

Miami River Commission Public Meeting Minutes September 12, 2022

The Miami River Commission's (MRC) public meeting convened at noon, September 12, 2022, in the Downtown Main Library Auditorium, 101 W Flagler. Sign in sheets are attached.

Miami River Commission (MRC) Policy Committee Members and/or Designees attending:

Horacio Stuart Aguirre, Chairman, Appointed by the Governor
Jim Murley, Vice Chairman, designee for County Mayor Danielle Levine Cava
County Commissioner Eileen Higgins
Eddie Marti Kring, designee for County Commissioner Eileen Higgins
Mercedes Librada Rodriguez, designee for City of Miami Commissioner Alex Diaz de la Portilla
Megan Kelly, designee for City of Miami Mayor Francis Suarez
T. Spencer Crowley, III, Member at Large Appointed by City of Miami Commission
Patty Harris, designee for Governor
Bruce Brown, Miami River Marine Group
Neal Schafers, designee for Downtown Development Authority
Phil Everingham, designee for Miami Marine Council
Alvaro Coradin, designee for Sara Babun
Mike Simpson, designee for Sallye Jude
Tom Kimen, designee for Neighborhood Representative Appointed by City Commission

MRC Staff:

Brett Bibeau, Managing Director

I) Chair's Report

The Miami River Commission unanimously adopted their July 11 public meeting minutes.

MRC Chairman Aguirre provided the following report:

On behalf of the Miami River Commission, I warmly welcome our 3 newest volunteer board members, Mercedes Librada Rodriguez, designee for City of Miami Commissioner Alex Diaz de la Portilla, Eddie Marti Kring, designee for Miami-Dade County Commissioner Eileen Higgins, and Spencer Crowley, Member at Large appointed by the City Commission.

The Miami River Commission has been advocating for various initiatives to improve openings of the Brickell Bridge. When the Bridge operator is ready for a scheduled opening, as regulated by federal law, first they drop the vehicular and pedestrian gates, which is when the vehicular traffic starts to cue. Then they are unable to quickly start opening the actual bridge for the waiting vessels to pass, because impatient people are putting their lives at risk by jumping over the safety barricades to walk over the bridge because they don't want to wait for the opening. This unnecessarily significantly extends the total bridge opening time, which significantly increases the vehicular traffic backup. Then when the bridge is down there are illegal lane blockages.

Therefore, the MRC has been recommending off-duty police officers be hired for “white glove” traffic control at the Brickell Bridge, which will reduce traffic. The MRC thanks Gencom and the Hyatt for pledging to fund the off duty police officers for this effort during a trial period where they hired Langan Engineering to conduct a Brickell Bridge traffic study.

The MRC thanks Kiki’s River for donating funding needed to clean the public Riverwalk beneath the 5 ST Bridge twice a week.

The MRC thanks RMK Merrill Stevens for donating upcoming improvements to Art Greenfield Park in Spring Garden.

Commissioner Eileen Higgins stated unfortunately the County’s 17 Ave Bridge has an immediate safety issue which will take 4-6 weeks to repair in the open position allowing passage of vessels. The County has started the PD&E needed to replace the Bridge.

MRC Vice Chairman Murley – Voluntary Improvement Program (VIP) Update

The Miami River Commission has been actively assisting the efforts of the City, County, State, and private sector to clean up the Miami River District. In addition to the maintenance professionals the MRC pays daily to remove litter, invasive plant species, graffiti and provide landscaping and pressure washing services along the Miami River, the MRC thanks the volunteers from Hands on Miami whom on July 16 and August 6 picked up garbage along the public Riverwalk in Curtis Park.

The MRC forwarded a Spring Garden resident’s video and report of a new illegal charter business operating in the Seybold Canal, and the City of Miami cited the location for multiple code violations.

II) Presentation Regarding Updating City Parks Master Plan

Carlos Perez, Perez Planning & Design, LLC, and City of Miami Parks Director Barbara Hernandez distributed and presented a “Reimagine Parks Miami – Parks and Recreation System Master Plan – Miami River Commission – September 12, 2022” PowerPoint. The City of Miami’s current Parks Master Plan was adopted in 2005, and is therefore being updated. The City of Miami is completing an extensive 3.5 month public outreach campaign. The distributed Power Point featured the Miami River Commission’s “Miami’s 21st Century Park – An Integrated System of Parks and Greenways Along the Miami River” which was shared and reviewed when this item was presented to the MRC Greenways and Urban Infill Subcommittee on May 27, 2022, for which the public meeting minutes were distributed.

Spencer Crowley suggested the City use an app similar to the County notifying the public when a boat ramp is full so they know not to try an launch at a ramp which is already full.

Mercedes Rodriguez stated North River Drive in the area of Curtis Park does not have sidewalks, where there is a senior center, etc. Director Hernandez replied the City of Miami has funding and design to reconstruct North River Drive in the area featuring the on-road Miami River Greenway's wide sidewalks, landscaping, decorative lighting, etc.

Ms. Rodriguez stated she had visited the City of Miami's "Miami River Rapids Park" and is interested in making improvements and dedicating it to fallen firefighters.

The MRC noted the need to improve and reopen FT Dallas Park. Director Hernandez replied the City is working on restoring the Park's historic structure, demolishing the non-historic structures, repairing the dock, and then advertising an RFP for a food and beverage component in the public park.

Commissioner Higgins stated the County has grant \$ available for trees. The City is working with the MRC on a westerly waterfront expansion of Fern Isle Park, which needs funding for new trees.

Commissioner Higgins added she met with MDX and FDOT whom are willing to use the public ROW beneath 836 on the Miami River's south shore to be a public park, connecting with the public Riverwalk and greenspaces to the east in the County's "Riverparc" area (formerly known as Robert King High Towers).

III) Informational Presentation Regarding Centauri Transport Inc. – International Shipping Terminal located at 3300 NW North River Drive

Mr. Frank Visconti, owner and operator of Centauri Transport Inc International Shipping Terminal located at 3300 NW North River Drive, distributed copies of a "Capabilities Statement" and "Background, US Base of Operations on Port Miami River, Centauri Transport Bahamas, LTD, Current Markets and Services Provided, and Centauri Transport's Cargo Vessels" (which were recently built in Florida). They have been in operation on the Miami River since January 2020, shipping food, construction materials, vehicles etc. once a week to Eleuthera, Abaco, Exuma Bahamas, including refrigerated containers. This international shipping terminal on Port Miami River generates local jobs while providing critical trade to build the economy of our neighbors in the Bahamas.

IV) New Business

The public meeting adjourned.

Miami River Commission Public Meeting

September 12, 2022 - Noon

Miami-Dade County Library, 101 W Flagler ST

Name

Organization

Telephone

Email

Eileen Higgins

TRCC

305-375-5924

Eddie Marti Kring

office of
commissioner
Higgins

Eddie.MartiKring@
miamidade.gov

Benjamin Ounbils

N/A

305.528.1061 Wilson.O.Benjamin@
gmail.com

Anthony DeNito

Resident

305-323-5195

city of miami@anthonydenito.com

Neal Schafers

Miami DDA

305-579-6675

schafers@
miamidda.com

Merci L Rodriguez

District 1

786-365-2929

Merci0121@A
Smail.com

Bruce L. Brown

MRL

305-788-6411

bruce403@peelbooth.
NET

Tom Kimer

MRL

TKimer3@aol.com

Spencer Crowley

FIND

305 519 2822

~~spencer~~

ts Crowley @

Mark Bailey

Miami River Marine Group

305 770 0132

markbailey@miamiriver
marinegroup.org

Miami River Commission Public Meeting

September 12, 2022 - Noon

Miami-Dade County Library, 101 W Flagler ST

Name	Organization	Telephone	Email
Loures Isalgue	self	786-597-8067	louresisalgue@gmail.com
Horacio Stuart Aguirre	MRC		
Brett Bibeau	MRC	305 644 0544	
PHIL EVERINGHAM	MRC/MARINE COUNCIL	305 951-9096	phemsdd@hotmail.com
PATRICIA HARRIS	MRC	305-262-3763	PATTYKAK@GMAIL.COM
Jim Murkey	MRC/MD e	786-719-9155	JAMES.Murkey@miamidade.gov
Frank Visconti	Centauri	305-753-6101	FVISCONTI@CTOCEAN.COM
JIVARO CORADIN	TRANSPORT ANTILLA MARINE	305-606-3507	JCORADIN@ANTILLA.COM
LUIZ LAM	City of Miami	305 332 3466	LLAM@miamigov.com
JEFF CORNFELD	THE CORNFELD GROUP	954-989-2200	JEFF@CORNFELDGROUP.COM
MICHAEL ANTCZAK	GOLDMANS SACHS	786-315-0259	MICHAEL.R.ANTCZAK@GMAIL.COM
Barbara Hernandez	City of Miami	786-357-3275	Bahernandez@miamigov.com
Cecilia Perez	City of Miami Consultant Chenoweth		Cperez@perezpd.com
MEGAN KELLY	City of Miami Mayor Suarez		mkelly@65@gmail.com
Mike Simpson	MRC	786-402-2964	

**Miami River Commission's
Urban Infill and Greenways Subcommittee
September 16, 2022**

Miami River Commission's (MRC) Urban Infill and Greenways Subcommittee Chairman Jim Murley convened a public meeting on September 16, 2022 in the Curtis Park Community Center, 1901 NW 24 Ave. The attendee sign in sheet is attached.

**I) Presentation Regarding Application to Amend Zoning and Land Use at
1250 NW 22 Ave**

Mr. Javier Fernandez, SM & GQ Law, and Jacek Schindler, Schindler Architects, presented and distributed plans and a letter of intent for the "Polonia's Cultural Business Residential Center – The Future Home of: The Polish American Club of Miami, the American Institute of Polish Culture, the Chopin Foundation of the United States, the Polish American Chamber of Commerce of Florida and the Americas, Inc and The Honorary Consulate of the Republic of Poland. The planned development on the vacant site long the North shore of the Miami River's South Fork tributary, features the public Riverwalk as required by City Code section 3.11, Appendix B and the Baywalk Riverwalk Design Standards and Guidelines. The application is seeking a Land Use Amendment from "Medium Density Restricted Commercial" to "Restricted Commercial" and a Zoning Amendment from T5-L to T6-8-O. In addition, the applicants presented a draft Restrictive Covenant.

Ann Fremont, Durham Park Neighborhood Association (single family residential neighborhood located directly across 22 Ave from the subject vacant site) recently emailed a letter to the MRC stating in part, "The density and intensity of this proposed project greatly exceeds that which would be permitted under the Miami 21 Zoning Code and it would greatly disrupt the quality of life in our Neighborhood. In summary, we are in opposition to the project as proposed."

MRC Urban Infill and Greenways Subcommittee Chairman Murley saluted the proposed public riverwalk, acknowledged the opposition from the adjacent Neighborhood Association, and suggested the MRC recommend approval subject to the condition that the applicants work with the Durham Park Neighborhood Association to try and reach consensus.

II) Presentation Regarding Application to Amend Zoning and Land Use at 1960-1970 NW 27 Ave

Ms. Ines Marrero-Priegues, Holland & Knight, distributed and presented a Letter of Intent for a Land Use Amendment from Port Miami River (“Category B”, Light Industrial) / Industrial to Restricted Commercial, and a Zoning Amendment from D-1 to T6-12. The attached Letter of Intent states in part, “as a brownfield site, the environmental remediation and cleanup associated with the redevelopment of this site is a matter of overriding public interest and benefit.” After the environmental cleanup the letter of intent states “The requested rezoning to T6-12 will permit the development of the site with much needed affordable housing”. In addition, the letter states they will be consistent with the public Riverwalk requirements of “the Miami 21 Waterfront Standards, view corridors and setbacks”. Ms. Marrero-Priegues stated the proposer is Brownfields remediation expert Michael Goldstein, whom just completed a similar deal known as “Culmer Village”. Ms. Marrero-Priegues stated in 2004 a similar affordable housing development “Aguaclara” was approved for this site, which has been vacant since 2003.

In addition, Ms. Marrero Priegues distributed and presented a Restrictive Covenant providing for the public Riverwalk consistent with City Code Section 3.11, appendix b and the Baywalk Riverwalk Design Standards and Guidelines, in addition to the Working River disclosure required by the Comprehensive Plan. Mr. Bibeau stated as standard operating procedure he seeks consistency between the letter of intent and restrictive covenant, therefore respectfully recommended that consistency with the public Riverwalk code requirements and the A.M.I. of the proposed affordable housing be included in the voluntarily proffered Restrictive Covenant.

Orin Black distributed and presented his letter of opposition to the proposal on behalf of the Miami River Marine Group. Mark Bailey, Executive Director of the Miami River Marie Group, stated the proposal is inconsistent with the City of Miami’s adopted Comprehensive Plan’s “Port Miami River”, for example sections 3.1, 3.14, 3.16 and 3.17 which state in part, “The City shall protect the Port of Miami River from encroachment by non-water-dependent or non-water-related land uses, and shall regulate the Port of Miami River’s expansion and redevelopment in coordination with applicable future land use and coastal management goals, objectives, policies (See Policy LU-1.3.3 and Goal CM-3).”

MRC Urban Infill and Greenways Subcommittee Chairman Murley suggested the MRC recommend the vacant site be developed maintaining its existing land use and zoning (which allows a mixture of uses including maritime uses and work live housing), while acknowledging the needed cleanup of the contaminated brownfield site.

The public meeting adjourned.

Miami River Commission Urban Infill and Greenways Subcommittee

Public Meeting

September 16, 2022 – 10:30 AM

Curtis Park Community Center

1901 NW 24 Ave

Name	Organization	Telephone	Email
Antoine Souche	Schindler architects	786-370-5466	
Mark Bailey	Miami River Meeting Group	305-557-7271	markbailey@miamirivermeetinggroup.org
TOM Kimer	MRC	305-942-4590	TKIMER3@aol.com
Javier Fernandez	SMGQ Law for Parks club	(305) 761-2274	jfernandez@smgqlaw.com
Alexandra Cimo	SMGQ Law for Parks Club	305 377 1000	acimo@smgqlaw.com
Monica DeHami	PACOM	917 365 6717	
Ines Marrero	Holland + Knight	305-789-7776	ines.marrero@hklaw.com
Alessandria San Roman	Holland + Knight	305-789-7580	alessandria.sanroman@hklaw.com
Brett Bibeau	MRC	305 644 0544	brettbibeau@
LECH ZALEWSKI	PACOM	713-416-3928	Miamirivercommission.org
Jim Murray	MRC/MDC	786-719-9655	LEXTERZE@state.fl.gov James.Murray@miamiriver.com

Miami River Commission Urban Infill and Greenways Subcommittee

Public Meeting

September 16, 2022 - 10:30 AM

Curtis Park Community Center

1901 NW 24 Ave

Name	Organization	Telephone	Email
Orin Black	5th Street Marina	786-2 305-329-2040	ORIN@5THSTMARINA.CO
JASON LOPEZ	GREEN ALLOS CLUB, LLC	305-634-7774	Jason Lopez GREEN ALLOS CLUB, LLC
HANS MUELLER	FIRST BANK	305-333-0055	HANS MUELLER @FIRST BANK, FLA 'COM
DR. MICHEL S. PAWLOWSKI	POLISH AMERICAN CLUB OF MIAMI	(410) 271-6820	MICHEL S. PAWLOWSKI @ OUTLOOK.COM
PETER PARTUM	POLISH AM CLUB MIAMI	786 910 3091	PIOTR PARTUM @ GMAIL.COM
LESZK SUROWIEC	POLISH AM CLUB	713-5689981	leszeksurowiec@khan.com
JACEK SCHINDLER	SCHINDLER ARCHITECTS	(305) 5106323	JWS@SCHINDLERARCHITECTS.CO
WESLEY KWASNIAK	PACOM	305-401-3510	WKWASNIAK@pacom.com
Rose Kruszewski	PACOM	Treasurer / Polish American Club 305-1238-4511	
ROBERT POBIECKI	SCHINDLER ARCHITECTS	305.854.4500	MSHX@ATT.COM



September 21, 2022

Via E-Plan to: LHull@miamigov.com

Ms. Lakisha Hull, AICP, Director
Department of Planning
City of Miami
444 S.W. 2nd Avenue, 3rd Floor
Miami, FL 33130

Re: 2nd Amended Letter of Intent – Application for Future Land Use Map (FLUM) Amendment & Rezoning of Property Located at 1250 N.W. 22nd Ave., Miami, FL (Folio No. 01-3134-000-0230) (the “Property”)

Dear Ms. Hull:

Our firm submits this revised letter of intent and supporting document for the above referenced Future Land Use Map (FLUM) amendment and rezoning (the “Application”) on behalf of The Polish American Club of Miami Inc. (“Applicant” or “PACOM”), owner of the Property. The Property consists of a vacant parcel of land that is approximately 80,256 sq. ft. in size. The Property is located on the West side of N.W. 22nd Avenue immediately north of the Comfort Canal and in a sub-area that is experiencing decline.

Summary of Applicant’s Request

Applicant requests that the Property be redesignated from its present designations of *Medium Density Restricted Commercial* and *Urban Center Transect Zone Limited (T5-L)* to *Restricted Commercial* and *Urban Core Transect Zone Open (T6-8-L)*. A summary of the Applicant’s request is provided in Exhibit “A” attached hereto.

Site History & Land Use Designations

- ***Historic Use & Intended Use***

Originally founded in 1938, The Polish American Club of Miami Inc. (PACOM) has served as the focal point for Polish civic and cultural life in Miami since its founding. In 1947, Stefan Kolski was elected President of the PAC. During his two-year tenure, the club purchased the Property for its future permanent home. In 1950, Walter Zymalski was once again elected President of the PACOM and original clubhouse was erected on the Property. Within two years, the club’s growth required the design of an addition and construction on the facility’s expansion commenced in 1955.

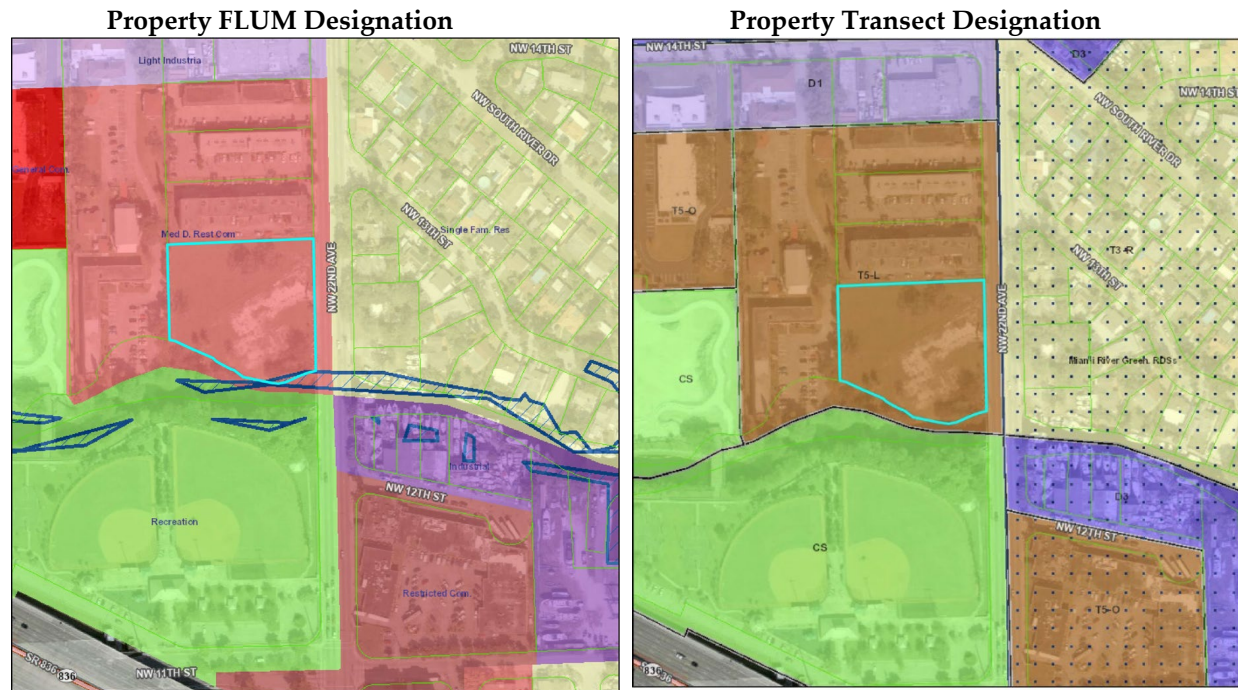
Following the completion of the expansion, PACOM became a center of social activity regularly hosting card parties, Saturday night dances, and other events that were enthusiastically attended by the community. Cultural programming also became a staple of activities at the club. Young adults and children were regularly taught the Polish language and the public was entertained with beautiful Polish folk songs and dances. PACOM also supported the visits of important Polish dignitaries, including Pope

John Paul II's visit to Miami in 1987, which efforts resulted in a donation to the Archdiocese of Miami by the club to help defray costs associated with the papal visit.

In recent years, PACOM fell on hard financial times, but the Applicant's reconstituted board of director is firmly committed to restoring PACOM's prominence within the community through the development of a new facility on the Property that can provide a home for the promotion of Poland and its culture. With the City's support, Applicant is confident that its vision of a reinvigorated PACOM on the Property as part of a mixed-use project can become a reality.

- **Current FLUM & Zoning Designations for Property & Surrounding Parcels**

Presently, the Property has a Future Land Use Map (FLUM) designation of *Medium Restricted Commercial* and a zoning transect designation of *Urban Center Zone Limited (T5-L)*. See a copy of the Property's FLUM and zoning atlas designation hereinbelow.



As evidenced by the FLUM and zoning atlas, the Property is located immediately north (across the Comfort Canal) from Fern Isle Park, which is designated *Recreation* and *Civic Space (CS)*. To its south and east, the Property is bordered by a commercial marina which is the home to numerous personal watercraft and which site is designated *Industrial* and *Waterfront Industrial District Zone (D3)*. Immediately south of the marina on the east side of N.W. 22nd Avenue is a shopping center with approximately 37,500 sq. ft. of commercial space and at-grade parking which houses a mix of retail and professional services on-site. The shopping center is designated *Restricted Commercial* and *Urban Center Zone Open (T5-O)*. Immediately east of the Property across N.W. 22nd Avenue is the Durham Park, a single-family residential subdivision comprised of slightly less than 100 homes. Immediately north of the Durham Park neighborhood is an approximately 3.3 acre site designated *Industrial* and *Waterfront Industrial District Zone (D3)*. The site remains the home of a container shipping facility operated by Antillean Marine.

On the west side of N.W. 22nd Avenue and immediately north of the Property, three (3), two and three-story multi-family residential buildings containing approximately 70 total units occupy the lots and

are each designated *Medium Density Restricted Commercial* and *Urban Center Zone Limited (T5-L)*. Immediately west of these multi-family homes are located two properties that front along the south side of N.W. 14th Street that house Community Facility and Religious Facility uses – the Police Benevolent Association (2300 NW 14th Street)(the “PBA”) and First Hungarian United Church of Christ (2250 NW 14th Street) (the “Church”). Together with PACOM, they form an 8-acre civic campus that has and can continue to serve as an anchor for the neighborhood. Both the PBA and Church have split FLUM and zoning designations. The northernmost 140’ of the Church property has a FLUM designation of *Light Industrial* and the remaining portion to the south is designated *Medium Density Restricted Commercial*. The property’s zoning designation is similarly split with the northern 140’ of the Church designated *Light Industrial (D1)* and the southern portion *Urban Center Zone Limited (T5-L)*. The neighboring PBA as a FLUM designation for its northern 140’ of *Light Industrial* with the southern portion designated *General Commercial*. Like its neighbor to the east, the PBA’s northern portion is also designated *Light Industrial (D1)*, while the southern portion is designated *Urban Center Zone Open (T5-O)*.

Finally, the portions of the Miami River located west of N.W. 22nd Avenue near the Property had until recently been (May 2021) been an active part of the river’s working waterfront with a FLUM and zoning designation of *Industrial* and *Waterfront Industrial District Zone (D3)*. While the site is presently inactive, it is our understanding that the site will remain part of the City’s working waterfront via its reactivation as a private marina.

- ***Recorded Restrictions & Proposed Covenant Proffer***

To the best of Applicant’s knowledge and that of its undersigned counsel, the Property is not the subject of any recorded restrictions which would impede the future redevelopment of the Property in a manner consistent with the development densities, intensities and maximum heights permitted pursuant to the FLUM and transect designations requested by Applicant. Further, Applicant does not, at this time, intend to proffer a covenant in conjunction with this Application.

Neighborhood Outreach

Applicant has presented its request before the Miami River Urban Infill & Greenways Subcommittee on September 16, 2022, where it was unanimously recommended for approval with conditions by the subcommittee. We anticipate presenting before the full Miami River Commission board on October 3, 2022.

In addition, counsel and representatives of PACOM met with Horacio Stuart-Aguirre, past president, and Melanie Torrens, vice president, of the Durham Park Neighborhood Association (DPNA) to discuss the requested FLUM and rezoning. Unfortunately, we received a copy of a letter through the Miami River Commission’s staff noting the DPNA’s opposition to PACOM’s request. We look forward to further discussions with the DPNA where we hope to mitigate/address their concerns.

Finally, we have initiated conversations with neighboring stakeholders, including the First Hungarian United Church of Christ, to enlist their possible support.

Rationale for Change to Existing Classification & Benefit to Neighborhood

Applicant’s request is born of the desire to reinvigorate the Community Facility Use on the Property that has been in continuous use for all but the last five (5) of the prior 70 years. Accomplishing this task requires that PACOM advance a project that will, in part, help endow the organization with

sufficient resources to secure the club's future on the Property for the next 50 years. The prior model which relied exclusively on the financial support of members of the Polish community resident in Miami alone to support the operations of the club is no longer economically viable. PACOM's goal through this request is to allow the club to benefit from the redevelopment of the site as a vehicle to re-establishing and continuing its presence on the Property in the future.

As noted above, the sub-area is stable subarea which, unlike many neighboring communities, has seen modest commercial investment in the last 30 years and has been anchored by a stable and well-maintained single-family residential home comprising the membership of the DPNA. Historic waterfront uses along the Miami River have shaped and will continue to define the character of the area. However, in the last 15 years, mixed-use development has come to exemplify the growth that has occurred within the subarea. PACOM's request is consistent with those most-recent examples located further east on the Miami River at Terrazas River Park Condominium (1861 N.W. S. River Drive) and the River Oaks Condominium (1951 N.W. 12th Street). The latter example has recently been acquired and rebranded as Pier 19 Residences & Marina and benefited from tens of millions of dollars of investments demonstrating a greater market need for such residential offerings. The Property will provide a likely complement to the future uses on the Miami River parcels, while preserving a historic Community Facility Use on the Property through the re-introduction of the club.

Analysis of Consistency with MNCP & Criteria in s. 7.1.2.8.f of Miami 21

1. s. 7.1.2.8.a and b, Miami 21

In accordance with s. 7.1.2.8.a, the requested zoning change represents a successional rezoning of the Property from T5-L to T6-8-O. The Property is more than 40,000 sq. ft. in size and possesses more than 200 linear feet of Frontage along N.W. 22nd Avenue. Further, the requested rezoning change has been submitted in accordance with Miami 21's bi-annual application cycle.

2. s. 7.1.2.8.c, Miami 21

In accordance with s. 7.1.2.8.c, Miami 21, the Application includes: (i) a survey; (ii) the application forms and information required by s. 7.1.2.8.c.2; (iii) photos of the Property's immediate context; (iv) a copy of the zoning atlas indicating neighboring properties; and (v) photos of buildings within 300 feet of the Property all required by s. 7.1.2.8.c.3.g.

3. s. 7.1.2.8.f, Miami 21

a. Comprehensive Plan Analysis Pursuant to s. 7.1.2.8(f)(1)(a), Miami 21

The Application will advance a number of the Miami Comprehensive Neighborhood Plan's goals, objectives and policies including, but not limited to:

Goal LU-1: Maintain a land use pattern that...protects and enhances the quality of life in the City's neighborhoods...fosters redevelopment and revitalization of blighted or declining area;...promotes and facilitates economic development and growth of job opportunities in the city; [and]...promotes the efficient use of land and minimizes land use conflicts while protecting and preserving residential sections within neighborhoods...

Analysis: As illustrated in the enclosed photos of the surrounding area and property records, new investment in the area surrounding the Property has largely been characterized by mid-

rise, mixed-use or multi-family residential development. Presently, the commercial structures along the west side of N.W. 22nd Avenue housing marginal commercial (retail) uses whose vitality and possible reuse would be bolstered via the introduction of additional residences within the immediate area. Similarly, the low-rise multi-family residential properties abutting the Property, which provide the area with much-needed naturally occurring workforce housing, will be benefited from the proposed reinvestment as redevelopment of the Property will enhance the scope of amenities available within the neighborhood.

While the subarea is characterized by the well-maintained homes in Durham Park and the working waterfront uses along the Miami River, the recent expansion of Fern Isle Park and improvements to the PBA property, as well as the multi-family residential buildings located east of N.W. 22nd Avenue and of Durham Park, the sub-area has seen relatively little investment in the last few decades. The authorization of greater population density would help catalyze greater investment that would stall or reverse the sub-area's trend of decline or lack of investment.

Finally, the requested changes and contemplated repositioning of the Property would complement the existing character of the neighborhood because:

- (1) Redevelopment of the Property will not result in the displacement of any existing residents – the Property does not house any residential dwelling units and has been the home and has been the home of the former Community Facility use since approximately 1948 (or 74 years).
- (2) The most recent investment east of N.W. 22nd Avenue (Terrazas River Park Condominium and Pier 19) located within three blocks of the Property are designated *Urban Core Zone Restricted (T6-12-R)* and are developed in a manner consistent with Applicant's present development ambitions and its designation request in the Application.
- (3) The requested Amendments will result in a land use and zoning pattern consistent with the area's future trend, which areas are presently in transition and likely to be the subject of redesignation requests to *Urban Core Transect Zone Open (T6-8-O)* in the near future.

Policy LU-1.1.7: Land development regulations and policies will allow for the development and redevelopment of well-designed mixed-use neighborhoods that provide for the full range of residential, office, live/work spaces, neighborhood retail, and community facilities in a walkable area and that are amendable to a variety of transportation modes, including pedestrianism, bicycles, automobiles, and mass transit.

Analysis: The Property's neighborhood is anchored by the stable single-family residential neighborhood of Durham Park and the recreational amenities offered at Fern Isle Park. However, the area is devoid of the spectrum of commercial, office and community facilities uses necessary to create a vibrant neighborhood. The Applicant's requested designation change will facilitate the evolution of additional residential development that will create demand for new retail and food & beverage offerings that will serve the neighborhood. Advancement of the planned improvements will also ensure the restoration of the Polish-American Club which can serve as signature public gathering space for both residents and visitors alike.

Policy LU-1.2.1: The City defines blighted neighborhoods as areas characterized by the prevalence of older structures with major deficiencies and deterioration, high residential vacancies and widespread abandonment of property, litter and poor maintenance of real property. Declining neighborhoods are defined in areas characterized by the prevalence of structures having minor deficiencies, a general need for improvements in real property, significant declines in real property values, high vacancy rates in commercial structures and increasing difficulty in obtaining insurance. Neighborhoods threatened with decline are defined as areas characterized by significant but infrequent property maintenance neglect, an aging housing stock, declining property values, general exodus of traditional residents and influx of lower income households.

Analysis: The subarea immediately within 300 feet of the Property is comprised of thirteen (13) folios (excluding the Property) consisting of the following uses: (i) two (2) parcels with Community Facility uses; (ii) three (3) parcels with multi-family residential use; (iii) three (3) parcels with commercial (retail) use; and (iv) five (5) parcels with waterfront industrial uses. Only two (2) of the 13 parcels has seen substantial investment this century, the balance have been without such notable investment for the past 40 years. The below chart summarizes the area conditions:

Parcel Address	Folio No.	Use	Year Built	Invest. Year
2300 NW 14 ST	01-3134-076-0010	Community Facility	1967	2017
2250 NW 14 ST	01-3134-006-0010	Community Facility	1952	1969
1310 NW 22 AV	01-3134-072-0010	Multi-Family Res.	1967	1967
1340 NW 22 AV	01-3134-066-0010	Multi-Family Res.	1968	1968
1360 NW 22 AV	01-3134-070-0010	Multi-Family Res.	1961	1961
2210 NW 14 ST	01-3134-092-0010	Commercial	1979	1979
2222 NW 14 ST	01-3134-062-0010	Commercial	1947	1947
2215 NW 14 ST	01-3134-000-0160	Waterfront Indust.	1942	1959
2277 NW 14 ST	01-3134-073-0010	Waterfront Indust.	1941	1975
2295 NW 14 ST	01-3134-057-0010	Waterfront Indust.	1958	2006
1480 NW 22 CT	01-3134-054-0010	Waterfront Indust.	1956	1956
2199 NW S River DR	01-3134-095-0010	Waterfront Indust.	1973	1973
1101 NW 22 AV	01-3134-075-0010	Commercial	1968	1968

While the adjoining properties are stable, approval of the Application would likely spur additional investment that will affirmatively forestall the prospect of neighborhood decline. As evidenced from the above chart, 85% of the parcels within the subarea have had minimal investment. Finally, while the subarea has not experienced a decline in

property values, the proposed change will ensure that such a negative trend never takes hold.

Objective LU-1.3: The City will continue to encourage commercial, office and industrial development within existing commercial, office and industrial areas; increase the utilization and enhance the physical character and appearance of existing buildings; encourage the development of well-designed, mixed-use neighborhoods that provide for a variety of uses within a walkable area in accordance with neighborhood design and development standards adopted as a result of the amendments to the City's land development regulations and other initiatives; and concentrate new commercial and industrial activity in areas where the capacity of existing public facilities can meet or exceed the minimum standards for Levels of Service (LOS) adopted in the Capital Improvements Element.

Analysis: As noted above, the requested map amendment will stimulate new investment in the neighborhood. The Application will result in the approval of a designation for the Property that will allow for the development of a well-designed, mixed-use project that will complement the area's long-standing waterfront industrial character.

Policy LU-13.15: The City will continue to encourage a development pattern that enhances existing neighborhoods by developing a balance mix of uses, including areas for employment, shopping, housing, and recreation in close proximity to each other.

Analysis: Approval of the requested amendments will support the reinvestment in a stable neighborhood that has been devoid of substantial investment with few exceptions and can benefit from the activation of the Property in a manner that will introduce neighborhood-serving commercial uses, as well as housing, community facilities (like PACOM), and expand access to the Miami River and its tributaries.

Objective PR-1.1: The City shall work to achieve a medium-term objective of providing a park within a ten-minute walk of every resident.

Objective PR-1.4: Expand existing and create new greenways and trails to meet resident needs.

Objective PR-3.2: Enhance the public's visual and physical access to waterfront areas.

Policy PR-8.1.2: The City will support cultural and heritage programs and facilities in selected areas of the City such as, but not restricted to, Overtown, the Design District, and Little Havana, including small performing arts venues, heritage trails, street fairs, and similar programs, through land development regulations and other strategies.

Analysis: As noted hereinabove, the Property is situated on the Comfort Canal across from Fern Isle Park and immediately east of the park's extension near the PBA. It is located within a two-minute walk of the park's main entrance on N.W. 22nd Avenue. Further, redevelopment of the Property will also result in the construction of a riverwalk segment that will expand physical and visual access to this portion of the riverfront, provide area

residents a recreational amenity on the canal, and create the opportunity for a direct linear connection from N.W. 22nd Avenue to northern sections of Fern Isle Park across both the Property and Church parcels. Approval of the Application will result in the City's use of its land development regulations to support the re-establishment of a cultural facility long associated with the Property.

Objective CM-2.1: Wherever feasible, increase, physical and visual public access to Biscayne Bay, the Miami River, the City's shorelines, and publicly-owned islands.

Policy CM-2.1.3: The City will continue development of the river walk and bay walk along City-owned property as funds become available and will continue to require development of the bay walk and river walk along private property through its land development regulations.

Analysis: The Applicant intends to accommodate the development of a river walk along the southern edge of the Property along the Comfort Canal. Such an improvement will provide the public and future residents of the Property with visual and physical access to the riverfront and preserve the prospect of a future connection across the Church to the northern portion of Fern Isle Park..

b. Need & Practical Justification for Rezoning in accordance with s. 7.1.2.8.f.1.b, Miami 21.

As evidenced by the photos accompanying this Application documenting conditions within 300' of the Property, there are signs of neighborhood's need for additional investment due to aging housing stock and limited neighborhood-serving retail uses. Capital investment by the private sector is necessary to reverse the current conditions. Approval of the Application will result in the first meaningful capital investment along this portion of the N.W. 22nd Avenue corridor in decades. The notable lack of residential density in the area also complicates the prospect for future redevelopment of this portion of the corridor into a mixed-use subdistrict. Approval of the Application will introduce needed density to support a mix of uses and help restore a historic, cultural use on the site.

c. Goals of Miami 21 Preserved in Accordance with s. 7.1.2.8.f.2, Miami 21.

The proposed rezoning will render the Property's designations consistent with the principal goals of Miami 21 and the City's subdivision regulations. Approval of the Application will support several of Miami 21's conservation and development goals, including: (i) the preservation of neighborhoods; (ii) increasing access to the natural environment through the riverwalk; (iii) rebuilding the City's commercial Corridors to function as Mixed-Use, transit-oriented, walkable centers for adjacent Residential Neighborhoods; and (iv) establishing a rational process for successional growth in areas identified for density and growth.

Conclusion

The Application will serve to restore a historic, Cultural Facility use through the approval of a FLUM and zoning transect designation that will permit the Property to be redeveloped in a manner that will secure the future financial welfare of the club through the incorporation of residential and office uses. Approval of the Applicant's request will also serve to complement the historic, working waterfront character of the subarea and improve the future prospect of neighboring commercial (retail) uses at the intersection of N.W. 22nd Ave & 11th Street with the addition of the requested residential density.

We greatly appreciate your staff's assistance with this Application and look forward to presenting the request to both the Planning, Zoning & Appeals Board and City Commission.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Javier E. Fernández, Esq.
For the Firm

Enclosure(s)

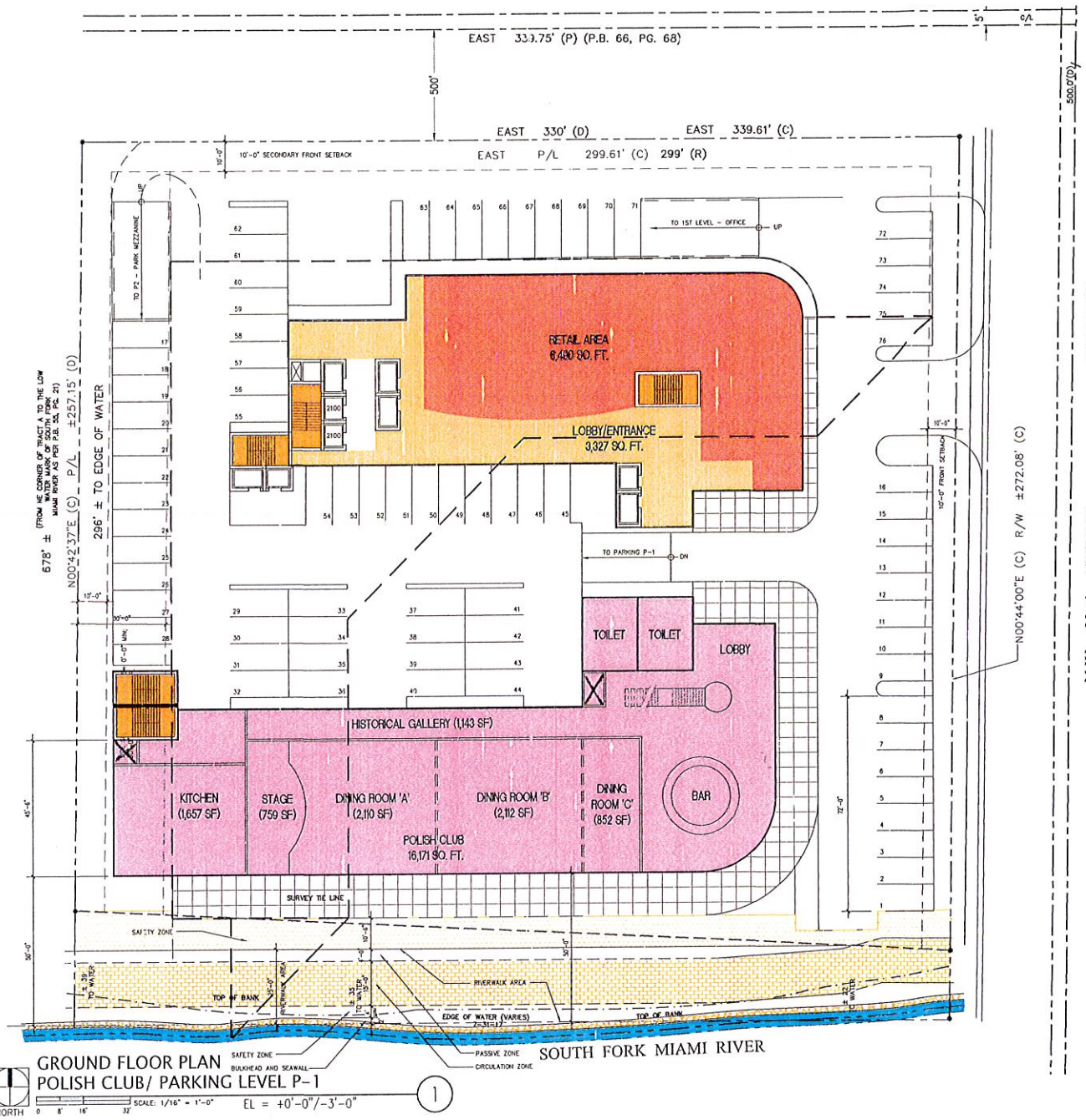
Cc: David Snow, Assistant Director, Planning Department
Jacqueline Ellis, Chief of Land Development, Planning Department
Sue Trone, Chief of Comprehensive Planning, Planning Department

EXHIBIT "A"

TABLE SUMMARY OF REQUESTED FLUM & ZONING CHANGES

Folio No.	Address	Lot Size (sq. ft.)	Existing FLUM	Proposed FLUM	Current Zoning	Proposed Zoning
01-3134-042-0020	1250 N.W. 22 nd Ave	80,256	Med. Density Rest. Commercial	Restricted Commercial	T5-L	T6-8-O





**GROUND FLOOR PLAN
POLISH CLUB/ PARKING LEVEL P-1**

NORTH SCALE: 1/16" = 1'-0" EL = +0'-0"/-3'-0" 1

EAST 333.75' (P) (P.B. 66, PG. 68)

EAST 330' (D) EAST 339.61' (C)
EAST P/L 299.61' (C) 299' (R)

(FROM THE CORNER OF TRACT A TO THE LOW
MIAMI RIVER AS PER P.B. 66, PG. 21)
678' ±
N00°42'37"E (C) P/L ±257.15' (D)
296' ± TO EDGE OF WATER

N00°44'00"E (C) R/W ±272.08' (C)

N.W. 22nd AVENUE
ST ASPHALT PARKING

(STATE ROAD No. 813)

**SCHINDLER
ARCHITECTS**
7270 NW 12th Street, Suite 800
Miami, Florida 33126
305-471-1120
info@schindlerarchitects.com
AA - 0003194

PROJECT NUMBER
OWNER

HEADQUARTERS
POLISH AMERICAN CLUB, INC.
1250 NW 22nd Avenue
Miami-Dade County, Florida 33125

PROJECT NAME

REVISIONS		
NO.	DESCRIPTION	DATE
1	REVISED	DATE
2	REVISIONS	DATE
3		
4		
5		
6		

SEAL / SIGNATURE

Subcontractor
THE SUBCONTRACTOR OF THE STRUCTURE
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irrevocable void that license and all
rights to use this document and all
information herein.

TITLE
GROUND FLOOR PLAN
POLISH CLUB
PARKING LEVEL P-1

SHEET NUMBER
A-1
1 OF 13



PROJECT NUMBER

OWNER

HEADQUARTERS
POLISH AMERICAN CLUB, INC.
1250 NW 22nd Avenue
Miami-Dade County, Florida 33125

PROJECT NAME

REVISIONS		
NO	DESCRIPTION	DATE
1	2008 STUDY	08/19/08
2	2008 STUDY	08/26/08
3		
4		
5		
6		

SEAL / SIGNATURE

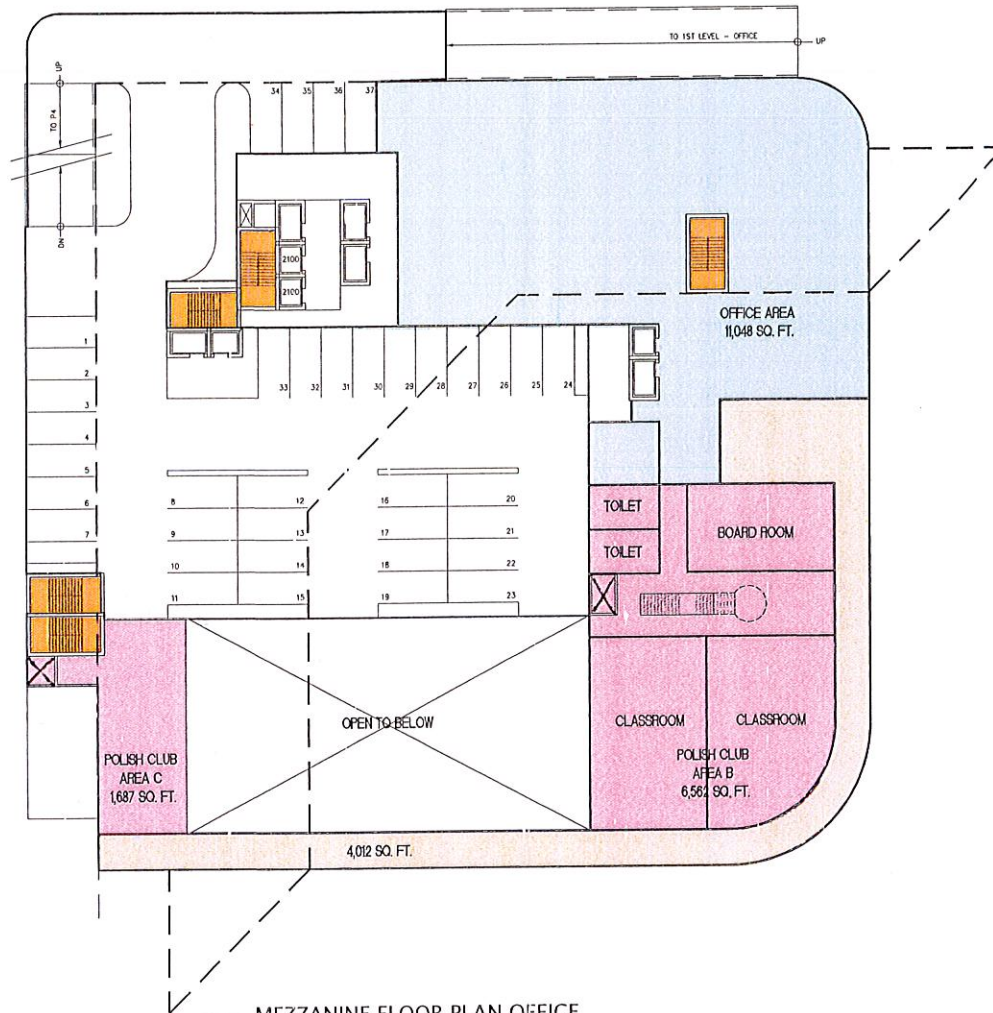
subconsultant
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SHEET TITLE
MEZZANINE FLOOR PLAN
OFFICE
PARKING LEVEL P-3

SHEET NUMBER
A-3

2 OF 13

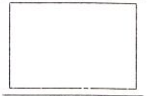


**MEZZANINE FLOOR PLAN OFFICE
PARKING LEVEL P-3**

NORTH

SCALE: 1/16" = 1'-0" EL = + 14'-0"

1



PROJECT NUMBER

OWNER

HEADQUARTERS
 POLISH AMERICAN CLUB, INC.
 1250 NW 22nd Avenue
 Miami-Dade County, Florida 33125

PROJECT NAME

REVISIONS		
NO.	DESCRIPTION	DATE
1	Issue/Study	JAN 20/2022
2		
3		
4		
5		
6		

SCALE / SIGNATURE

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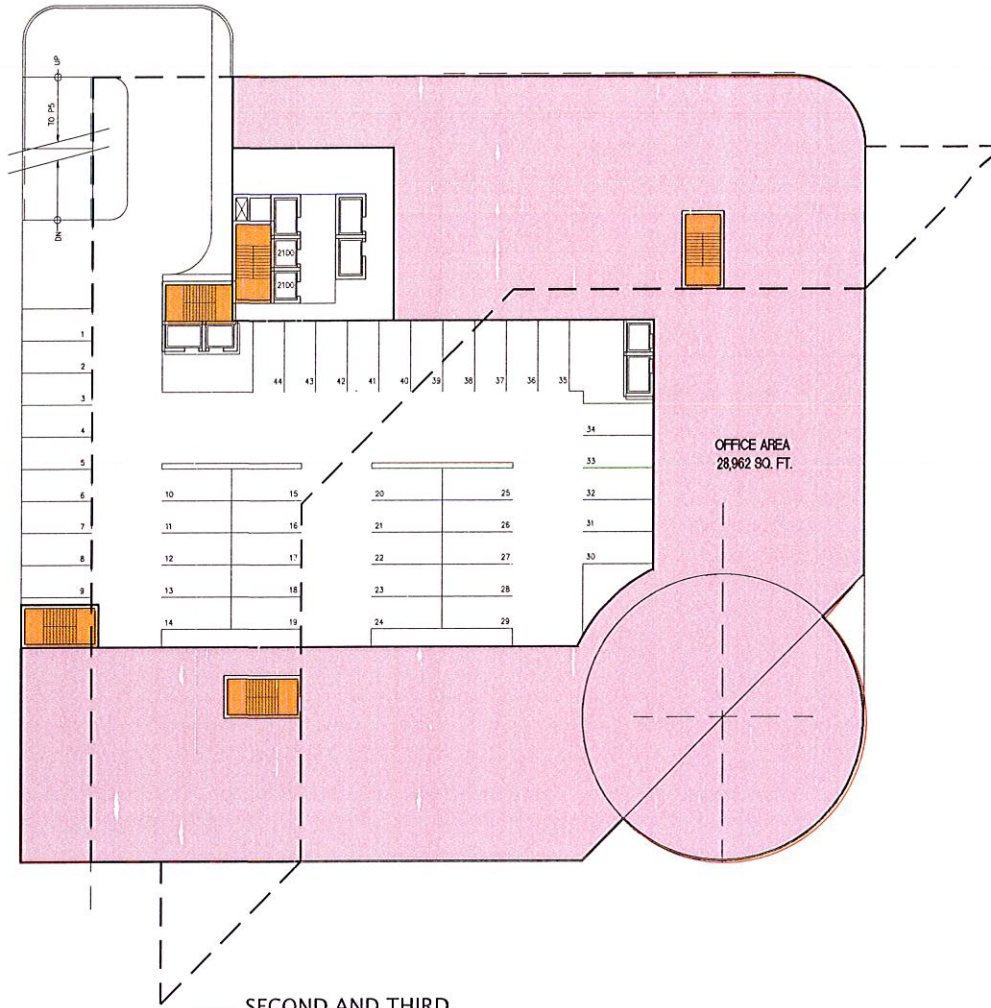


SHEET TITLE
 SECOND AND THIRD
 FLOOR PLAN
 TYPICAL OFFICE

SHEET NUMBER

A-3

3 OF 8



SECOND AND THIRD FLOOR PLAN TYPICAL OFFICE
 NORTH SCALE: 1/16" = 1'-0" EL = +25'-4" 1

PROJECT NUMBER

OWNER

PROJECT NAME
**HEADQUARTERS
 POLISH AMERICAN CLUB, INC.**
 1250 NW 22nd Avenue
 Miami-Dade County, Florida 33125

REVISIONS

NO.	DESCRIPTION	DATE
1	Zoning Study	JAN-20-2012
2		
3		
4		
5		

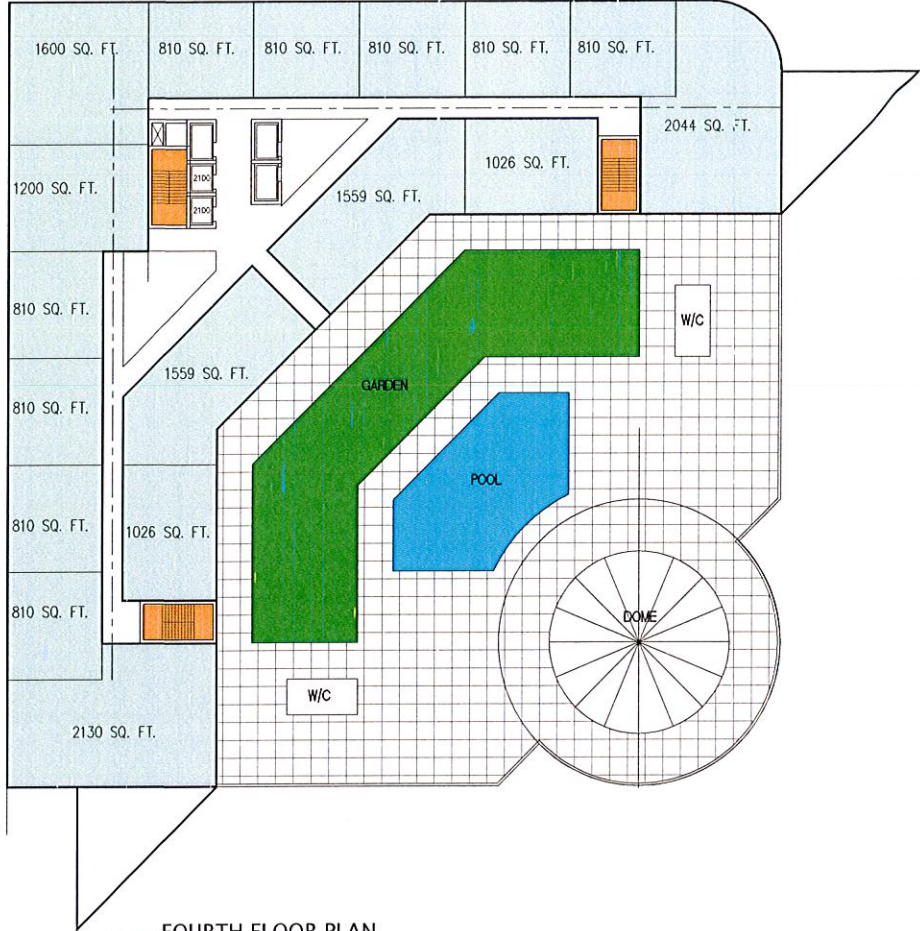
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SHEET TITLE

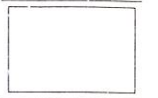
**FOURTH FLOOR PLAN
 RESIDENTIAL TOWER
 POOL DECK**

SHEET NUMBER
A-4
 4 OF 8



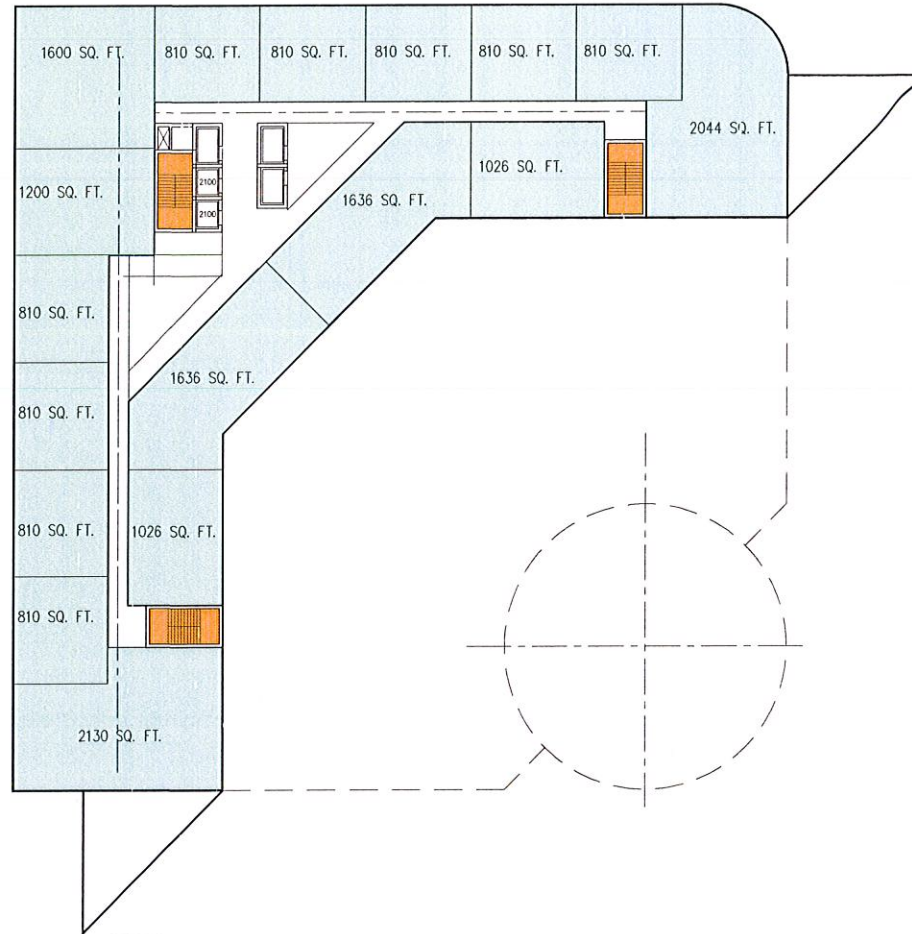
**FOURTH FLOOR PLAN
 RESIDENTIAL TOWER/ POOL DECK**

NORTH SCALE: 1/16" = 1'-0" EL = + 48'-0" ①



PROJECT NUMBER

OWNER



TYPICAL RESIDENTIAL FLOOR PLAN (5 TO 12) ①

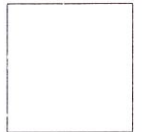
SCALE: 1/16" = 1'-0" EL. = +57'-6" TO +124'-0"

PROJECT NAME
HEADQUARTERS
POLISH AMERICAN CLUB, INC.
1250 NW 22nd Avenue
Miami-Dade County, Florida 33125

REVISIONS		
NO.	DESCRIPTION	DATE
1	ZONING STUDY	JAN-20-2022
2		
3		
4		
5		
6		

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SHEET TITLE
TYPICAL RESIDENTIAL
FLOOR PLAN
(5 TO 12)

SHEET NUMBER

A-5

5 OF 8



PROJECT NUMBER

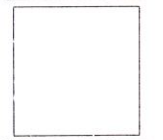
OWNER

PROJECT NAME
**HEADQUARTERS
 POLISH AMERICAN CLUB, INC.**
 1250 NW 22nd Avenue
 Miami-Dade County, Florida 33125

REVISIONS		
NO.	DESCRIPTION	DATE
1	DOING STUDY	JAN 21, 2012
2		
3		
4		
5		
6		

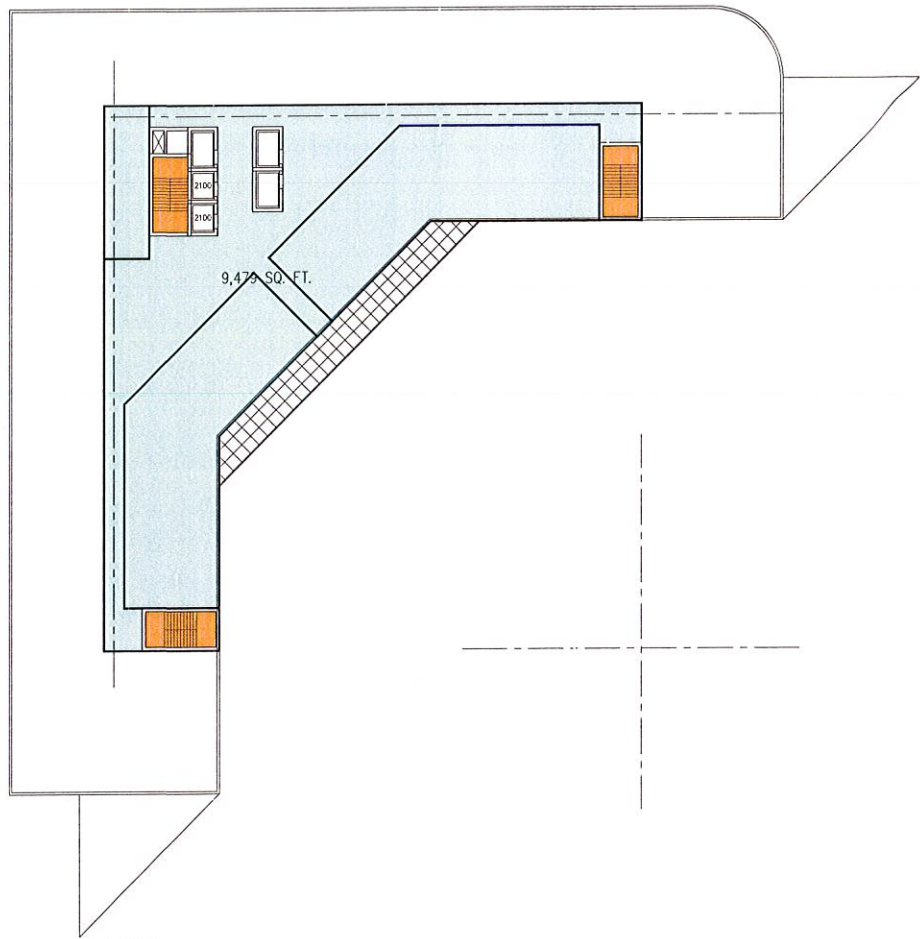
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SHEET TITLE
**ROOF DECK/
 PENTHOUSE
 FLOOR PLAN**

SHEET NUMBER
A-6
 6 OF 8



ROOF DECK/ PENTHOUSE FLOOR PLAN ①
 NORTH 0 4' 8' 16' 32' SCALE: 1/16" = 1'-0" EL = +133'-6"

PROJECT NUMBER

DATE

PROJECT NAME
**HEADQUARTERS
 POLISH AMERICAN CLUB, INC.**
 1250 NW 22nd Avenue
 Miami-Dade County, Florida 33125

REVISIONS

No.	DESCRIPTION	DATE
1	ISSUE STUDY	04-20-2012
2		
3		
4		
5		
6		

SEAL / SIGNATURE

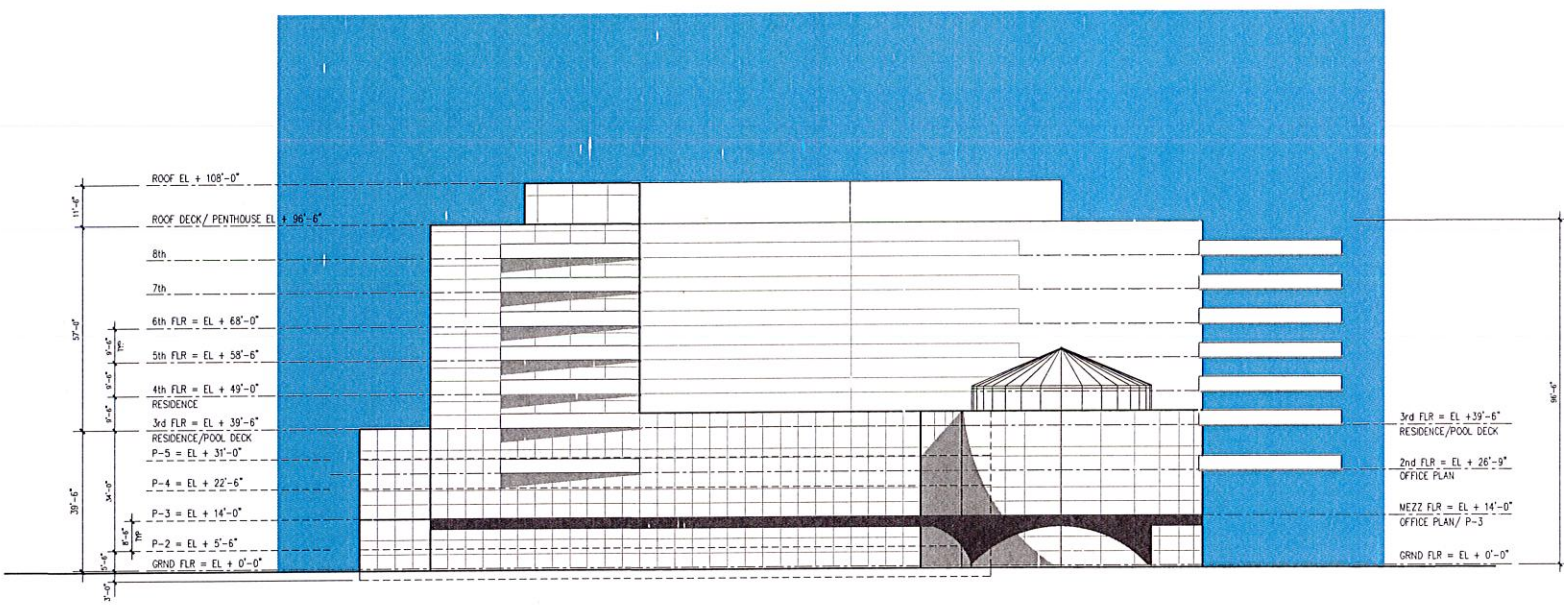
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SHEET TITLE

SOUTH EXTERIOR ELEVATION

SHEET NUMBER

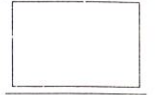
A-7
 7 OF 8



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

1



PROJECT NUMBER

DATE

PROJECT NAME
 HEADQUARTERS
 POLISH AMERICAN CLUB, INC.
 1250 NW 22nd Avenue
 Miami-Dade County, Florida 33125

REVISIONS		
No.	DESCRIPTION	DATE
1	ISSUING STUDY	JAN 20/2012
2		
3		
4		
5		
6		

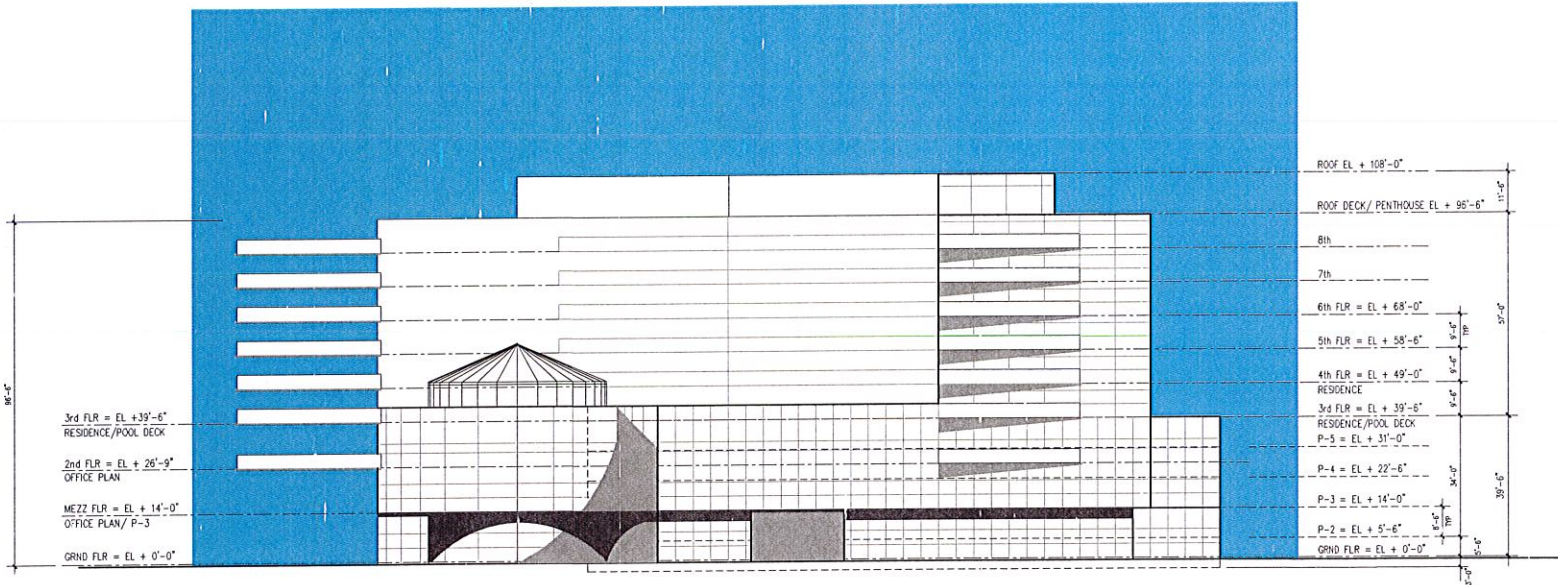
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SHEET TITLE
 EAST EXTERIOR
 ELEVATION

SHEET NUMBER
A-8
 8 OF 8



EAST ELEVATION

SCALE: 1/16" = 1'-0"

1

POLISH CLUB 8 - AREAS

			PARKING SPACES	PARKING S.F.	OFFICE S.F.	RESIDENCE S.F.	CIRCULATION S.F.	RETAIL S.F.	POLISH CLUB/S.F.	GROSS S.F.	
1	SP-1	SITE PLAN								9420	
2	A-1	GROUND FLOOR PLAN PARKING LEVEL P-1	76	37,849						28429	51,792
		RETAIL AREA						6,490			
		POLISH CLUB AREA							12,418		
		LOBBY ENTRANCE AREA					3,327				
		RIVERWALK AREA					4,493				
3	A-2	PARKING LEVEL PLAN P-2	37	11,794							15,991
4	A-3	MEZZANINE FLOOR PLAN OFFICE LEVEL P-3	33	15,166							53,678
		OFFICE AREA			11,048						
		POLISH CLUB AREA							8,249		
5	A-4	TYPICAL PARKING LEVEL P-4/ P-5/ P-6									21,877
		P-4	33	20,618							
		P-5	33	20,618							21,877
6	A-5	SECOND FLOOR PLAN OFFICE	0	20,618							53,300
		OFFICE AREA			28,962						
8	A-8	THIRD FLOOR PLAN RESIDENTIAL TOWER POOL DECK					14,143				47,625
		RESIDENTIAL AREA - 17 UNITS				19,435					
		CIRCULATION COMMON AREA					5,079				
		TRIANGLE BALCONY EA. 800 SF					1,600				
		POOL AREA					1,768				
		GREEN AREA					4,543				
9	A-9	TYPICAL RESIDENTIAL FLOOR PLAN (4 TO 8 = 5 FLRS)									196,112
		19,588				97,940					24,514 EACH FLOOR
		4,926					24,630				
		1,600					8,000				
		RESIDENTIAL AREA - 17 UNITS EACH FLOOR									
		CIRCULATION COMMON AREA									
		TRIANGLE BALCONY EA. 800 SF									
10	A-10	RESIDENTIAL PENTHOUSE FLOOR PLAN									10,761
		RESIDENTIAL AREA				9,479					
		CIRCULATION COMMON AREA					1,330				
		BALCONY AREA					949				
11	A-11	SOUTH EXTERIOR ELEVATION									
12	A-12	EAST EXTERIOR ELEVATION									
		TOTALS	212	126,663	40,010	126,854	69,862		20,667		473,013 SF

Office of City Attorney
444 S.W. 2nd Avenue, Suite 945
Miami, FL 33130-1910

Return Recorded Copy to:
City of Miami
Office of Zoning, Attn: Zoning
Administrator 444 S.W. 2nd Avenue,
2nd Floor
Miami, FL 33130-1910

Folio No(s): 01-3134-000-0230

(Space Above for Recorder's Use Only)

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS (the "Declaration"), made this ____ day of _____, 2022, by **POLISH AMERICAN CLUB OF MIAMI INC**, a Florida not-for-profit corporation (the "Owner"), in favor of the **CITY OF MIAMI, FLORIDA**, a municipality of the State of Florida (the "City").

WITNESSETH:

WHEREAS, Owner holds fee-simple title to certain property in the City of Miami, Florida, located at 1250 N.W. 22nd Ave., Miami, Florida, legally described in **Exhibit "A"** attached hereto and made a part hereof (the "Property"); and

WHEREAS, the Owner sought and obtained a Future Land Use Map redesignation pursuant to Ordinance No. _____ for the Property; and

WHEREAS, the Owner sought and obtained a rezoning approval pursuant to Ordinance No. __ for the Property; and

WHEREAS, the Owner is desirous of making a voluntary binding commitment to assure that the Property shall be developed in accordance with the provisions of the

Declaration herein; and

NOW THEREFORE, the Owner, for valuable consideration, the receipt and adequacy of which are hereby acknowledged, voluntarily covenants and agrees that the Property shall be subject to the following restrictions that are intended and shall be deemed to be a covenant running with the land and binding upon the Owner of the Property, and its heirs, grantees, successors, and assigns as follows:

1. Recitals. The recitals and findings set forth in the preamble of this Declaration are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

2. Restrictions: The Owner hereby makes the following voluntary declarations running with the land concerning the use of the Property:

a. The owner shall allow waterfront access to the public from 6:00 AM to 10:00 PM along the river walk to be developed as part of any future mixed-use project on the Property.

b. The proffered river walk will be designed in accordance with Article 3, Section 3.11 and Appendix B of the Miami 21 Code.

c. The Owner recognizes that legally permitted existing Working Waterfront 24-hour operations may currently exist proximate to the Property. Therefore, Owner agrees to:

(i) Design structures on the Property, to the greatest extent economically feasible, to attenuate noise that may be generated by legally permitted Working Waterfront 24-hour operations;

(ii) Provide all future tenants and prospective owners of the Property

notice of the existing Working Waterfront 24-hour operations and will include such notice in all future leases and/or condominium documents; and

(iii) Limit the height of any future structure or building on the Property to the maximum height permitted by the then existing zoning transect designation without the use of any public benefits or other bonuses that may authorized by the zoning code.

3. Effective Date. This Declaration shall constitute a covenant running with the title to the Property and be binding upon Owner, its successors and assigns upon recordation in the Public Records of Miami-Dade County, Florida. These restrictions shall be for the benefit of, and a limitation upon, all present and future owners of the Property and for the public welfare.

4. Term of Covenant. This voluntary Declaration on the part of the Owner shall remain in full force and effect and shall be binding upon the Owner, its successors in interest and assigns for an initial period of thirty (30) years from the date this Declaration is recorded in the public records, and shall be automatically extended for periods of ten (10) years, unless modified, amended or released prior to the expiration thereof.

5. Inspection and Enforcement. It is understood and agreed that any official inspector of the City of Miami may have the right at any time during normal working hours of the City of Miami's inspector to enter upon the Property for the purpose of investigating the use of the Property, and for determining whether the conditions of this Declaration and the requirements of the City's building and zoning regulations are being complied with. After notice and an opportunity to cure, an action to enforce the terms and conditions of this Declaration may be brought by the City and may be by action at law or in equity against any party or person

violating or attempting to violate any covenants of this Declaration or provisions of the building and zoning regulations, either to restrain violations or to recover damages. This enforcement provision shall be in addition to any other remedies available under the law.

6. Amendment, Modification, Release. This Declaration may be modified, amended, or released as to any portion or all of the Property only after the occurrence of a determination of the Zoning Administrator that the Declaration is no longer necessary to preserve and protect the Property for the purposes herein intended. Any amendment, modification, or release shall be executed by the Zoning Administrator, or his or her successor or designee, and be in a form acceptable to the City Attorney.

7. Severability. Invalidation of any one of these covenants by judgment of Court shall not affect any of the other provisions of this Declaration, which shall remain in full force and effect.

8. Counterparts/Electronic Signature. This Declaration may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same Declaration. The parties shall be entitled to sign and transmit an electronic signature of this Declaration (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Any party providing an electronic signature agrees to promptly execute and deliver to the other parties an original signed Declaration upon request.

9. Recordation. This Declaration will be e-recorded by the City of Miami, at the Owner's expense, in the public records of Miami-Dade County, Florida upon full execution.

10. No Vested Rights. Nothing in this Declaration shall be construed to create any vested rights whatsoever to the Owner, its successors and assigns.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the undersigned has set his hand and seal this _____ day of _____, 2022.

**POLISH AMERICAN CLUB OF MIAMI
INC., a Florida not-for-profit corporation**

By: _____

Monika DeMari
President

Witnessed by:

Witnesses:

Print Name: _____

Print Name: _____

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____, 2022, by Monika DeMari as President of Polish American Club of Miami, Inc., a Florida not-for-profit corporation, who is personally known to me or who has produced _____ as identification.

Notary Public, State of Florida

Print Name: _____
My Commission Expires:

Declaration of Restrictive Covenants
Folio No(s): 01-3134-000-0230

CITY OF MIAMI:

APPROVED AS TO CONTENTS:

Daniel Goldberg, Esq.
Zoning Administrator

APPROVED AS TO LEGAL
FORM AND CORRECTNESS:

Victoria Mendez, Esq.
City Attorney

Holland & Knight

701 Brickell Avenue, Suite 3300 | Miami, FL 33131 | T 305.374.8500 | F 305.789.7799
Holland & Knight LLP | www.hklaw.com

Ines Marrero Priegues
(305) 789-7776
ines.marrero@hklaw.com

September 8, 2022

Via Electronic Mail

Mr. Brett Bibeau
Managing Director
Miami River Commission
1407 NW 7 Street, Suite D
Miami, FL 331245

Re: **Rollins, Inc. / Land Use Zoning Change of 1960 and 1970 NW 27 Avenue /
Presentation for Miami River Commission Recommendation**

Dear Mr. Bibeau,

The undersigned represents Rollins, Inc. (the "Applicant") in connection with a request to rezone two parcels in the City of Miami located at 1960 and 1970 NW 27th Avenue (the "Property"). The Applicant has filed an application with the City of Miami requesting a change to the Future Land Use Map designation of the Property from Industrial to Restricted Commercial and companion application to rezone the Property from D-1 to T6-12 (the "Application"). The Applicant is requesting the opportunity to present the Application to the Miami River Commission at its next available meeting for its review and recommendation to the Miami City Commission.

The Property as depicted in the aerial below consists of two contiguous platted lots located on the north side of the Miami River, immediately west of NW 27 Avenue and south of NW North River Drive. The Property is identified by tax folio number numbers 01-3133-007-0030 and 01-3133-007-0020. In total, the Property consists of 90,005 square feet (± 2.06 acres).



In April 2001, the Miami River Commission (“MRC”) adopted the Miami River Greenway Action Plan (the “Action Plan”), which sets forth certain goals and objectives for the future of the Miami River. Based on the Action Plan, the proposed project is located within the “Upper River.” While the Upper River's land use is primarily characterized by the industrial complex that serves as the transfer point for cargo and for the construction, service and repair of freight and recreational watercraft, the easternmost portion of the Upper River where the Property is located consists of residential and recreational uses including the Miami River Rapids Park.

The Application falls directly in line with the Action Plan's goals and objectives. Land within the City of Miami especially along the "Working River" has been depleting over the years. This particular property is vacant and has remained vacant for nearly 25 years. During the time it was occupied, the Property, however, did not serve as a marine servicing facility or any similar industry that supported the Working River. Properties used for marine servicing facilities along the Working River are typically zoned D-3. Instead, the Property is zoned D-1. Given that the Property has not previously been used to sustain the Working River industries, the Applicant is proposing to develop the Property instead with much needed affordable housing under the T6-12 zoning designation.

The requested rezoning to T6-12 will permit the development of the site with much needed affordable housing at a location that is incompatible with development of light industrial uses due to its location near the established residential areas of Allapattah to the east. The rezoning of the Property will also further and support the efforts of the Planning Department in the Allapattah community. As you may recall, on or about 2015-2016, the Planning Department undertook the rezoning of NW 20 Street, between NW 27 Avenue to NW 12 Avenue from D-1 (formerly also "I" Industrial under Ordinance 11000) to T6-8. The rezoning of this area sought to incentivize sound, well planned urban projects, and the elimination of undesirable and incompatible industrial uses. Furthermore, the request will follow the neighboring trend to designate parcels both along the Miami River and adjacent to the Property for commercial designations in an effort to develop a balanced mix of uses located within walking distance to each other.

In addition, as a brownfield site, the environmental remediation and cleanup associated with the redevelopment of this site is a matter of overriding public interest and benefit. The property is undergoing remediation efforts with the Miami-Dade County Department of Regulatory and Economic Resources - Environmental Resources Management ("DERM"). Significant resources will be invested to not only clean the site, but also improve the Miami River's water quality and ecosystem when possible. Lastly, the Applicant will comply with the Miami River Greenway Concept Plan in order to create and improve surrounding river greenway trails.

As part of the Application, the Applicant is proffering a covenant to the City of Miami acknowledging and accepting the presence of the existing Working Waterfront 24-hour operations and committing to complying with the Miami 21 Waterfront standards, view corridors, and setbacks. All future residents will be made aware of and required to comply with the covenant before occupying the premises. The Applicant is committed to working with the City of Miami to provide an attractive affordable residential project that will benefit and improve the existing surrounding community and the Miami River experience in the Upper River.

Based on the foregoing, we request the opportunity to present the Application to the MRC at its next available meeting for its review. We respectfully look forward to a favorable recommendation of the Application.

Sincerely,

HOLLAND & KNIGHT LLP

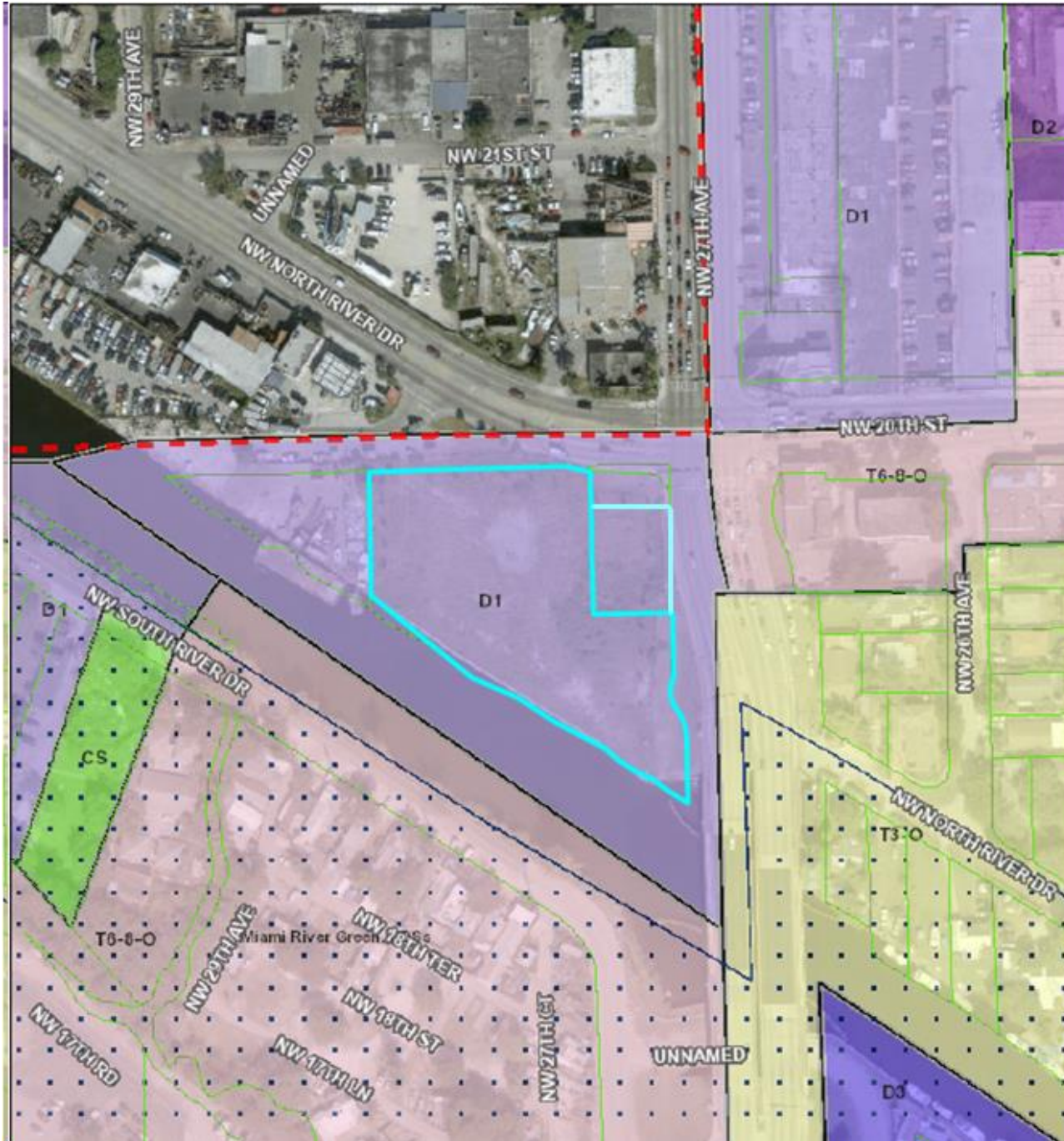
A handwritten signature in cursive script, appearing to read "Inés Marrero-Priegues".

Inés Marrero-Priegues

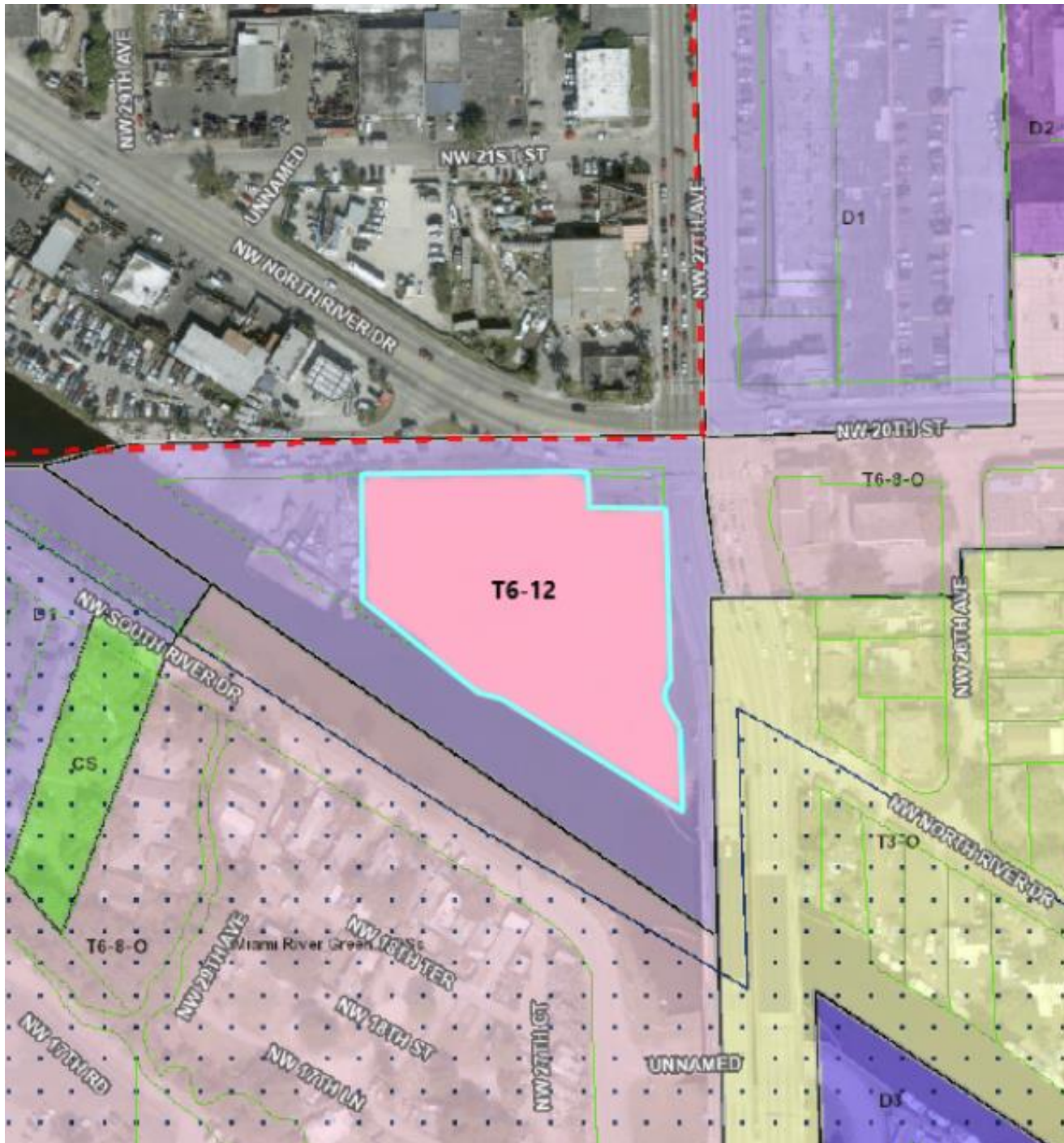
Enclosures

cc: Alessandria San Roman, Esq.

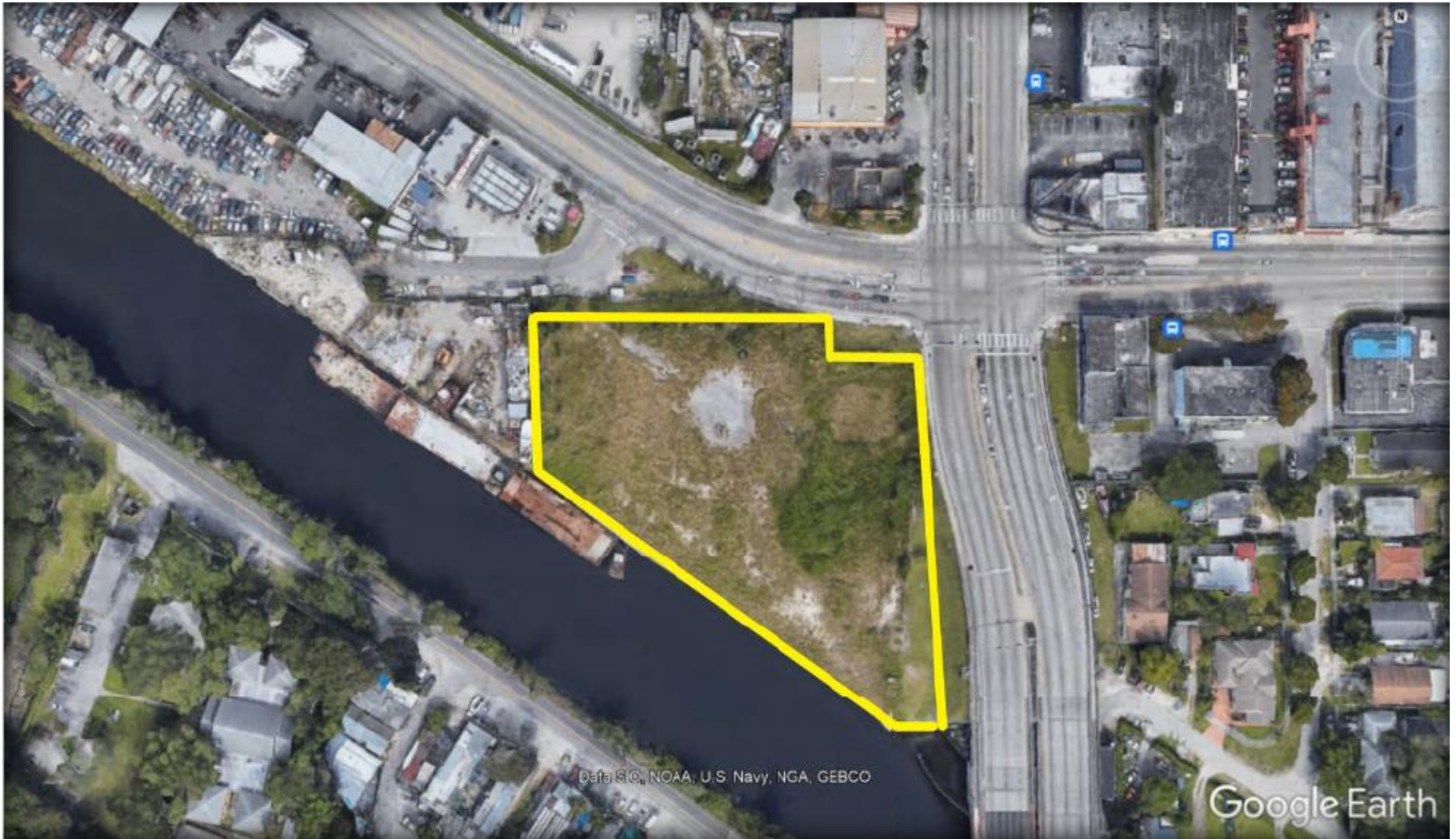
EXISTING ZONING MAP



PROPOSED ZONING MAP



PROPERTY AERIAL



PORT OF MIAMI RIVER SUB-ELEMENT

Goal PA-3: The Port of Miami River shall be encouraged to continue operation as a valued and economically viable component of the City's maritime industrial base.

Objective PA-3.1: (PLANNING AND ZONING). The City shall protect the Port of Miami River from encroachment by non-water-dependent or non-water-related land uses, and shall regulate the Port of Miami River's expansion and redevelopment in coordination with applicable future land use and coastal management goals, objectives, policies (See Policy LU-1.3.3 and Goal CM-3).

Policy PA-3.1.8: There shall be no net loss of recreational wet-slips along the Miami River.

Policy PA-3.1.9: The City shall require from new residential development and redevelopment located along the Miami River a recorded covenant acknowledging and accepting the presence of the existing Working Waterfront 24-hour operations as permitted.