

Miami River Commission's Urban Infill and Greenways Subcommittee June 10, 2019 Minutes

The Miami River Commission's (MRC) Urban Infill and Greenways subcommittees conducted a public meeting on June 10, 2019, 3 PM, 1407 NW 7 ST. The attendance sign in sheets are enclosed. MRC Urban Infill Subcommittee Chairman Jim Murley conducted the public meeting.

I. Consideration of Land Use and Zoning Amendment Applications for 1250 NW 22 Ave

Ms. Joanna Wiela, the President of the Polish American Club of Miami, and Mr. Jack Schindler, Schindler Architects, distributed and presented a package including renditions, ownership affidavit, representation affidavit, letter of intent, etc. Currently the site is located on the north shore of the North Fork tributary, just west of the low fixed 22 Ave Bridge, and the structure is vacant. The applicants stated their proposed "White Eagle" mixed-use development would require a land use amendment and a zoning amendment from T5 to T6-24. The applicants stated the proposed development is consistent with City of Miami Zoning Code Miami 21, Section 3.11 and appendix B, because the proposed building is setback 50' from the proposed new seawall, and features a publicly accessible 25' wide Riverwalk. Mr. Schindler stated the proposed development has commercial, office, restaurant, retail and facaded parking on floors 1-5 (115,063 square feet office, 6,626 square feet of retail and 432 parking spots) and 204 residential units on floors 6-18. Mr. Schindler state the application will include an outdoor dining waiver / warrant / permit for the proposed outdoor dining on the ground floor adjacent to the public Riverwalk (in the 25'-50' waterfront building setback area) and on the rooftop restaurant. Mr. Schindler stated they propose a 20' building setback from the neighbors on the north and west. The applicants offered to partner with the Chopin Foundation for music performances in the City's nearby Fern Isle Park. The applicants stated they haven't met yet with the Durham Park Neighborhood Association (riverfront single family neighborhood located east of 22 Ave) but agreed to do so before presenting to the full Miami River Commission. The applicants stated they are on the way to solving ownership issues, that the Polish American Club of Miami and its submitted list of members own the property and they are settling one lien with one person which they are in the process of settling with now. The applicants referred this matter to their attorney whom wasn't present, Richard Balko.

Miami River Commission Urban Infill Subcommittee Chairman Murley stated the proposed amended comprehensive plan and zoning's new mass is a significant increase to a new proposed density which would be much larger than the surrounding neighborhood. **MRC Urban Infill Chairman Murley recommended this item be deferred to the MRC subcommittee's July public meeting, possibly followed by the full MRC on September 9.**

II. Consideration of Plans for 517 - 663 NW South River Drive

John Michael Cornell stated he will be recusing himself from this issue, as he is employed by Zerby Interests, and attendees noted he never has a vote at subcommittee.

Iris Escarra, Greenberg Traurig, and developer Avra Jain distributed and presented revised / current plans (draft #4) for "555 River House". Ms. Escarra noted this site had previously been considered by the MRC on November 1, 2004 and the public meeting minutes stated, "the MRC found the proposed project to be in the best interest of this particular site and area of the Miami River, by a vote of 10-3". Therefore, in January 2005 the MRC recommended approval of the then presented "Nautica on the River" development Major Use Special Permit, land use amendment, and zoning amendment, which the City Commission approved to the current designations. Director Bibeau noted the MRC's adopted November 1, 2004 public meeting minutes state in part, "publicly accessible Riverwalk featuring a 6-foot-wide unobstructed pedestrian path and an additional 5-foot passive zone with landscaping, lighting, etc., which would be constructed and funded by the potential developer." The previously approved "Nautica on the River" design for the site is being replaced with the applicants distributed plans for "555 River House", and in comparison, the new public Riverwalk proposed width has increased in the current (draft #4) plans. Subsequently the MRC's Urban Infill and Greenways subcommittee considered "draft #2" of the "555 River House" plans on May 17, 2019 (public meeting minutes were distributed) and on June 3 the full MRC considered and deferred "draft #3" of the "555 River House" plans to the June 10 MRC subcommittee public meeting, followed by returning to the next MRC public meeting on July 1, noon 1407 NW 7 ST.

Ms. Escarra stated the presented plans are consistent with the current land use and zoning, and feature 175 hotel rooms, 39 residential units, offices, and 2 restaurants with no outdoor dining. The applicants stated in theory the existing zoning would allow 400 residential units, which is far greater density than is being proposed. Ms. Escarra noted the distributed 4th draft plans removed the rooftop grill. Ms. Avra Jain stated they will retain a professional sound engineer, communicate and meet with the neighbors, and the 100% indoor restaurants will not be loud, and there will be no outside music, because they can't disturb the immediate sites hotel rooms, residences and offices. The applicants previously provided the Comprehensive Plans required "Working River Disclosure / Covenant", they currently have an active Marine Operating Permit with 6 commercial boat slips and are asking for an amendment to have 10 boat slips, located outside of the federal navigable channel. The plans include an Uber drop off and pickup location located in the center round-about, off of the narrow NW South River Drive. Ms. Escarra stated consistent with the current zoning they are paying the City of Miami \$1,000,000 to purchase additional height to 12 stories on a portion of the building. MRC Director Bibeau noted in previous proposals which purchased additional height via the "Public Benefits" program, the MRC has always recommended the City of Miami use the funding for "Public Benefit" projects located within the subject project's impacted Miami River District.

The following emails were read into the record:

From: Calleros Gauger, Jeremy <JCallerosGauger@miamigov.com>
Sent: Monday, June 10, 2019 9:52 AM
To: brettbibeau@miamirivercommission.org
Cc: Ruiz, Joseph A. <jaruiz@miamigov.com>
Subject: Re: 555 Riverhouse

Brett,

I communicated with staff from zoning and planning.

Summary is that staff has reviewed that the application is complete, but has not yet been reviewed for compliance.

Regarding specific issues:

1. As it is currently designed with a kitchen, tables and bar on the roof level, it would require a warrant for outdoor dining. However, the applicant has an opportunity to redesign in order to avoid this process.
2. Parking waiver may be applied for, but staff needs additional review before it is accepted.
3. Yes, the applicant may purchase additional FLR by right.

Due to the ability of the applicant to alter the application due to comments from staff, the application shouldn't be considered finalized. I encourage the MRC to proceed with review so that applicable comments from the board can be incorporated with staff's review.

Best regards,
Jeremy Calleros Gauger, AIA, LEED AP
Deputy Director
Planning Department"

"From: Calleros Gauger, Jeremy <JCallerosGauger@miamigov.com>
Sent: Monday, June 10, 2019 2:36 PM
To: brettbibeau@miamirivercommission.org

Brett,

The version that I have seen still shows an enclosed area that appears to be a kitchen labelled "grill" on the pool level. If there is a later set of drawings with no kitchen nearby, a warrant would not be required. Please keep in mind that I am not the reviewer and that none of these versions is finalized until it is batch-stamped and officially noticed. This project may still be subject to change based on staff comments that are still forthcoming. It is difficult or impossible to speak speculatively on a non-finalized project, but as a rule: a warrant is required for outdoor dining on a rooftop. However, if a pool deck has some incidental food service but is not a dining area, it will not require a warrant.

As I said, this is all subject to change and in many cases, applicants change drawings and proposed projects based on the permits which may be required.

Best regards,



Jeremy Calleros Gauger, AIA, LEED
AP
Deputy Director
Planning Department
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www.miamigov.com/planning.”

Carlos Salas, President of the Spring Garden Civic Association (SGCA), stated they met with the applicants on May 8 in Spring Garden. Mr. Salas stated the SGCA was concerned about the proposed developments height, noise from 3 restaurants, roof top pool and bar, and waiver requests to reduce parking, narrow the public Riverwalk and waterfront building setback. The SGCA is asking the applicants to enter into a voluntary covenant or agreement with them to reduce the proposed developments height, prohibit outdoor dining, limit noise, and not reduce parking by 30% as proposed. Mr. Salas cited a news article reporting a 30% ridership reduction on Miami-Dade Transit. Attendees agreed more Marine Patrol and Police are needed on the Miami River.

Attendees discussed the public Riverwalk cross sections and waterfront building setbacks depicted in the current 4th draft plans, on pages G102a (originally in 3rd draft version) and G102b (4th draft version). The third draft version, page G102a, depicts a 9'-10' wide "Elevated Public Terrace" with no outdoor dining, as a part of the total 25'-31' foot wide public Riverwalk (minimum 25' wide public Riverwalk required by City code). The 4th draft version, page G102b, encloses the "Elevated Public Terrace", which is absorbed into the now larger indoor restaurant, which reduces the total public Riverwalk width to 18'-32' and the waterfront building setback 32' minimum required by code, would be reduced to 18'-32'. The plans also depict that the proposed public ground floor open space is 24,538 square feet, which exceeds the minimum 15,780 city code required public ground floor open space by 155%. The requested reduction of the widths of the public Riverwalk from 25' to 18', and the requested reduction of the width of the waterfront building setback from 32' to 18', will be considered by the full City Commission. Ms. Jain and Ms. Escarra stated they are seeking input on the newer page G102b's enclosure of all 3 of the "Elevated Public Terraces" in order to try and secure the support of the Spring Garden neighbors, if the reduction in the previously planned 25' wide public Riverwalk, which is the minimum width required by the City Code, is agreed upon by the MRC and City of Miami. Mr. Carlos Salas, President of the Spring Garden Civic Association, stated at this time they are still in opposition to the proposal, and the parties remain in negotiations. Mr. Salas recommended expending the \$1,000,000 in public benefits to provide traffic calming measures in Spring Garden. Ms. Jain and Ms. Escarra stated they would further consider widening the public Riverwalk.

Miami River Commission (MRC) Subcommittee Chairman Jim Murley suggested the MRC recommend approval of “555 River House” with the following conditions:

- 1) Provide the City of Miami Zoning Code’s required minimum 25’ wide public Riverwalk**
- 2) Support ongoing conversation between the applicants and Spring Garden neighborhood, and support mutually agreeable consensus if possible**
- 3) Marine Operating Permit required before City issues Temporary Certificate of Occupancy**
- 4) Construct the public Riverwalk and execute /record the public Riverwalk / Working River Voluntary Covenant before City issues Temporary Certificate of Occupancy**
- 5) Expend the \$1,000,000 for “public benefits” within the impacted Miami River District**
- 6) Designate a “Noise Complaint Person of Contact”, and become an operational solution model**

III. New Business

The meeting adjourned.

**Miami River Commission's
 Urban Infill and Greenways Subcommittees**

Monday, June 10, 2019
 3:00 PM
 1407 NW 7 ST
 Miami, FL

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3:00 PM
1407 NW 7 ST
Miami, FL**

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