in this Quasi-Judicial Proceeding.

Cyril Saiphoo, Zoning Administrator read into the record the process used for this Quasi-Judicial Proceeding.

6. PRESENTATION(S):

None.

7. CONSENT AGENDA:

None

8. FIRST READING (ORDINANCE)/PUBLIC HEARING(S):

8-A AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY OF MIAMI GARDENS COMPREHENSIVE DEVELOPMENT MASTER PLAN TO PROVIDE FOR THE NECESSARY ANNUAL UPDATES TO THE CAPITAL IMPROVEMENTS SCHEDULE, THE CAPITAL IMPROVEMENTS ELEMENT, AND THE PUBLIC SCHOOL FACILITIES ELEMENT, AS ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mayor Gibson opened the floor for this public hearing. After there were no interested parties to speak on this item, the public hearing closed.

Motion offered by Vice Mayor Gilbert, seconded by Councilman David Williams Jr., to adopt this item on first reading, to include the amendments made by the Local Planning Agency.

There being no further discussion on this item, the motion to adopt passed and carried by a 6-0 vote.

Councilman Aaron Campbell Jr.:	Not present
Councilwoman Lisa C. Davis:	Yes
Vice Mayor Oliver G. Gilbert III:	Yes
Councilwoman Felicia Robinson:	Yes
Councilman Andre Williams:	Yes
Councilman David Williams Jr.:	Yes
Mayor Shirley Gibson:	Yes

9. ORDINANCE(S) SECOND READING/PUBLIC HEARING(S):

None

10. RESOLUTION(S)/PUBLIC HEARING(S):

RESOLUTION NO. 2012-67-1662-Z-122

10-A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION SUBMITTED BY INTERBOND CORPORATION OF AMERICA (BRANDSMART USA) FOR THE PROPERTY GENERALLY

LOCATED AT 4320 NORTHWEST 167TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FOR A VARIANCE OF SECTION 34-667(1)(B)(C) OF THE CITY'S LAND DEVELOPMENT CODE TO ALLOW A MONUMENT SIGN WITH A SIGN AREA OF 443.0 SQUARE FEET WHERE A MAXIMUM SIGN AREA OF 200 SQUARE FEET IS ALLOWED, AND TO ALLOW A SIGN HEIGHT OF 23.3 FEET WHERE A MAXIMUM HEIGHT OF 20.0 FEET IS ALLOWED; FOR A VARIANCE OF SECTION 34-658(2) TO ALLOW TWO (2) DIRECTIONAL/INFORMATION WALL SIGNS WITH A SIGN AREA OF 96.0 SQUARE FEET EACH WHERE A MAXIMUM AREA OF 8.0 SQUARE FEET IS ALLOWED; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Cyril Saiphoo, Zoning Administrator explained this application is for a monument sign. They are taking their existing pole sign and modifying it to the City's Design standards (Monument Sign). In doing so because of the technical calculation of this area, it does exceed the square designated by the current sign regulations. There is also a request for two directional signs on the west side of the building. Staff is recommending denial of the two directional information signs. Staff further recommends approval of the monument sign.

Mayor Gibson opened the floor for this public hearing.

Graham Penn, 200 South Biscayne Boulevard, Miami, Florida, appeared before the City Council representation the applicant. He described the areas surrounding Brands Mart. He said this company is one of the city's largest employers, and this building alone employs about 300 people. The adoption of the city's Sign Code in 2008 rendered many of the businesses signage non-conforming. Brands Mart has worked with city staff to reduce the overall signage on the property.

Attorney Penn addressed the second request for two directional signs. He said the signs would be located on the far southwest corner of the building.

Motion offered by Vice Mayor Gilbert seconded by Councilwoman Robinson to adopt this item.

Vice Mayor Gilbert said he was in support of the two directional signs. He further asked that consideration be given to addressing the traffic congestion during the holiday season.

Lary Sinewitz, Executive Vice President of Brands Mart appeared before the City Council to expound on the application and Vice Mayor Gilbert's concerns. He said he understands completely the traffic concern raised by Vice Mayor Gilbert. He shared that additional parking is provided for in the back of the building. Brands Mart also has an agreement with one of the adjoining property owners where it actually rents the front of that property from Thanksgiving through Christmas. Additional security and off-duty police staff is also provided for. Brands Mart has put in as much as

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it can to address traffic control. He opined the additional directional signs could possible encourage people to park in the back of the building.

Vice Mayor Gilbert asked, if you want people to park in the back why would you not put the directional signs in the front of the building.

Mr. Sinewitz in response to Vice Mayor Gilbert's inquiry said that this placing the signage in the front is not allowed by Miami-Dade County.

Mr. Saiphoo said the city's Sign Code does allow signage up to 8 square feet. Anything beyond the 8 square feet requires approval.

Mr. Sinewitz said that Brands Mart has done that in the past. The problem is nobody sees the signage. He further stated that he will submit a new application for additional directional signage, at a later date.

Councilman Andre Williams inquired whether seasonal employees were hired to work the holidays.

Mr. Sinewitz said no additional employees are hired during the holiday season because this particular business is a little more complicated; therefore employees are given additional work hours.

Councilman David Williams Jr., recounted the El Dorado sign application and asked about the status of the proposed adjustments to the city's sign code, as a result of that application.

Mr. Saiphoo in response to Councilman David Williams Jr.'s inquiry, said the amendments have not been prepared as yet. Typically amendments to zoning regulations are done annually.

Vice Mayor Gilbert clarified the issue staff was suppose to look at as it related to the El Dorado situation was the big boxes (buildings).

There being no further discussion, the motion to adopt this item passed and carried by a 6-0 vote.

Vice Mayor Oliver G. Gilbert:	Yes
Councilwoman Felicia Robinson:	Yes
Councilman Andre Williams:	Yes
Councilman David Williams Jr.:	Yes
Councilman Aaron Campbell Jr.:	Not present
Councilwoman Lisa C. Davis:	Yes
Mayor Shirley Gibson:	Yes

10-B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, DESIGNATING PROPERTY LOCATED AT 17361 N.W. 7TH AVENUE MORE PARTICULARLY

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DESCRIBED ON EXHIBIT “A” ATTACHED HERETO AS A BROWNFIELD SITE; PROVIDING FOR INSTRUCTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Jay Marder, Development Services Director recommended deferral of this item. He said this is the first time staff has handled a Brownsfield designation. The law is very vague, and there are a lot more questions that need answers. He said this item should be finalized by the June 6, 2012 Zoning Meeting.

Motion offered by Vice Mayor Gilbert, seconded by Councilwoman Robinson to defer this item to the June 6, 2012 Zoning Meeting.

There being no further discussion, the motion to defer passed and carried by a unanimous voice vote.

11. CITY MANAGER’S REPORT:

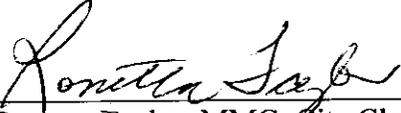
~~11-A) Planning Studio Projects~~

~~11-B) Sign Plan Compliance Update~~

12. ADJOURNMENT:

There being no further business to come before this Body, and upon a motion being duly made and seconded the meeting adjourned at 7:35 p.m.

Attest:



Ronetta Taylor, MMC, City Clerk



Shirley Gibson, Mayor