



# City of Miami

## Legislation

### Ordinance

City Hall  
3500 Pan American  
Drive  
Miami, FL 33133  
www.miamigov.com

File Number: 15-00354ct

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING ORDINANCE NO. 10544, AS AMENDED, THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN OF THE CITY OF MIAMI, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS SUBJECT TO §163.3184, FLORIDA STATUTES, BY AMENDING THE INTERPRETATION OF THE 2020 FUTURE LAND USE MAP WITHIN THE FUTURE LAND USE ELEMENT AND THE 2020 FUTURE LAND USE MAP SERIES CONTAINED IN APPENDIX LU-1, TO ESTABLISH THE MIAMI RIVER RESIDENTIAL DENSITY INCREASE AREA OVERLAY PERMITTING UP TO 400 DWELLING UNITS PER ACRE, AN AREA GENERALLY BOUNDED BY SOUTHWEST 5TH STREET AND THE MIAMI RIVER ON THE NORTH, THE METRO RAIL ON THE EAST, SOUTHWEST 3RD AVENUE ON THE WEST AND SOUTHWEST 7TH STREET ON THE SOUTH, MIAMI, FLORIDA, AS DEPICTED IN EXHIBIT "A", ATTACHED AND INCORPORATED, WHILE MAINTAINING ALL UNDERLYING FUTURE LAND USE MAP DESIGNATIONS; MAKING FINDINGS; DIRECTING TRANSMITTALS TO AFFECTED AGENCIES; CONTAINING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there is a need for higher density uses without significant scale increases in the Miami River area in order to further encourage economic development; and

WHEREAS, the City of Miami's ("City's") Comprehensive Plan ("MCNP"), adopted February 9, 1989, pursuant to Ordinance No. 10544, pursuant to Chapter 163, Part II, Florida Statutes, in Appendix LU-1, identifies this area as within the Urban Central Business District, which shall contain high intensity, high density multi-use development; and

WHEREAS, the City wishes to encourage high density redevelopment in the Miami River area; and

WHEREAS, the Miami Planning, Zoning and Appeals Board ("PZAB"), at its meeting on June 3, 2015, following an advertised public hearing, adopted Resolution No. PZAB-R-15-031, by a vote of eleven to zero (11-0), Item no. 5, recommending APPROVAL of the amendments to the MCNP as set forth; and

WHEREAS, the City Commission, after careful consideration of this matter, deems it advisable and in the best interest of the general welfare of the City and its inhabitants to amend the MCNP as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA; AS FOLLOWS:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted

by reference and incorporated as if fully set forth in this Section.

Section 2. The interpretation of the 2020 Future Land Use Map and the 2020 Future Land Use Map is hereby amended to establish the Miami River Residential Density Increase Area, as indicated on the map attached as Exhibit "A" and incorporated into the 2020 Future Land Use Map series herein.

Section 3. Ordinance No. 10544, as amended, the MCNP, is hereby revised by amending the text of the Policies of said Ordinance as follows: {1}

"Interpretation of the 2020 Future Land Use Map"

\* \* \*

High Density Multifamily Residential: Areas designated as "High Density Multifamily Residential" allow residential structures to a maximum density of 150 dwelling units per acre, subject to the detailed provisions of the applicable land development regulations and the maintenance of required levels of service for facilities and services included in the City's adopted concurrency management requirements. Higher densities may be allowed as shown for these specially-designated areas:

Little Havana Target Area	200 units per acre
Southeast Overtown	300 units per acre
<u>Miami River</u>	<u>400 units per acre</u>
Brickell, Omni, Park West, and River Quadrant	500 units per acre

\* \* \*

Section 4. It is found that this MCNP text change:

- (a) Is necessary due to changed or changing conditions; and
- (b) Follows an Expedited State Review Process pursuant to Section 163.3184(3), Florida Statutes.

Section 5. The City shall hold its second public hearing for adoption of this Ordinance within one hundred eighty (180) days after receipt of agency comments pursuant to Section 163.3184(3)(c) (2), Florida Statutes.

Section 6. Within ten (10) days after adoption on second reading, the City Manager is directed to instruct the Director of the Planning and Zoning Department to promptly transmit a certified copy of this Ordinance to the appropriate agencies pursuant to Section 163.3184, Florida Statutes.

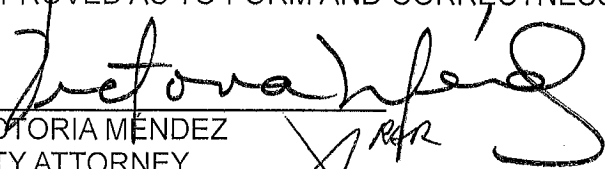
Section 7. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

Section 8. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 9. This Ordinance shall become effective thirty-one (31) days after second reading and adoption and thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete thereof pursuant and subject to Section 163.3184, Florida Statutes. If timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in

compliance. {2}

APPROVED AS TO FORM AND CORRECTNESS:

  
VICTORIA MENDEZ  
CITY ATTORNEY

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Footnotes:

{1} Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated, whichever is later.



# City of Miami

## Legislation

### Ordinance

City Hall  
3500 Pan American  
Drive  
Miami, FL 33133  
www.miamigov.com

File Number: 15-00624da

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING A DEVELOPMENT AGREEMENT, PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BETWEEN CG MIAMI RIVER LLC, APPLICANT ENTITY AND THE CITY OF MIAMI, FLORIDA, RELATING TO THE REZONING OF CERTAIN PARCELS FOR THE DEVELOPMENT OF APPROXIMATELY 10.2 ACRES FOR THE MIAMI RIVER SPECIAL AREA PLAN ("MIAMI RIVER SAP"), A MIXED USE DEVELOPMENT, LOCATED WITHIN THE BOUNDARIES OF THE MIAMI RIVER TO THE NORTH, SOUTHWEST 7 STREET TO THE SOUTH, SOUTHWEST 2 AVENUE TO THE EAST, SOUTHWEST 3 AVENUE TO THE WEST, AND THE EASTERN PORTION OF JOSE MARTI PARK, EXTENDING NORTHWEST OF THE MIAMI RIVER AND TERMINATING AT SOUTHWEST 2 STREET, MIAMI, FLORIDA; AS DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED; THE MIAMI RIVER SAP CONSISTS OF A DENSITY INCREASE AREA FROM 200 TO 400 DWELLING UNITS PER ACRE; FOUR (4) TOWERS BETWEEN 58 AND 60 STORIES, APPROXIMATELY 4,181,087 SQUARE FEET OF DEVELOPMENT CONSISTING OF THE FOLLOWING: A) APPROXIMATELY 1,678 RESIDENTIAL UNITS; B) APPROXIMATELY 330 LODGING UNITS; C) APPROXIMATELY 66,541 SQUARE FEET OF OFFICE SPACE; D) APPROXIMATELY 176,350 SQUARE FEET OF COMMERCIAL USES; E) APPROXIMATELY 2,376 PARKING SPACES; F) APPROXIMATELY 17 BOAT SLIPS; G) A MINIMUM OF 35,964 SQUARE FEET OF CIVIC SPACE; AND H) A MINIMUM OF 15,175 SQUARE FEET OF OPEN SPACE; AUTHORIZING THE FOLLOWING USES INCLUDING, BUT NOT LIMITED TO: RESIDENTIAL, COMMERCIAL, LODGING, CIVIC, AND ANY OTHER USES AUTHORIZED BY THE MIAMI RIVER SAP, AND PERMITTED BY THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, AND THE MIAMI 21 CODE, THE ZONING ORDINANCE OF THE CITY OF MIAMI; AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, FOR SAID PURPOSE; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, CG Miami River LLC ("Applicant") holds fee simple title to approximately 6.2 ± acres of property on the south bank of the Miami River as legally described in "Exhibit A," and the City of Miami ("City") owns the adjacent Jose Marti Park of which a portion of the park, approximately four (4) acres, is included within the Miami River Special Area Plan ("Miami River SAP"); and

WHEREAS, the Miami River SAP is comprised of approximately 10.2 ± acres of selected parcels, as described in Exhibit "A" qualifying as a Special Area Plan as per Article 3, Section 3.9 of the Miami 21 Code, the Zoning Ordinance of the City of Miami ("Miami 21 Code"); and

WHEREAS, Section 3.9 of the Miami 21 Code authorizes the assembly and master planning of parcels greater than nine (9) abutting acres in size; and

WHEREAS, the aforementioned location for the proposed Miami River SAP currently contains

underutilized buildings and vacant lots, and it consists of a density increase area from 200 to 400 dwelling units per acre developed in five (5) phases consisting of four (4) mixed use towers between 58 and 60 stories in height, approximately 4,181,087 square feet of development, consisting of the following A) approximately 1,678 residential units; B) approximately 330 lodging units; C) approximately 66,541 square feet of office space; D) approximately 176,350 square feet of commercial uses; E) approximately 2,376 parking spaces; F) approximately 17 boat slips; G) a minimum of 35,964 square feet of civic space; and H) a minimum of 15,175 square feet of open space; and

WHEREAS, pursuant to Section 3.9.1.f of the Miami 21 Code, development within a Special Area Plan shall be pursuant to a recorded development agreement; and

WHEREAS, Applicant has submitted an application for approval of the Development Agreement pursuant to Chapter 163 of the Florida Statutes; and

WHEREAS, the City and Applicant wish for the development of the project to proceed substantially in accordance with the Regulating Plan and Design Guidelines, as attached hereto, as may be amended from time to time; and

WHEREAS, the City and Applicant wish for the development of the project to conform with the requirements of the Comprehensive Plan; and

WHEREAS, the project is located between East Little Havana to the west, Brickell to the east and Downtown Miami to the north; and

WHEREAS, the lack of certainty in the approval of development can result in a waste of economic and land resources, discourage sound capital improvement planning and financing, escalate the cost of housing and development, and discourage commitment to comprehensive planning; and

WHEREAS, assurance to the developer that it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process;

NOW, THEREFORE, BE IT ORDAINED, BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The Development Agreement, pursuant to Chapter 163 of the Florida Statutes, between Applicant and the City, relating to development of the approximately 10.2 acres, is hereby approved.

Section 3. The Development Agreement is applicable only to property owned by Applicant and for the portion thereof of public improvements within and adjacent to Jose Marti Park, subject to the development parameters set forth therein.

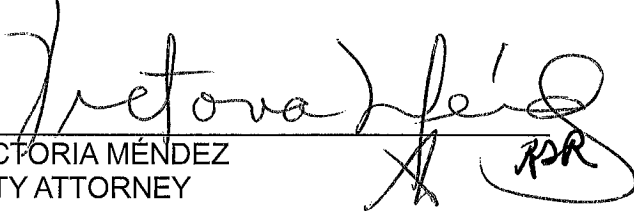
Section 4. The City Manager is authorized {1} to execute the Development Agreement, in substantially the attached form, for said purpose.

Section 5. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance

is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 6. This Ordinance shall become effective immediately upon its adoption and signature of the Mayor. {2}

APPROVED AS TO FORM AND CORRECTNESS:

  
VICTORIA MÉNDEZ  
CITY ATTORNEY

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Footnotes:

{1} The herein authorization is further subject to compliance with all requirements that may be imposed by the City Attorney, including but not limited to those prescribed by applicable City Charter and Code provisions.

{2} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days of the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.



# City of Miami

## Legislation

### Ordinance

City Hall  
3500 Pan American  
Drive  
Miami, FL 33133  
www.miamigov.com

File Number: 15-00624ap

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), APPROVING WITH CONDITIONS, PURSUANT TO ARTICLES 3 AND 7 OF THE MIAMI 21 CODE, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, THE REZONING OF CERTAIN PARCELS FOR THE DEVELOPMENT OF APPROXIMATELY 10.2 ACRES (444,696 SQUARE FEET) INCLUSIVE OF CITY OF MIAMI OWNED LAND, FOR THE MIAMI RIVER SPECIAL AREA PLAN ("MIAMI RIVER SAP"), A MIXED USE DEVELOPMENT APPROXIMATELY LOCATED WITHIN THE BOUNDARIES OF THE MIAMI RIVER TO THE NORTH, SOUTHWEST 7 STREET TO THE SOUTH, SOUTHWEST 2 AVENUE TO THE EAST, SOUTHWEST 3 AVENUE TO THE WEST, AND THE EASTERN PORTION OF JOSE MARTI PARK, EXTENDING NORTHWEST OF THE MIAMI RIVER AND TERMINATING AT SOUTHWEST 2 STREET, MIAMI, FLORIDA, AS DESCRIBED IN EXHIBIT "A", ATTACHED AND INCORPORATED; THE MIAMI RIVER SAP CONSISTS OF A PHASED PROJECT DIVIDED INTO FIVE (5) PARTS WHICH INCLUDES APPROXIMATELY 4,181,087 SQUARE FEET OF DEVELOPMENT CONSISTING OF THE FOLLOWING: A) APPROXIMATELY 1,678 RESIDENTIAL UNITS; B) APPROXIMATELY 330 LODGING UNITS; C) APPROXIMATELY 66,541 SQUARE FEET OF OFFICE SPACE; D) APPROXIMATELY 176,350 SQUARE FEET OF COMMERCIAL USES; E) APPROXIMATELY 2,376 PARKING SPACES; F) APPROXIMATELY 17 BOAT SLIPS; G) A MINIMUM OF 35,964 SQUARE FEET OF CIVIC SPACE; AND H) A MINIMUM OF 15,175 SQUARE FEET OF OPEN SPACE; THE MIAMI RIVER SAP WILL MODIFY THE TRANSECT ZONE REGULATIONS THAT ARE APPLICABLE TO THE SUBJECT PARCELS, WHERE A SECTION IS NOT SPECIFICALLY MODIFIED, THE REGULATION AND RESTRICTION OF THE MIAMI 21 CODE APPLY; THE NUMBERS OF FEET STATED ABOVE ARE APPROXIMATE AND MAY INCREASE OR DECREASE BY NOT MORE THAN FIVE PERCENT (5%) AT THE TIME OF THE BUILDING PERMIT BUT SHALL NOT EXCEED 4,181,087 SQUARE FEET OF THE DEVELOPMENT; FURTHER AUTHORIZING THE CITY MANAGER TO RELEASE THE FOLLOWING TWO COVENANTS ON THE PROPERTY WHICH ARE NO LONGER NEEDED: COVENANT RECORDED AT OFFICIAL RECORD BOOK ("ORB") 24997 PAGE 2543, AND AT ORB 24194 PAGE 1806, RESPECTIVELY, IN THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Miami River Special Area Plan ("Miami River SAP") consists of approximately 10.2 acres of selected parcels, as described in Exhibit "A", attached and incorporated, qualifying as a Special Area Plan ("SAP") as per Article 3, Section 3.9 of the Miami 21 Code, the Zoning Ordinance of the City of Miami ("Miami 21 Code"); and

WHEREAS, the aforementioned location for the proposed Miami River SAP currently contains underutilized buildings and vacant lots, and the entire development will consist of approximately 4,181,087 square feet of development with A) approximately 1,678 residential units; B) approximately 330 lodging units; C) approximately 66,541 square feet of office space; D) approximately 176,350 square feet of commercial uses; E) approximately 2,376 parking spaces; F) approximately 17 boat slips; G) a minimum of 35,964 square feet of civic space; and H) a minimum of 15,175 square feet of open space; and

WHEREAS, the proposed Miami River SAP will facilitate the redevelopment and benefit the area by creating residential units, hotel rooms, and commercial uses as well as civic and open space for the enjoyment of the general public; and

WHEREAS, the requested Miami River SAP will integrate public improvements and infrastructure while providing greater flexibility resulting in a higher quality of specialized building and streetscape design; and

WHEREAS, projects such as this are critically important to the economic revitalization and enhancement of the City of Miami ("City"), in general, and specifically the downtown and Little Havana Miami River area; and

WHEREAS, the Miami River SAP will create certain recurring and non-recurring financial benefits as well as temporary and permanent jobs; and

WHEREAS, the Miami Planning, Zoning and Appeals Board ("PZAB"), at its meeting on June 3, 2015, following an advertised public hearing, adopted Resolution No. 15-032 by a vote of ten to one (10-1), Item No. PZAB. 6, recommending APPROVAL of the Miami River SAP; and

WHEREAS, the City Commission after careful consideration of the matter deems it advisable and in the best interest of the general welfare of the City and its citizens to amend the Miami 21 Code as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. The Miami River SAP, attached hereto, is approved subject to the conditions specified herein.

Section 3. The Miami River SAP includes lower ranking SAP Permits as set forth in the Regulating Plan of the SAP, attached hereto as "Exhibit B", which shall be reviewed for approval by the Department of Planning and Zoning.



Section 4. The findings of fact set forth below are made with respect to the subject Miami River SAP:

a. The Miami River SAP is consistent with the adopted Miami Comprehensive Neighborhood Plan, as amended;

b. The City Commission further finds that:

- (1) The Miami River SAP will have a favorable impact on the economy of the City;
- (2) The Miami River SAP will efficiently use public transportation facilities;
- (3) Any potentially adverse effects of the development will be mitigated through compliance with the conditions of this Miami River SAP;
- (4) The Miami River SAP will efficiently use existing public or civic spaces;
- (5) The Miami River SAP will not negatively impact the environment and natural resources of the City;
- (6) The Miami River SAP will not adversely affect living conditions in the neighborhood;
- (7) The Miami River SAP will not adversely affect public safety;
- (8) Based on the record presented and evidence presented, the public welfare will be served by the Miami River SAP; and
- (9) Any potentially adverse effects arising from this development not limited to safety and security, fire protection, solid waste, heritage conservation and trees will be mitigated through compliance with the conditions of this Miami River SAP.

Section 5. The Miami River SAP, inclusive of the Regulating Plan Exhibit "B", Concept Document Exhibit "C", and Executive Summary Exhibit "D", as approved, shall be binding upon the Applicant and any successors in interest.

Section 6. The application for the Miami River SAP, which was submitted on April 28, 2015, and on file with the Hearing Boards Section of the Department of Planning and Zoning, shall be relied upon generally for administrative interpretations and is incorporated by reference.

Section 7. The City Manager is directed to instruct the Director of Planning and Zoning to transmit a copy of this Ordinance and attachments to the Applicant upon final approval.

Section 8. The Findings of Fact and Conclusions of Law are made with respect to the Miami River SAP as described herein and in documents incorporated hereto.

Section 9. The Miami River SAP is granted and approved.

Section 10. In the event that any portion or section of this Ordinance or the Miami River SAP is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions of this Ordinance or Miami River SAP which shall remain in full force and effect.

Section 11. The provisions for this Miami River SAP, as approved, shall commence and become operative thirty (30) days after the final adoption of the Ordinance.

Section 12. The City Manager is hereby authorized to release the following two covenants on the property which are no longer needed: the covenant recorded at Official Record Book ("ORB") 24997 Page 2543, and at ORB 24194 Page 1806, respectively, in the Public Records of Miami-Dade County, Florida.

Section 13. This Ordinance shall become effective immediately upon its final adoption and signature of the Mayor, following any applicable appeal period.

### CONDITIONS

Based on analysis and findings, the Department of Planning and Zoning recommends approval of the Miami River SAP with the following conditions which are adopted by the City Commission:

- 1) Comply with all applicable building codes, land development regulations, ordinances, and other laws and pay all applicable fees due prior to the issuance of any building permit.
- 2) Allow the Miami Police Department to conduct a security survey, at the Department's discretion, and to make recommendations concerning security measures and systems. Further submit a report to the Department of Planning and Zoning, prior to commencement of construction, demonstrating how the Police Department recommendations, if any, have been incorporated into the Miami River SAP security and construction plans, or demonstrate to the Director of Planning and Zoning why such recommendations are impractical.
- 3) Obtain approval from, or provide a letter from, the Department of Fire-Rescue indicating Applicant's coordination with members of the Fire Plan Review Section at the Department of Fire-Rescue in the review of the scope of the Miami River SAP, owner responsibility, building development process and review procedures, as well as specific requirements for fire protection and life safety systems, exiting, vehicular access and water supply.
- 4) Obtain approval from, or provide a letter of assurance from, the Department of Solid Waste that the Miami River SAP has addressed all concerns of said Department prior to obtaining a building permit.
- 5) Comply with the Minority Participation and Employment Plan (including a Contractor/Subcontractor Participation Plan) submitted to the City as part of the Application for Development Approval, with the understanding that the Applicant must use its best efforts to follow the provisions of the City's Community Small Business Enterprises ("CSBE") and Procurement Program as a guide, as applicable.
- 6) Record the following in the Public Records of Miami-Dade County, Florida, prior to the issuance of any building permit:
  - a. Declaration of Covenants and Restrictions providing that the ownership, operation, and maintenance of all common areas and facilities will be by the property owner or a mandatory

property owner association in perpetuity; and

b. Record in the Public Records a Unity of Title or a Covenant in Lieu of a Unity of Title, if applicable, subject to the review and approval of the Department of Planning and Zoning and the City Attorney's Office.

7) Prior to the issuance of any building permit, provide the Department of Planning and Zoning with a recorded copy of the documents mentioned in condition (6) above.

8) Provide the Department of Planning and Zoning with a temporary construction plan that address construction phasing and includes the following elements:

- a. Temporary construction parking plan, with an enforcement policy;
- b. Construction noise management plan with an enforcement policy; and
- c. Maintenance plan for the temporary construction site. Said plan shall be subject to the review and approval by the Department of Planning and Zoning prior to the issuance of any building permits and shall be enforced during construction activity. All construction activity shall remain in full compliance with the provisions of the submitted construction plan. Failure to comply may lead to a suspension or revocation of this Miami River SAP.

As applicable, the developer of the approved Miami River SAP shall be responsible for securing the City's approval for any change or modification to the approved temporary construction plan. Request for approval of any change or modification to the previously approved temporary construction plan shall be submitted for review and approved no later than two (2) weeks prior to the implementation of such a requested change or modification.

9) Prior to the issuance of any building permit for the Miami River SAP, the Applicant for the Miami River SAP shall provide the Department of Planning and Zoning for review for compliance and further approval:

- a. Sufficiency Letter from the City's Office of Transportation;
- b. Final determination of Public School Concurrency and Capacity Reservation;
- c. Conservation Assessment Report as portions of the project are located within a High Archeological Probability Zone; and
- d. Proof of compliance with conditions established by the following departments or agencies, specifically:
  - i. City and Miami-Dade County Public Works Departments;
  - ii. Miami-Dade County Water and Sewer Department;
  - iii. Miami-Dade County Traffic Engineering Division;
  - iv. Florida Department of Transportation.

10) The Miami River SAP includes a Development Review Process which address the build out of the individual Buildings as identified in the Regulating Plan. All development within the Miami River SAP shall be submitted for the review and approval by the Director of Planning prior to the issuance of any building permit consistent with the requirements of Article 3, Section 3.9.1(g) of the Miami 21 Code and the Miami River SAP.

11) Within (90) days of the effective date of this Ordinance, record a certified copy of the Development Agreement specifying that the Development Agreement runs with the land and is binding on the Applicant, its successors, and assigns, jointly or severally.

12) The Applicant shall comply with the conditions identified in the Miami 21 Code, the Miami River SAP, and all applicable local, state and federal regulations.

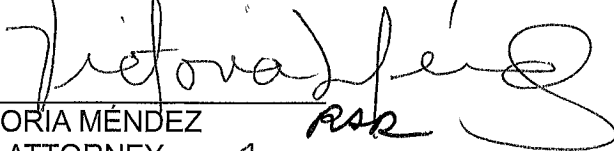
THE CITY OF MIAMI SHALL

Establish the operative date of the associated Development Agreement as being thirty (30) days from the date of the final adoption of the Development Agreement. The final adoption date of the Development Agreement shall constitute the commencement of the thirty (30) day period to appeal the provisions of the Development Agreement.

CONCLUSIONS OF LAW

The Miami River SAP, as approved, complies with the Miami Comprehensive Neighborhood Plan as amended, is consistent with the orderly development and goals of the City, and complies with local land development regulations pursuant to the Miami 21 Code.

APPROVED AS TO FORM AND CORRECTNESS:

  
VICTORIA MÉNDEZ  
CITY ATTORNEY

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Footnotes:

{1} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.