

**Miami River Commission's  
Urban Infill and Greenways Subcommittee  
March 20, 2019 Minutes**

The Miami River Commission's (MRC) Urban Infill and Greenways subcommittees conducted a public meeting on March 20, 2019, 3 PM, 1407 NW 7 ST. The attendance sign in sheet is enclosed. MRC Urban Infill Subcommittee Chairman Jim Murley conducted the public meeting.

**I. Consideration of Florida Department of State Plans for Miami Circle Park, 401 Brickell Ave, and Pending Application to the City of Miami for a Ground Disturbing Activity Certificate**

Timothy A. Parsons, Ph.D., Division Director, State Historic Preservation Officer. Division of Historical Resources, Florida Department of State, called in from Tallahassee, Florida. Dr. Parsons presented draft plans to improve Miami Circle Park, a designated National Historic Landmark. The plans include planting 1,466 new plants, needed re-sodding, covering bare dirt areas along the public Riverwalk with crushed shells, bollards to keep illegally parked cars off the sidewalk, a decorative fence around the actual Miami Circle, and constructing 3 new hardscape "Living Room" areas which include 9 additional seat boulders on the site which currently has over 30 seat boulders. Dr. Parsons stated after the presented draft set of improvements are constructed, the Department of State hopes to conduct a subsequent set of improvements 1-2 years in the future, which will then include museum quality exhibits.

Many in the community also consider Miami Circle Park a native sacred site. For example, Hummingbird Ramirez conducts a native ritual at the site every Tuesday at 6 PM, since it was discovered in 1999. Hummingbird reached out to MRC Director Brett Bibeau, whom provided her with a printed set of the plans. Hummingbird recommends the currently buried actual Miami Circle be uncovered with a glass protection or a 3-D model, does not recommend constructing the additional three hardscape areas on what is now the site's small open greenspace areas which are surrounded by dense high-rise developments, and remove the existing dog water fountain and place no dog signs, similar to all City owned Parks in the City of Miami.

**MRC Urban Infill Subcommittee Chairman Jim Murley recommended the MRC support the presented plans to improve Miami Circle Park, with a condition to postpone further consideration of constructing the additional 3 hardscape "Living Room" areas, until the next phase of site improvements to be designed in a public process featuring museum quality exhibits.**

## **II. Consideration of Pending Temporary Use Permit Application at 431-451 South Miami Ave**

Bill Riley, Greenspoon Marder, and Antonio Primo, presented draft plans for “Riverside Miami, a family oriented open-air culinary experience”. The presented draft plans feature 7 local restaurants, tap room, event space for “movie nights”, art installations, \$200,000 of landscaping (90% native plants), and public Riverwalk, which is narrower than the minimum requirements of the code. Mr. Riley stated there is an “off-site parking lease”, and the site will have many visitors from the adjacent 5<sup>TH</sup> ST Metro-Mover station, pedestrians and bicycles from the immediately surrounding densely populated Brickell and Central Business District areas. Mr. Riley stated the proposal is not a “party atmosphere”, and will not have late night events. Mr. Riley stated the draft plans include an enclosed structure which reduces noise, from “Event Star”, which is the same company that constructed the enclosed temporary structure at The Wharf. Mr. Riley explained the sound system will have localized speakers for ambient background music playing softer than a conversation, i.e. Disney Land. Mr. Riley stated the proposal requires the majority of sales to be for food (annual audits for minimum of 51% food sales, and a maximum of 49% liquor sales). Mr. Riley stated if a Hurricane Warning is issued, they will remove the tents, tables, chairs, etc. before the Hurricane strikes the area. Mr. Riley stated the proposal is seeking a “Temporary Use Permit” with annual potential renewals for a maximum of a total 3-years, and then any additional time extensions for the pending “Temporary Use Permit” would have to be approved by the City Commission. Mr. Riley offered the MRC future annual reviews. Mr. Riley stated the draft plans are a work in progress, and the final plans will be provided to the Miami River Commission before the City of Miami.

Troy Taylor, President of The Riverfront Neighborhood Association (Ivy, Mint and Wind), recommended an onsite location for Uber pickups and drop offs and delivery trucks, so that they don't block vehicular lanes in the congested downtown streets.

**MRC Urban Infill Subcommittee Chairman Murley recommended approval of “Riverside Miami” with a condition that the plans for the public Riverwalk and public western side-yard connector between the existing on-road Greenway (along SE 5 ST) and the public Riverwalk, be amended in order to become 100% consistent with the minimum requirements in the code.**

## **III. Consideration of Revised Plans and Pending Warrant Application for 1175 NW South River Drive, Naheem Khan Project**

Ms. Rosario Kennedy, Rosario Kennedy and Associates, and Mr. Alfonso Jurado, Alfonso Jurado Architecture, presented revised plans and “Warrant and Waiver Submittal” for the “Naeem Khan Studios”. The previous plans were presented to the MRC on March 6, 2017 and those public meeting minutes state in part:

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I) “Consideration of “Naheem Kahn” Project, 1175 NW South River Drive

The MRC's Urban Infill and Greenways subcommittee's January 21, 2016 public meeting minutes state:

“The Miami River Commission's November 2, 2015 public meeting minutes were distributed stating, ‘The following documents were distributed prior to the meeting, presented and reviewed during the public meeting, regarding 1175 NW South River Drive:

- Board of County Commissioner's Economic Prosperity Committee's Agenda Item 2(B), a \$1.5 million “Economic Development Fund” grant to fund a public Riverwalk and new seawall at the “Naeem Khan Project”.
- City of Miami's adopted zoning code section 3.11 and Appendix B
- City of Miami's adopted zoning code, “Article 4, Table 3, Building Function: Uses”
- Miami River Commission's Greenways subcommittee's 10/21/15 public meeting minutes
- 1<sup>st</sup> Draft Plans for Naeem Khan's Proposed Development

Director Bibeau stated the distributed County Agenda item was approved at County subcommittee and will be considered by the full Board of County Commissioners on 11/3/15.

Mr. Naheem Khan, Ms. Rosario Kennedy and Mr. Alfonso Jurado, Architectonica, distributed and presented the 2<sup>nd</sup> draft plans and narrative. The 2<sup>nd</sup> draft plans now feature a vessel along the river, and the public Riverwalk connects to the west with the existing public Riverwalk beneath and adjacent to 12 Ave Bridge, and to the east along the side yard connecting with the existing on road Miami River Greenway on North River Drive at the south east corner of the site.

Mark Bailey, Miami River Marine Group, noted 1175 NW South River Drive, leased by the Board of County Commissioners to Naheem Kahn for his proposed project, is zoned the most restrictive “D3” and the currently designated Land Use is “Port of Miami River”. Therefore, Mr. Bailey questioned if the proposed project is consistent with the vacant site's existing land use and zoning, or would it require a land use & zoning amendment, “warrant” or “exception”? Mr Kahn and Ms Kennedy stated the project will use a vessel to import and export containers carrying fabric, beads, etc, in addition to recreational yacht access, therefore is consistent with the existing land use and zoning. Manny Prieguez noted he has shipped containers of seafood from his Miami River Lobster and Stone Crab site on the Miami River. Bruno Barreiro noted this County owned site has been vacant for years, and was previously a County Carpentry shop.

The MRC unanimously recommended the Board of County Commissioners approve the grant for the site's public Riverwalk and new needed seawall, and asked for the specifics of the development proposal to be considered by the MRC's Urban Infill and Greenways subcommittees in November, followed by the full MRC on December 7.'

Ms Rosario Kennedy, Mr Alfonso Jurado, Architectonica, and Ms Lucia Dougherty, Greenberg Traurig, distributed and presented the revised draft plans. The new plans increase the square footage by widening the west wall by 15' on the site. Ms. Kennedy recommended relocating the City of Miami Fire Department's storage of unused equipment adjacent to the site on South River Drive beneath the 12 Ave Bridge, which the City rents from FDOT.

MRC Director Bibeau distributed the City of Miami's adopted zoning code, "Article 4, Table 3, Building Function: Uses". Ms Dougherty noted the renditions still include a recreational yacht and an international shipping vessel transporting containers containing fabric, garments, and beads. Ms. Dougherty stated the plans will maintain the site's current D3 zoning, Port of Miami River Land Use. Ms Dougherty stated the City of Miami's Zoning Administrator classified this development on the table under "Industrial" as "Manufacturing and Processing" which requires a "Warrant" but requires less parking therefore the plans have sufficient parking spaces, or be classified as a "Marine Related Industrial Establishment" which would be "Allowed by Right", but requires more parking spaces than the plans provide, therefore a reduction of required parking spaces would be required.

Mr Mark Bailey, Miami River Marine Group, asked if the development team had met with the U.S. Coast Guard regarding Homeland Security and MTSA requirements for this new proposed international shipping location, and DERM regarding obtaining the required marine operating permit, and the team replied not yet.

Ms. Dougherty stated the developer is willing to design, permit, fund and construct the public Riverwalk connector on the west end to extend the additional estimated 35 feet on FDOT public ROW in order to connect with the existing public Riverwalk and sideyard connector at the 12 Ave Bridge. The site's new public Riverwalk will feature a new seawall, maybe maintenance dredging along the shoreline, and a 6-foot wide dock. Chairman Aguirre noted the renditions for the dock need large bollards added, and the dock should be made of concrete to accommodate the depicted large shipping vessel.

MRC Urban Infill Subcommittee Chairman Murley and Greenways Subcommittee Martin suggested the MRC find the proposed development

consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan* subject to the following conditions:

- 1) Securing all vessel requirements established by U.S. Coast Guard, DERM, etc
- 2) Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge"

During the MRC's Feb. 1 meeting, Ms Rosario Kennedy stated since the MRC's Jan. 21 public subcommittee meeting (quoted above) the development team met with the United States Coast Guard and will be working with them on compliance. Ms Kennedy stated the City of Miami Fire Department is willing to remove the junk yard beneath the 12 Ave Bridge on the south shore. Mr Jurado noted the revised plans now include a loading area, and a public sideyard connector from the sidewalk on South River Drive to this site's public Riverwalk which will connect with the existing Riverwalk and sideyard connector at FDOT'S 12 Ave Bridge, and the color of the on-road Greenway is the required mesa beige. The public Riverwalk is 25 feet wide. Ms Lucia Dougherty stated consultant Christy Brush believes the site will be permitted for 3 boat slips.

MRC Director Bibeau distributed the City of Miami's adopted zoning code, "Article 4, Table 3, Building Function: Uses". Ms Dougherty noted the renditions still include a recreational yacht and an international shipping vessel transporting containers containing fabric, garments, and beads. Ms. Dougherty stated the plans will maintain the site's current D3 zoning, Port of Miami River Land Use. Ms Dougherty stated the City of Miami's Zoning Administrator classified this development on the table under "Industrial" as "Manufacturing and Processing" which requires a "Warrant".

MRC Chairman Aguirre stated this is a mixed-use compromise and improvement on the existing vacant conditions.

Ernie Martin made a motion for the full MRC to support the subcommittee's findings, "the MRC finds the proposed development consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan* subject to the following conditions:

- 1) Securing all vessel requirements established by U.S. Coast Guard, DERM, etc
- 2) Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge

The motion was seconded by Manny Prieguez and unanimously adopted by the MRC."

MRC Director Bibeau distributed emails from the development team and renditions of the previously presented project and the revised proposed project, with only the following changes:

- 1) Increase of 1 story on 1 of the 2 proposed buildings. Original 3 and 4 story structures now proposed to become 3 and 5 stories.
- 2) Different exterior wall materials / design

The developer team emails state, "the design was slightly modified but that the waterfront standards, Riverfront dimensions and overall program remain the same... As promised I have included the Riverwalk Details comparisons from 2015 and 2017 - the walk remains at 25 feet wide. I have also included a site plan comparison ... you will see the 2017 site plan includes the off-site parking under the bridge"

The developer team indicated progress has been made on the MRC's 2 previously recommended conditions of:

- 1) Securing all vessel requirements established by U.S. Coast Guard, DERM, etc
- 2) Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge

MRC Greenways subcommittee chairman Murley suggested the full MRC re-affirm their previous unanimous recommendation on this item and continue to find the proposed development consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan* subject to the following conditions:

- 1) Securing all vessel requirements established by U.S. Coast Guard, DERM, etc
- 2) Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge"

Ms Rosario Kennedy distributed and presented the revised / updated plans:

- 1) Increase of 1 story on 1 of the 2 proposed buildings. Original 3 and 4 story structures now proposed to become 3 and 5 stories.
- 2) Different exterior wall materials / design
- 3) The proposed plans now include a vocational school
- 4) The proposal still incorporates vessels on the site to ship materials, and recreation yacht access for customers
- 5) Site still includes public Riverwalk consistent with Miami 21 Section 3.11, Appendix B, and will include construction of the Riverwalk connector on FDOT land connecting to the existing public Riverwalk to the west beneath the FDOT owned 12 Ave Bridge
- 6) Estimate completion of the proposed development in mid-2019.

**The MRC adopted a unanimous resolution recommending finding the presented Naheem Khan project consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan* subject to the following conditions:**

- 1) **Securing all vessel requirements established by U.S. Coast Guard, DERM, etc**
- 2) **Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge**

- 3) **The applicant submits presented / amended / updated plans presented to the MRC on 3/6/17 to the City of Miami for permitting**
- 4) **The project include the public Miami River Greenway signage required by Miami 21”**

The applicants stated although they intend to comply with the MRC's previously approved conditions of approval, it is a work in progress and they are yet to fully comply with the MRC's conditions. For example, they are in the process of hiring EAC Engineering to create construction engineering documents for the new seawall, they executed a sub-lease with the City to replace the existing storage lot beneath the 12 Ave Bridge with their private parking lot, etc. The applicants stated differences between the plans presented to the MRC on March 6, 2017 and the revised plans are the 2 buildings were 3 and 5 stories, and now they are 4 and 5 stories, and the building's façade has changed and are now using more glass. The applicants stated the pending warrant applications would permit the proposed vocational school component, off-site parking waiver, and a reduction of required parking spaces because they are close to Metro-Rail. The applicants stated they would consider putting some landscaping back in the plans in between the 2 buildings, similar to the previous plans which had landscaping between the 2 buildings which was removed in the current plans which only depict hardscape in between the 2 proposed buildings.

Carol Boynton, Spring Garden Civic Association, stated they were seeking a voluntary covenant and City conditions of the warrant to include compliance with the existing noise ordinance, no restaurant as depicted in the current plans, and no public venues as depicted in the current plans.

The applicants stated they would meet with their neighbors to the east at the Riverwalk Apartments which are currently under construction, to try and combine their side yard public connectors from the existing on-road Greenway along NW South River Drive and the public Riverwalk, in order to widen the Khan project's currently proposed eastern side-yard connector's unobstructed path, which is only 5' wide and services public bicycle and pedestrian access in addition to cargo from the depicted shipping vessel to the loading docks.

MRC Urban Infill Subcommittee Chairman Murley noted he works for Miami Dade County, whom owns the subject property and has an executed lease to Mr. Khan for the proposed project. Mr. Murley noted Miami-Dade County has the final decision on this item, for which a County Resolution requests a strictly advisory recommendation from the MRC for the County's consideration.

**Mr. Murley suggested the MRC recommend widening the western public sideyard connector / loading area, and reconfirm their following previous unanimous resolution finding the presented Naheem Khan project consistent with the *Miami River Greenway Action Plan* and the *Miami River Corridor Urban Infill Plan* subject to the following conditions:**

- 1) **Securing all vessel requirements established by U.S. Coast Guard, DERM, etc**

- 2) **Securing FDOT permission to construct the public Riverwalk connector to the west on FDOT ROW at the 12 Ave Bridge and removing the storage lot beneath the Bridge**
- 3) **The applicant submits presented / amended / updated plans presented to the MRC on 5/6/19 to the City of Miami for permitting**
- 4) **The project include the public Miami River Greenway signage required by Miami 21**

#### **IV. New Business**

Attendees noted Helen Brown is retiring from the Miami-Dade County Planning Department, and thanked her for many years of positive participation with the MRC.

The meeting adjourned.



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

Wednesday, March 20, 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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