

**CITY OF MIAMI GARDENS
REGULAR ZONING MINUTES
JANUARY 4, 2006**

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

The City Council sitting as the Zoning Board for the City of Miami Gardens, Florida, met in regular session on Wednesday, January 4, 2006, beginning at 7:06 p.m., in the City Council Chambers, 1515 NW 167th Street, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, Vice Mayor Oscar Braynon II, and Council members Barbara Watson, Melvin L. Bratton, Ulysses Harvard and Sharon Pritchett. Councilman Aaron Campbell Jr., was not present.

Also in attendance were: City Manager Dr. Danny O. Crew, City Attorney Sonja K. Dickens, City Clerk Ronetta Taylor, Development Services Director Jay Marder, Zoning Administrator Robert Coleman and Zoning Technician Nixon Lebrun.

2. INVOCATION: A moment of silence was observed.

3. PLEDGE OF ALLEGIANCE:
Pledge of Allegiance was recited in unison.

4. APPROVAL OF MINUTES:

4A. Zoning Meeting – December 13, 2005

Moved by Vice Mayor Braynon, seconded by Councilman Harvard to approve the minutes as presented. There being no discussion the motion passed and carried by a 6-0 vote.

**5. AGENDA ORDER OF BUSINESS
(ADDITIONS/DELETIONS/AMENDMENTS)**

Moved by Vice Mayor Braynon, seconded by Councilwoman Watson to approve the official agenda with the deferral of Item 8A. This motion passed and carried by a 6-0 vote.

6. ORDINANCE(S) SECOND READING/PUBLIC HEARING(S)

ORDINANCE NO. 2006-01-82

6A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AN APPLICATION SUBMITTED BY FERNANDEZ INVESTMENT PROPERTIES, INC. AND RUIZ FORECLOSURES, INC., TO REZONE CERTAIN PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF NORTHWEST 167TH STREET AND NORTHWEST 45TH AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM RU-2 (TWO-

FAMILY RESIDENTIAL DISTRICT), TO BU-1A (LIMITED BUSINESS DISTRICT); PROVIDING FOR THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANTS AS SHOWN ON EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER) (1st Reading – December 13, 2005)

Mr. Coleman explained the relevant issues involved with this rezoning request to rezone Lot 3, Block 2 of Venetian Acres from RU-2, Two-Family Residential District to BU-1A, Limited Business District. The proposed development is consistent with the Comprehensive Development Master Plan.

Mayor Gibson opened floor for the public Hearing. After there were no other interested parties to speak on behalf of this item the public hearing was closed.

Ed Brown, 1520 NW 19th Avenue, Miami Gardens, Florida, appeared before the City Council to solicit approval of this application and to answer any questions the Council might have.

Councilman Bratton expressed concern with the traffic that might be generated from this development.

Mr. Brown explained the project is a two story office complex, with minimum impact on traffic. Additional off-street parking spaces will be located in front of the building along the east and west side of the property.

At the conclusion of this discussion, it was moved by Vice Mayor Braynon, seconded by Councilwoman Watson to adopt this ordinance. This motion passed and carried by a 6-0 vote.

Councilman Bratton:	Yes
Vice Mayor Braynon:	Yes
Councilman Campbell:	Not present
Councilman Harvard:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Mayor Gibson:	Yes

7. ORDINANCE(S) FIRST READING/PUBLIC HEARING(S)

- 7A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AN APPLICATION SUBMITTED BY IVAN AND W. VASHTI SPENCER, TO REZONE CERTAIN PROPERTY LOCATED AT 19080 N.W. 32ND AVENUE, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM AU (AGRICULTURAL) TO RU-1M(A) (MODIFIED SINGLE-FAMILY RESIDENTIAL); PROVIDING FOR THE EXECUTION OF A**

DECLARATION OF RESTRICTIVE COVENANTS AS SHOWN ON EXHIBIT "B" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mr. Lebrun explained the subject property at NW 32nd Avenue and 191st Street is currently occupied by a single family residence. The properties to the north and east of this site are zoned RU-1M(a) and RU-1 respectively and have been developed with single-family residence. The request to change from AU, Agricultural District to RU-1M(a), Modified Single-Family Residential (a) does not impact policies of the Comprehensive Development Master Plan and (b) will be consistent with the CDMP.

Mayor Gibson opened the floor for the public hearing.

Colette Satchell, 1345 NE 180th Street, North Miami Beach, Florida, appeared before the City Council as representative for the applicants. She said the rezoning would allow her clients to build seven single family homes on this property. She further indicated that her clients were in agreement with staff's recommendations.

There being no other interested parties to speak on behalf of this item, the public hearing closed.

Moved by Councilwoman Watson, seconded Councilman Bratton to approve this item.

At the conclusion of this discussion, the motion to approve on first reading passed and carried by a 6-0 vote.

Councilman Campbell:	Not present
Councilman Harvard:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Vice Mayor Braynon:	Yes
Mayor Gibson:	Yes

8. RESOLUTION(S)/PUBLIC HEARING(S)

- 8A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF CIMA CORPORATION, INC., FOR A NON-USE VARIANCE TO PERMIT A TEN-STORY OFFICE BUILDING WITH A HEIGHT OF 120 FEET (MAXIMUM OF TWO STORIES OR 35 FEET PERMITTED); APPROVING A NON USE VARIANCE OF FLOOR AREA RATIO TO PERMIT A PROPOSED TEN-STORY OFFICE BUILDING WITH A FLOOR AREA RATIO OF 2.13 (.60**

PERMITTED); PROVIDING FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY THE CITY MANAGER)

Please note at the applicant's request this item was deferred to the February 1, 2006, Zoning meeting.

9. RESOLUTION(S)

RESOLUTION NO. 2006-01-347

9A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR "FISCHER SUBDIVISION"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Mr. Coleman indicated this item as well as the next item are administrative items approving tentative plats.

Marcel Rodriguez, the developer for Fisher Subdivision and Lakeside Subdivision appeared before the City Council to answer any questions.

Moved by Vice Mayor Braynon, seconded by Councilman Harvard to approve this item. This motion passed and carried by a 6-0 vote.

Councilwoman Pritchett:	Yes
Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Vice Mayor Braynon:	Yes
Councilman Campbell:	Not present
Councilman Harvard:	Yes
Mayor Gibson:	Yes

RESOLUTION NO. 2006-02-348

9B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR "LAKESIDE SUBDIVISION"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Moved by Vice Mayor Braynon, seconded by Councilwoman Watson to approve this item.

Councilwoman Pritchett stated, those residents, stakeholders in the City of Miami Gardens, voiced their concerns and expressed their opposition to this development. I listened to their concerns and objections, then voted "No" when that vote was taken. I heard the stakeholders, then, and I will continue to represent the will of the stakeholders. When the vote is called, I plan to vote "No".

There being no further discussion the motion passed and carried by a 5-1 vote.

Councilwoman Watson:	Yes
Councilman Bratton:	Yes
Vice Mayor Braynon:	Yes
Councilman Campbell:	Not present
Councilman Harvard:	Yes
Councilwoman Pritchett:	No
Mayor Gibson:	Yes

10. PRESENTATION:

10A) Miami Gardens Town Center Master Plan & Pattern Book – Status Report

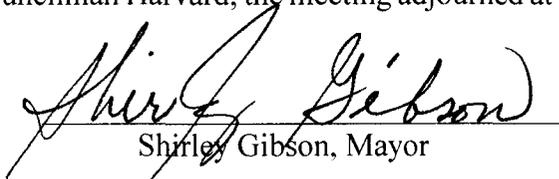
Mr. Marder provided the City Council with copies of a preliminary Town Center Master Plan and Pattern Book for the Future Town Center area. Staff indicated due to revisions, the Plan should be completed and ready for presentation at the February 1, 2006 Zoning meeting.

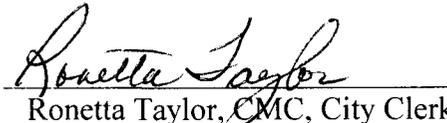
Mr. Marder further announced the Sense of Place Tour scheduled for Friday, January 20, 2006, will provide the Council with an opportunity to see similar developments in Delray Beach, Boca Raton and Coral Gables.

11. ADJOURNMENT:

There being no further business to come before this Body, and upon a motion being duly made by Councilman Bratton and seconded by Councilman Harvard, the meeting adjourned at 7:56 p.m.

Attest:


Shirley Gibson, Mayor


Ronetta Taylor, CMC, City Clerk