



CITY OF MIAMI SPRINGS, FLORIDA

Mayor Maria Puente Mitchell

**Vice Mayor Jorge Santin
Councilman Walter Fajet, Ph. D.**

**Councilwoman Jacky Bravo
Councilman Victor Vazquez, Ph.D.**

Decorum: "Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments from the podium."

CITY COUNCIL SITTING AS LOCAL PLANNING AGENCY MEETING AGENDA

Monday, September 11, 2023 – 6:00 p.m.

City Hall, Council Chambers, 201 Westward Drive

(In-person and virtually. See additional pages for information)

1. Call to Order/Roll Call

2. Public Hearing Items:

A) An Ordinance Of The City Of Miami Springs, Florida, Amending Section 150-070.1, "Miami Springs Gateway Overlay District" Within Article VII, "Business District" Of Chapter 150, "Zoning Code," Of The City's Code Of Ordinances To Revise The Creative Excellence Standards And Available Maximum Floor Area Ratio, To Clarify The Parking Review Process And Fee Applicability, And To Provide Additional Clarifications On The Overall District Project Review Process; Providing For Conflicts; Providing For Severability; Providing For Codification; And Providing For An Effective Date

3. Adjourn

PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW

**CITY OF MIAMI SPRINGS
PUBLIC MEETING NOTICE**

The City of Miami Springs will hold a Local Planning Agency meeting on:
**Monday, September 11, 2023 at 6:00 p.m. at
Council Chambers, 201 Westward Drive, 2nd Floor, Miami Springs, Florida
(Physical Meeting Location)**

The meeting agenda is available online at: <https://www.miamisprings-fl.gov/meetings>

Elected officials and City staff will participate from the physical meeting location. Members of the public may attend the meeting in person at the physical meeting location, or, alternatively, may watch or call in to the meeting by following these instructions:

ATTEND THE MEETING IN PERSON AT THE PHYSICAL MEETING LOCATION

The meeting will be held in person at the physical meeting location stated above. Admission to the physical meeting location is on a first-come, first-serve basis and space is limited. Doors will open 30 minutes prior to the meeting start time. The City highly encourages those in attendance to wear facial coverings and abide by social distancing as recommended by the CDC.

WATCH AND/OR PARTICIPATE IN THE MEETING

- **ZOOM:** Meeting ID 863-9512-4146
- **YouTube:** <https://www.youtube.com/channel/UC2at9KNngUxZRSw1UkhdHLQ/featured>
- **From your computer/mobile device:** <https://www.miamisprings-fl.gov/meetings>

CALL IN TO THE PUBLIC MEETING

Dial 305-805-5151 or 305-805-5152

*(Alternatively, you may also dial the phone numbers below to join the meeting:
1 (646) 558 8656, 1 (301) 715 8592, 1 (312) 626 6799, 1 (669) 900 9128, 1 (253) 215 8782,
1 (346) 248 7799) then input the Meeting ID: 863-9512-4146, followed by #.
There is no participant ID. Press # again.*

Any person requiring special accommodations to access this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk at cityclerk@miamisprings-fl.gov

PUBLIC COMMENTS WILL BE ACCEPTED BY THE FOLLOWING MEANS:

EMAILED COMMENTS: Members of the public may email their public comments to the City in advance of the meeting. Please email the City at cityclerk@miamisprings-fl.gov by 12:00 p.m. on the day of the meeting with the subject line "PUBLIC COMMENT" and the following information in the body of the email: Your Name, Address, if you are a hired Consultant or City Employee, and/or if you are engaged in Lobbying Activities and/or representing an organization. Please limit your comments to no more than 350 words. Public comments received via email may be read into the record during the public comment portion of the agenda, if any.

IN-PERSON COMMENTS: Members of the public may attend the meeting at the physical meeting location stated above and deliver their public comments in person during the public comment portion of the agenda.

VIRTUAL COMMENTS: *Public comments will also be accepted during the meeting using the virtual meeting platform as follows:*

By telephone: To ask to speak during the meeting, call in to the meeting using the instructions above. Please press *9 from your telephone and you will be called on to speak during public comments and identified by the last 4-digits of your telephone number.

During the meeting, when your name or the last 4-digits of your telephone number is called, you will be unmuted

and you may deliver your comments.

Please be sure to be in a quiet area to avoid unnecessary noise. Please provide the following information before delivering your comments: Your Name, Address, if you are a hired Consultant or City Employee, and/or if you are engaged in Lobbying Activities and/or representing an organization.

A time limit may be imposed for each speaker during public comment.
Your cooperation is appreciated in observing the time limit.

Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the City Council, shall be barred from further audience before the City Council by the Mayor, unless permission to continue or again address the City Council is granted by the majority vote of the City Council members present. In accordance with the foregoing, the City Council has determined that racial or ethnic slurs, personal attacks and comments unrelated to City matters or issues constitute prohibited comments when addressing the Council during public comments.

PUBLIC RECORDS

The meeting will be recorded for later viewing and is a public record. The virtual chat, if any, will be saved and is a public record. Minutes of the meeting will be taken and will be made available.

NOTICE PURSUANT TO §286.0105, FLORIDA STATUTES

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AMERICANS WITH DISABILITIES ACT

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this proceeding is asked to advise the City at least 2 days before the proceeding by contacting the City Clerk's Office at 305-805-5006.

LOBBYING ACTIVITIES

In accordance with Section 33-01 of the City Code, adopting Section 2-11.1(s) of the Miami-Dade County Code, any person engaging in lobbying activities, as defined therein, must register at the City Clerk's Office before addressing the City Council on the agenda items or engaging in lobbying activities. Specifically, all persons, firms or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the City Council; (2) any action, decision, recommendation of any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which will be heard or reviewed by the City Council, or a City Board or Committee shall register with the City before engaging in any lobbying activities on forms prepared for this purpose and shall state under oath his or her name, business address, the name and business address of each person or entity which has employed said registrant to lobby, and the specific issue on which he or she has been employed to lobby. A copy of the lobbyist registration form is available from the Office of the City Clerk and online at: <https://www.miamisprings-fl.gov/cityclerk/lobbyist-registration-form-0>.

Have questions or need additional information?

Write: cityclerk@miamisprings-fl.gov

Call: 305-805-5006

Mail: 201 Westward Drive, Miami Springs, FL 33166

MEMORANDUM

To: Honorable Mayor and Council

From: Haydee Sera, Esq., Weiss Serota Helfman Cole & Bierman, P.L., City Attorney

Date: September 11, 2023

RE: 1st Reading: Ordinance Amending Section 150-070.1, “Miami Springs Gateway Overlay District,” of the City Code of Ordinances (the “Code”).

Recommendation: Adopt on first reading the proposed Ordinance amending Section 150-070.1, “Miami Springs Gateway Overlay District,” of the City Code.

Background:

Section 150.070.1, “Miami Springs Gateway Overlay District,” of the City Code establishes the Miami Springs Gateway Overlay District (the “Overlay District”), which encompasses the area graphically depicted below within the Central Business District (CBD):



The Overlay District regulations provide that restaurant and/or retail uses are the only permitted uses along road rights-of-way on first floor levels (the “Existing Uses”). Since the adoption of the Overlay District in 2018, the market’s demand for traditional retail uses has decreased significantly, which trend has accelerated since the COVID-19 Pandemic. Accordingly, the City Council has identified a need to amend the list of permitted uses along road rights-of-way on first floor levels by expanding the list of permitted uses in the District. By doing so, the Council seeks to ensure the success of current and future developments in the Overlay District.

The proposed Ordinance would amend the Overlay District regulations to permit the following additional uses along road rights-of-way on first floor levels (collectively, the “Proposed Uses”):

1. Office Use, including medical and dental, along any street frontage except Curtis Parkway and South and North Royal Poinciana Boulevards.
2. Personal Services (e.g., barbershops, beauty parlors, physical therapy clinics), with hours of business between 6:00 a.m. and 10:00 p.m., along Hook Square frontage only.

3. Veterinarian Use (which may provide short-term boarding for medical purposes only, for no more than 48 hours), along Hook Square or Canal Street frontage only, provided that no Veterinarian Use may be located within 0.25 airline miles of the front door of an existing Veterinarian Use within the Gateway District.¹

By limiting the location of the Proposed Uses to those areas fronting secondary streets (i.e., Hook Square, Nahkoda Drive, and Canal Street), the City maintains the Existing Uses as the primary uses in the Overlay District. Furthermore, keeping the Proposed Uses to secondary streets allows the City to continue emphasizing the Existing Uses in a manner that facilitates lively pedestrian activity and walkability along Curtis Parkway and South and North Royal Poinciana Boulevards in the Overlay District.

Second Reading: If the Ordinance is adopted by Council on first reading, it will be advertised for second reading and placed on the agenda for the September 25, 2023, Council Meeting.

¹ Distance shall be measured from the front door of the proposed Veterinarian Use to the front door of the existing Veterinarian Use.

69 (C) Design Standards. The City desires for new and existing buildings within the Gateway
70 District to become more aesthetically pleasing, have architectural elements that highlight
71 the City's history, facilitate pedestrian activity and walkability, and assist in traffic calming.
72 As opposed to a mandate, the City desires to accomplish these objectives through
73 incentives in development standards that will encourage property owners to improve their
74 respective properties in a manner that results in cohesive building design and features
75 throughout the Gateway District. The standards are as follows:

76 * * *

77 3. Uses. The uses in the CBD shall remain in effect for the Gateway District, except that
78 hotels shall be prohibited in the Gateway District. Additionally Notwithstanding, first floor
79 uses along road rights-of-way shall be limited to:

80 a. Restaurant (and lounge), café, cafeteria.

81 b. and/or Retail Use.

82 c. Office Use, including medical and dental, along any street frontage except Curtis
83 Parkway and South and North Royal Poinciana Boulevards.

84 d. Personal Services (e.g., barbershops, beauty parlors, physical therapy clinics),
85 with hours of business between 6:00 a.m. and 10:00 p.m., along Hook Square
86 frontage only.

87 e. Veterinarian Use (which may provide short-term boarding for medical purposes
88 only, for no more than 48 hours), along Hook Square or Canal Street frontage only,
89 provided that no Veterinarian Use may be located within 0.25 airline miles of the
90 front door of an existing Veterinarian Use within the Gateway District. The distance
91 shall be measured from the front door of the proposed Veterinarian Use to the front
92 door of the existing Veterinarian Use.

93 The ground floor shall contain occupiable, air-conditioned space for permitted commercial
94 uses with a minimum depth of 40 feet from the building façade for those portions of the
95 building along road rights-of-way, except such features as, without limitation, driveways,
96 utility infrastructure, colonnades and outside dining areas. Direct access to such uses and
97 full storefront windows are encouraged. Upper floors may be commercial, office,
98 residential, or a mix of residential, office, and commercial. The mixed-use ratio found in §
99 150.070 of the Code shall not apply to the Gateway District.

100 * * *

101 **Section 3. Conflicts.** All Sections or parts of Sections of the Code of
102 Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of
103 Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

104 **Section 4. Severability.** That the provisions of this Ordinance are declared to
105 be severable and if any section, sentence, clause or phrase of this Ordinance shall for
106 any reason be held to be invalid or unconstitutional, such decision shall not affect the
107 validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but

108 they shall remain in effect, it being the legislative intent that this Ordinance shall stand
109 notwithstanding the invalidity of any part.

110 **Section 5. Codification.** That it is the intention of the City Council and it is
111 hereby ordained that the provisions of this Ordinance shall become and be made a part
112 of the City Code, that the sections of this Ordinance may be renumbered or relettered to
113 accomplish such intentions, and that the word Ordinance shall be changed to Section or
114 other appropriate word.

115 **Section 6. Effective Date.** That this Ordinance shall become effective
116 immediately upon adoption on second reading.

117 **PASSED ON FIRST READING** on the __ day of _____, 2023, on a motion
118 made by _____ and seconded by _____.

119 **PASSED AND ADOPTED ON SECOND READING** this ___ day of _____, 2023,
120 on a motion made by _____ and seconded by _____. Upon being put to a
121 roll call vote, the vote was as follows:

122	Vice Mayor Jorge Santin	_____
123	Councilmember Jacky Bravo	_____
124	Councilmember Dr. Victor Vazquez, Ph.D.	_____
125	Councilmember Dr. Walter Fajet, Ph.D.	_____
126	Mayor Maria Puente Mitchell	_____

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128
129

MARIA PUENTE MITCHELL
MAYOR

131 ATTEST:

132
133
134

135 _____
136 ERIKA GONZALEZ, MMC
137 CITY CLERK

138
139 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
140 FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:

141
142
143

144 _____
145 WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
CITY ATTORNEY