


NORTH MIAMI
FLORIDA
NORTH MIAMI PLANNING COMMISSION
AGENDA
Tuesday, June 5, 2012, 7:00PM
Council Chambers
776 NE 125th Street, North Miami, FL 33161

I. ASSEMBLY AND ORGANIZATION:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Board Members
- D. Amendments to the Agenda

II. APPROVAL OF MINUTES: May 1, 2012

III. CONTINUED PUBLIC HEARINGS: None

IV. PUBLIC HEARINGS:

PC 08-12: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A WAIVER OF PLAT FOR THE PROPERTY LOCATED AT 535 NW 121 STREET, IN ACCORDANCE WITH SECTION 3-802 OF THE CITY OF NORTH MIAMI LAND DEVELOPMENT REGULATIONS AND CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

- 1. Staff Report
- 2. Commission Action

PC 09-12: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2012-2013 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

- 1. Staff Report
- 2. Commission Action

V. COMMITTEE REPORTS: None

VI. OLD BUSINESS: None

VII. NEW BUSINESS: None

VIII. COMMUNICATIONS: None

IX. ADJOURNMENT

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12252, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

To: File

From: Maxine Calloway, Esq., J.C.P.
Director of Community Planning & Development

Date: May 16, 2012

RE: City Council Meeting of May 8, 2012

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- 1) DARNEISHA BRYANT - 12953 NORTHWEST 7 AVENUE PETITION FOR MUSIC AND ENTERTAINMENT LICENSE PURSUANT TO CHAPTER 3, SECTION 3-8 OF THE CODE OF ORDINANCES TO ALLOW A NIGHTCLUB IN THE C-1 ZONING DISTRICT [TAB E]**

The petition was approved by a vote of 4-0.

- 2) AN ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH SELF STORAGE AS A PERMITTED USE ALONG NON-MAJOR CORRIDORS IN THE C-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE [TAB F]**

The Ordinance passed on first reading by a vote of 5-0, with the following condition: that the City restrict the self storage facilities within the C-1 district from fronting on major corridors and instead permits such facilities solely along non major corridors

- 3) AN ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ENTITLED, "ALCOHOLIC BEVERAGES" SPECIFICALLY AT SECTION 3-2 ENTITLED, "DEFINITIONS" TO INCLUDE A DEFINITION FOR ADULT ENTERTAINMENT BUSINESS, AT SECTION 3-3 ENTITLED, "ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES PROHIBITED" TO REMOVE THE PROHIBITION OF THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES, AND AT SECTION 3-11 ENTITLED, "DISTANCE REQUIREMENTS" TO ESTABLISH A DISTANCE SEPARATION**

REQUIREMENT FOR ADULT ENTERTAINMENT BUSINESSES, IN ACCORDANCE WITH STATE LAW; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE [TAB G]

The Ordinance passed on first reading by a vote of 5-0.

- 4) AN ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED, "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 3 ENTITLED, "ADULT ENTERTAINMENT USES", SPECIFICALLY AT SECTION 5-303 ENTITLED, "NO ADDITIONAL ZONING CONDITIONS, RESTRICTIONS, SAFEGUARD OR CONDITIONS", IN ORDER TO REMOVE THE PROHIBITION ON THE CONSUMPTION, POSSESSION, AND SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE [TAB H]**

The Ordinance passed on first reading by a vote of 4-1.

- 5) A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND CLOSURE OF A FIFTY (50) FEET WIDE RIGHT-OF-WAY, LOCATED ADJACENT TO THE PROPERTIES NUMBERED 640 THROUGH 685 AT NW 133RD STREET, SITUATED BETWEEN AN ALLEYWAY TO THE WEST AND INTERSTATE I-95 TO THE EAST; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT RIGHT-OF-WAY TO ADJACENT PROPERTY OWNER AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND FOR ALL OTHER PURPOSES [TAB M]**

The Resolution was approved by a vote of 5-0, with conditions:

1. That the applicant agrees to work with City Manager to finalize negotiations for the sale of the subject Right of Way not to be less than 90% of the appraised value consistent with the City's Charter.
2. That the City effectuates the conveyance by virtue of a Deed.
3. That the property owner executes a covenant and unity of title to consolidate the 5 lots in addition to the abandoned right of way segment. Said instrument meeting the approval of the Community Planning and Development Department and the office of the City Attorney. Both instruments to be recorded by the applicant in the public records of Miami Dade County with copies furnished to the Community Planning and Development Department within forty five (45) days of Council approval.
4. TECO Peoples Gas, AT&T and FPL have all indicated that there are no existing utilities located in the portion of the right of way proposed for abandonment. As such, no easements have been requested for the subject segment.

5. The applicant will furnish an easement to the City's Public Works Department should it be determined that utilities are located in the portion of right of way proposed for abandonment.

6) A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION AND ABANDONMENT OF A SECTION OF NORTHEAST 17TH AVENUE, LOCATED BETWEEN NORTHEAST 126TH STREET AND NORTHEAST 127TH STREET, AND THE CLOSURE AND SALE OF A SECTION OF NORTHEAST 17TH AVENUE, LOCATED BETWEEN NORTHEAST 127TH STREET AND NORTHEAST 130TH STREET; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF SAID SECTION OF PUBLIC LAND AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND FOR ALL OTHER PURPOSES [TAB N]

The Resolution was approved with conditions by a vote of 4-1, with the dissenting vote coming from Councilman Blynn. Following are the conditions:

1. That the applicant agrees to work with City Manager to finalize negotiations for the sale of the subject Right of Way not to be less than 90% of the appraised value consistent with the City's Charter.
2. That the City effectuates the conveyance by virtue of a Deed.
3. Comply with recommendation outlined by Kittleson & Associates Inc in their letter dated February 10, 2012 which requests an additional median opening on NE 127th Street at the driveway located just east of the 17th Avenue/NE 127th Street intersection (leading into the Bay Imaging Group).
4. Within 90 days of final Council approval the applicant shall submit proposed plans for the street closure to Miami-Dade County Public Works Department per Part III, Chapter 2, Article XIII, (Sec. 2-95.1.d) of the Miami-Dade County Code of Ordinances.
5. TECO Peoples Gas, the City's Public Works Department as well as AT&T have indicated that there are existing utilities located in the portion of the right of way proposed for abandonment. As such easements have been requested for the subject segment. Applicant must provide easements to provide for the continued occupation of the property by these utilities and the City in order to maintain uninterrupted service.
6. The applicant must provide final letter of no objection from FPL to determine potential impacts to their utilities and the need for an easement.

MC/gf

c: ~~Tanya Wilson-Sejour, City Planner~~
Joanne Martin, Zoning Administrator
Planning Commission Packet (one copy)

To: File

From: Maxine Calloway Esq., A.I.C.P.
Director of Community Planning & Development

Date: May 23, 2012

RE: City Council Meeting of May 22, 2012

- 1) AN ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH SELF STORAGE AS A PERMITTED USE ALONG NON-MAJOR CORRIDORS IN THE C-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN [TAB D]

The Ordinance passed on second reading by a vote of 5-0, with the following condition: **that the City restrict the self storage facilities within the C-1 district from fronting on major corridors and instead permits such facilities solely along non major corridors**

- 2) AN ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES ENTITLED, "ALCOHOLIC BEVERAGES" SPECIFICALLY AT SECTION 3-2 ENTITLED, "DEFINITIONS" TO INCLUDE A DEFINITION FOR ADULT ENTERTAINMENT BUSINESS, AT SECTION 3-3 ENTITLED, "ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES PROHIBITED" TO REMOVE THE PROHIBITION OF THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN ADULT ENTERTAINMENT BUSINESSES, AND AT SECTION 3-11 ENTITLED, "DISTANCE REQUIREMENTS" TO ESTABLISH A DISTANCE SEPARATION REQUIREMENT FOR ADULT ENTERTAINMENT BUSINESSES, IN ACCORDANCE WITH STATE LAW; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE [TAB E]

The second reading of the Ordinance was deferred for 30 days.

- 3) AN ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED, "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 3 ENTITLED, "ADULT ENTERTAINMENT USES", SPECIFICALLY AT SECTION 5-303 ENTITLED, "NO ADDITIONAL ZONING CONDITIONS, RESTRICTIONS, SAFEGUARD OR CONDITIONS", IN ORDER TO REMOVE THE PROHIBITION ON THE CONSUMPTION, POSSESSION, AND SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE [TAB F]

The second reading of the Ordinance was deferred for 30 days.

MC/gf

- c: Tanya Wilson-Sejour, City Planner
Joanne Martin, Zoning Administrator
Planning Commission Packet (one copy)

**MINUTES
NORTH MIAMI PLANNING COMMISSION
7:00 P.M.
May 1, 2012
COUNCIL CHAMBERS**

The meeting was called to order at 7:00 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	Present:	Excused	Absent
1	Kevin Siegfried	X		
2	Charles Ernst	X		
3	Arrie Fils-Aime			X
4	Jesús Remón		X	
5	Maureen Harwitz	X arrived at 7: 34 pm		
6	Kenny Each	X		
7	Jean Castor	X		
8	William Prevatel	X		
9	Bonnie Schwartzbaum		X	

Staff was represented by:

Tanya Wilson-Sejour, AICP, City Planner Community Planning Department
 Roland Galdos, Deputy City Attorney
 Maxine Calloway, Director of Community Planning & Development
 Arceli Redila, LEED AP, Secretary/Planning Technician
 Dunia Sanzetenea, Information Technology

I-D. Assembly and Organization – Amendments to the Agenda: None

II. Approval of Minutes:

Mr. Prevatel recommended an amendment to the minutes by clarifying that on page 10 of 11, regarding the MOCA expansion, he is “happy that the MOCA’s existing building was preserved” however, he is not happy of the designed of the new MOCA expansion. The minutes of the February 7, 2012 meeting was approved with corrections made by Mr. Prevatel. The motion to approve was made by Mr. Each, seconded by Mr. Prevatel.

Before the public hearing started Mr. Galdos, Deputy City Attorney asked the Commission to disclose any conversation that any of the Commission have had on any items on the agenda. Mr. Each informed the board that he attended a neighborhood meeting conducted by Johnson & Wales. Mr. Seifried informed the board that Ms. Carol Keys approached him and talked to him briefly about Johnson & Wales item.

Mr. Each suggested that item PC 06-12 be moved to the top of the public hearing agenda since there are several members of the public wishing to speak for the item.

III. Continued Public Hearings: None

V. Public Hearings:

PC 06-12: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND SALE OF A SECTION OF NORTHEAST 17TH AVENUE, LOCATED BETWEEN NORTHEAST 126TH STREET AND NORTHEAST 127TH STREET, AND THE CLOSURE OF A SECTION OF NORTHEAST 17TH AVENUE, LOCATED BETWEEN NORTHEAST 127TH STREET AND NORTHEAST 130TH STREET; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF SAID SECTION OF PUBLIC LAND AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report and stated that staff is recommending approval of the Resolution, with conditions, for the abandonment and sale of a segment of Northeast 17th Avenue, between Northeast 126th Street and Northeast 127th Street, and the closure of a segment of Northeast 17th Avenue, located between Northeast 127th Street and Northeast 130th Street.

On October 25, 2011, the Mayor and City Council passed Resolution R-2011-142 approving an amendment to the Johnson and Wales Master Campus Development Plan which included the proposed abandonment and closure of portions of Northeast 17th Avenue, in order to create a more pedestrian friendly campus environment to improve the safety and welfare of students, faculty and campus visitors. As a condition of their approval, Johnson and Wales was required to file an application with the Community Planning and Development Department consistent with the requirements of Article 3, Division 9 of the City's Land Development Regulations. In March of 2012, Johnson and Wales University filed an application with the Community Planning & Development Department requesting the vacation and abandonment of the aforementioned roadway. This essentially means that the City would release ownership and seek compensation for the abandoned portion of Northeast 17th Avenue between Northeast 126th Street and Northeast 127th Street. The subject roadway segment proposed for abandonment is approximately 0.305 acres and is appraised at \$66,000. Additionally, if approved the current request would grant limited pedestrian access for the segment of NE 17th Avenue between NE 127th Street to NE 130th Street. All requests for street abandonment must meet the criteria outlined in Section 3-903 of the City's Land Development Regulations. Based on staff's analysis staff believes the current abandonment and street closure request satisfies the requirements of

Section 3-903 of the City's Land Development Regulations and recommends approval of the proposed resolution subject to the following conditions:

1. That the applicant agrees to work with City Manager to finalize negotiations for the sale of the subject Right of Way not to be less than 90% of the appraised value consistent with the City's Charter.
2. Comply with recommendation outlined by Kittelson & Associates Inc in their letter dated February 10, 2012 which requests an additional median opening on NE 127th Street at the driveway located just east of the 17th Avenue/NE 127th Street intersection (leading into the Bay Imaging Group).
3. Within 30 days of final Council approval the applicant shall submit proposed plans for the street closure to Miami-Dade County Public Works Department per Part III, Chapter 2, Article XIII, (Sec. 2-95.1.d) of the Miami-Dade County Code of Ordinances.
4. That the applicant agrees to work with City staff and the City's approved Real Estate Appraiser to determine the fair market price for the proposed segment and compensate the City for the subject right-of-way.
5. That the City effectuates the conveyance by virtue of a deed.

Ms. Loreen Chant, president of Johnson & Wales University at 1701 NE 127th Street was present together with her team, the master plan architects Mr. Bill Gallo and Mr. Emilio Lebolo from Gallo Herbert Lebolo Architects, the traffic engineer consultant Mr. John Kim from McMahon Associates, the master plan counsel Mr. Alexander Tachmes an attorney from Shutts and Bowen. Ms Chant provided an overview and an update on how the project has progressed since it was last presented to the Planning Commission in October of 2011. The main points of Ms. Chant's presentation are:

- JWU had a positive and productive conversation with the new developer of the shopping plaza where Publix is located. They are continuing to dialogue in a positive manner.
- JWU has received the appraisal report for the roadway segment proposed for abandonment and has no objection to the full value compensation.
- The Master Plan landscape architect has defined and selected design elements for the beautification project in order to create a visual buffer to the unsightly conditions of the neighboring shopping center.
- JWU Trustees have set aside approximately \$20 million for campus and façade improvements in North Miami. JWU is committed to remain open to the community as the master plan envisions an integrated community.

Mr. Emilio Lebolo, from Gallo Herbert Lebolo Architects of 1311 W Newport Center Drive, Deerfield Beach, requested that staff extend the deadline of plans submittal to Miami-Dade County from 30 days to 90 days since there are several consultants working on this project.

Public Discussion:

Carol Keys a resident of 12550 Palm Road spoke against the proposed abandonment alleging that the nearby residents and local merchant stores were not notified of this meeting. She is one of the local business owners that were impacted with the proposed abandonment but she did not receive any notice of this meeting. She also expressed her concerns about the possible traffic impacts that this abandonment may cause to the area. She also stated that Johnson & Wales University should teach their students how to cross the streets properly.

Ellen Abramson a resident of 2345 Magnolia Drive expressed her resentment against the proposed abandonment stating that many of her clients use this road to get to her business and that this could affect local businesses in the area and thousands of drivers who use this route to avoid the traffic on Biscayne Boulevard. This is a life safety issue that could jeopardize the life of the people east of the Boulevard who are also taxpayers and are entitled to a quality of life.

Kevin Burns a resident of 2065 Alamanda Drive (also known as Keystone Point) stated that he is also a resident of Keystone point but he is in favor of the item due to the fact the Johnson & Wales University are good neighbors. He is happy that Johnson & Wales is going to be paying the city some money for the proposed abandonment. He also liked the fact that Johnson and Wales are communicating with the city and informing the city of their plans. Granting approval of their application will enable them to enhance their university and the whole community as well.

Annie Montgomery a resident of 2082 NE 124th Street North Miami stated that she works, play, and live in North Miami. She asked if anyone found the deed of that portion of the road proposed for abandonment. She also asked how many board members have invited people to come to this meeting to speak in favor of the item. Additionally, she asked how many of the staff that recommended approval of the item actually reside in the city of North Miami.

Victor Santilena, Paula Each, Jorge Reyes, Andrew Chang, Martha Salinas, Marvin Escano, all residents of Emerald Drive, west of Biscayne Boulevard. They all spoke in favor of the proposed abandonment and closure and stated that if there were people affected with this application it would be them and the people in their neighborhood since they live directly behind Johnson and Wales but they are in favor of the plan because they see it as a wonderful plan to the neighborhood and that it is going to beautify the area making it a good open space, pedestrian friendly, and a good place to walk and bike.

Michael McDermaid a resident of 840 NE 127 Street stated that he does not live in Emerald Drive and he was not invited by any of the board members to come and speak for the item. He informed the board that he uses 127th Street at least twice a day on his trips going to US fitness and to Alaskan Coffee. He watched the traffic pattern and had seen very little traffic that continues on to Johnson & Wales. Granting the street closure will enable Johnson & Wales to enhance the neighborhood that would also create a spillover effect to the whole community.

Scott Cowley a property owner of 13175 Emerald Drive spoke in favor of the item.

Leonard Sclafani a resident of 2355 NE 191 Street but owns a property on Emerald Drive spoke in support of the item.

Commission Discussion

Regarding the perception of improper noticing, staff explained that notices were sent to property owners within a 600 ft radius of the subject segment inviting interested parties to attend the meeting. The Planning Commission reviewed and discussed the proposed resolution for the subject right of way abandonment. The following are comments and questions raised by the Commissioners:

- Ms Harwitz commented that she did not receive a traffic study for Johnson and Wales. The area proposed for abandonment has a sidewalk that is never crowded; there is no conflict with pedestrian and traffic. Therefore, no need for the closure and abandonment. The residents of Keystone Point and the people east of Biscayne Boulevard go to the Publix plaza and uses 17th Avenue to go to 126th Street, the proposed abandonment and closure is an inconvenience that is not necessary to pose on the neighborhood.
 - Staff replied that the applicant submitted a traffic study which was reviewed by the City's contract engineer and the technical analysis was included in the current packet.
- Mr. Prevatel asked the architects if the pedestrian pavement is drivable, and are the bollards removable. Mr. Lebolo from Gallo Herbert Lebolo Architects replied that it is still a drivable surface and the bollards are removable in case of emergency. Mr. Prevatel is pleased that Johnson & Wales are putting a great effort to beautify their campus without jeopardizing the safety of their students.
- Several new businesses to the area like the Alaskan Coffee, Five Guys, Fiat dealership, Wholefoods, probably came to the area because of the improvements that Johnson & Wales did to the area. Several of the Commissioners agreed that the proposed abandonment would increase pedestrian safety and add much needed landscaping to buffer the unsightly conditions of the neighboring shopping center. Many of the Commissioners said they were pleased that Johnson & Wales is part of the North Miami Community and grateful that Johnson & Wales invested in this neighborhood.

Mr. Each made the motion to approve the proposed resolution. The motion was seconded by Mr. Castor. The Commission rendered a vote of 5-1 recommending approval of the proposed resolution along with the conditions outlined in the staff report. The one (1) dissenting vote was cast by Commissioner Harwitz.

---The Commission took a 5 minute recess---
The Commission reconvened at 8:30PM

PC 04-12: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 4, DIVISION 3 ENTITLED "NON-RESIDENTIAL DISTRICTS", SPECIFICALLY AT SECTION 4-302 ENTITLED "USES PERMITTED", TO ESTABLISH SELF STORAGE AS A PERMITTED USE ALONG NON-MAJOR CORRIDORS IN THE C-1 ZONING DISTRICT, TO ENCOURAGE ECONOMIC GROWTH CONSISTENT WITH THE INTENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report and stated that staff is recommending approval of the proposed ordinance to amend Article 4 Section 4-302 of the City's Land Development Regulations to permit self storage facilities along non-major corridors in the C-1 District, and forward said changes to the City Council for final consideration.

Property owners Gerard & Nel Opstal own 5 contiguous lots located at: 640, 650, 660, 675, and 685 NW 133rd Street, totaling 47,478 square feet (or 1.09 acres in total). The applicants are requesting a text amendment to Article 4, Section 4-302 entitled "Uses Permitted," to allow *Self Storage* along non major corridors in the C-1 Commercial District, where it is currently not permitted. The LDR defines *Self Storage* as "a building or group of buildings consisting of individual, self-contained units leased to individuals or organizations or businesses for self service storage of personal property." The current request is consistent with the intent of the City's Comprehensive Plan to promote economic growth in certain sectors. Specifically, Policy 9.4.6 of the City's Comprehensive Plan requires that the City "Create land use designations and zoning regulations that encourage the retention, attraction and expansion of business and industry" Additionally, Goal 9 (Economic Element) requires that the City "strive to create an economic environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all of its citizens."

The City's current Land Development Regulations only allows Self Storage as a permitted use in the M-1 (industrial) zoning districts. Nevertheless it should be noted that Self Storage was once permitted in the City's former B-1 (Business Commercial) District, along NW 7th Avenue, as part of the most recently repealed LDRs. However since the update of the City's LDR in April 2009, the B-1 zoning district has since been eliminated and the use is no longer permitted in any of the City's Commercial Districts. If approved, the proposed ordinance would afford property owners the opportunity to create Self Storage facilities in the C-1 zoning district, with the exception of those that have lots fronting on major corridors such as NW 119 Street, NW 7th Avenue and Dixie Highway.

Mr. Maurice Opstal acting on behalf of his parents Gerard & Nel Opstal stated that the property is in horrible condition with vagrants living in there. They have no opportunity to get them out of the property. This text amendment would allow them to have greater flexibility to develop the property better than what it currently is right now and to remove the unsightly slum and blight that has plague the neighborhood.

Public Discussion: Kevin Burns a resident of 2065 Alamanda Drive spoke in favor of the proposed ordinance stating that this would be beneficial to the city especially for NW 7th Avenue as this could be a potential catalyst to spur redevelopment in some of the City's more stagnant commercial areas.

Commission Discussion:

The Commission supported staff's recommendation as proposed and rendered a unanimous vote with no discussion. The motion to approve was made by Ms. Harwitz and was seconded by Mr. Prevatel.

PC 05-12: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE VACATION, ABANDONMENT AND CLOSURE OF A FIFTY (50) FEET WIDE RIGHT-OF-WAY, LOCATED ADJACENT TO THE PROPERTIES NUMBERED 640 THROUGH 685 AT NW 133RD STREET, SITUATED BETWEEN AN ALLEYWAY TO THE WEST AND INTERSTATE I-95 TO THE EAST; FURTHER AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE SALE OF THE SUBJECT RIGHT-OF-WAY TO ADJACENT PROPERTY OWNER AND TO TAKE ALL NECESSARY STEPS TO EFFECTUATE SAME; PROVIDING FOR EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report and stated that staff is recommending approval of the proposed resolution, with conditions, for the vacation, abandonment, and sale of a 50 feet right of way known as NW 133 St, for the segment lying between the properties numbered 640 through 685 NW 133 Street. Long time North Miami residents Gerard & Nel Opstal who own five (5) contiguous lots located at: 640, 650, 660, 675, and 685 NW 133rd Street are requesting the vacation, abandonment and closure of a portion of NW 133 Street for the segment lying between all five aforementioned lots. NW 133 Street is a 50 feet wide collector street that provides public access to all the five lots and eventually dead ends at the I-95 at the eastern end of the roadway. The area proposed for abandonment is over 190 linear feet in length, consists of approximately 9,500 sq feet (or .22 acres) in size and is appraised at \$95,000 in value.

Staff believes the current request meets the requirements of Section 3-903 of the City's Land Development Regulations and recommends approval of the proposed resolution subject to the following conditions:

1. That the applicant agrees to work with City Manager to finalize negotiations for the sale of the subject Right of Way not to be less than 90% of the appraised value consistent with the City's Charter.
2. That the City effectuates the conveyance by virtue of a Deed.
3. That the property owner executes a covenant and unity of title to consolidate the 5 lots in addition to the abandoned right of way segment. Said instrument meeting the approval of the Community Planning and Development Department and the office of the City Attorney. Both instruments to be recorded by the applicant in the public records of Miami Dade County with copies furnished to the Community Planning and Development Department within forty five (45) days of Council approval.
4. TECO Peoples Gas, AT&T and FPL have all indicated that there are no existing utilities located in the portion of the right of way proposed for abandonment. As such, no easements have been requested for the subject segment.
5. The applicant will furnish an easement to the City's Public Works Department should it be determined that utilities are located in the portion of right of way proposed for abandonment.

Public Discussion: There was no member of the public who came and spoke on the item.

Commission Discussion:

The Commission supported staff's recommendation as proposed and rendered a unanimous vote with no discussion. The motion to approve was made by Mr. Each and was seconded by Mr. Prevatel.

PC 07-12: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES ENTITLED, "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 5, DIVISION 3 ENTITLED, "ADULT ENTERTAINMENT USES", SPECIFICALLY AT SECTION 5-303 ENTITLED, "NO ADDITIONAL ZONING CONDITIONS, RESTRICTIONS, SAFEGUARD OR CONDITIONS", IN ORDER TO REMOVE THE PROHIBITION ON THE CONSUMPTION, POSSESSION, AND SALE OF ALCOHOLIC BEVERAGES; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Ms. Tanya Wilson-Sejour from Community Planning and Development Department gave the staff report and stated that staff is recommending that the Planning Commission recommend denial of the proposed ordinance amending Article 5, Division 3 at Sections 5-303 of the Land

Development Regulations in order to remove the prohibition on the consumption, distribution, possession and sale of alcoholic beverages.

Section 4-302 of the City's Land Development Regulations allows for Adult Entertainment Businesses in North Miami's M-1 (Industrial District). However, Section 5-303 of the LDR currently prohibits the consumption, distribution, possession and sale of alcoholic beverages by Adult Entertainment Uses. Sunny Isles Eatery, the applicant leased a property located at 2050 NE 151 Street (in the M-1 Industrial District) which falls within the boundary of the City's Regional Activity Center. The business once operated in the City of Sunny Isles Beach for several years until the property was acquired by the City through eminent domain. The applicant proposes to establish a full nudity Adult Entertainment Business for a gentleman's club and wishes to sell and consume alcohol on the premises. As such, the applicant filed a request with the Community Planning and Development Department on March 26, 2012 for the City to amend Section 5-303 of the LDR to remove the prohibition on the consumption, distribution, possession and sale of alcoholic beverages by Adult Entertainment Businesses.

Article 5, Division 3 of the LDRs includes guidelines to regulate adult entertainment businesses. As referenced in the LDR "The sole purpose of the legislative body of the City in enacting this section is the desire to preserve and protect the quality of life, public health, safety, and general welfare of the citizens of the city, and not to suppress free speech or impair the constitutional rights of any person."

All text amendments must meet six standards as outlined in Section 3-1004 of the City's Land Development Regulations. As outlined in the staff report, staff believes that the applicant's request meets only two of the six standards and believes that they have not met specifically standard one which addresses public health, safety and welfare and standard five which addresses conflict with City's Comprehensive Plan.

Staff recognizes that if approved the text amendment would make way for the future redevelopment of the currently vacant industrial site and afford the proposed Gentleman's Club the opportunity to consume, distribute, possess, and serve alcoholic beverages on site. The applicant suggest that business would include a 2 million dollar renovation to the 20,000 sq ft vacant structure and is projected to employ approximately 40 workers during construction with a permanent staff of 50 employees. However, staff recognizes the city's priority as expressly stated in the city's LDR to prevent the adverse secondary effect on the public health, safety and welfare which are often associated with these uses.

Criteria five which addresses conflicts with the City's Comprehensive Plan, staff found that Goal 9 also requires that the City create an environment that will enhance the economic prosperity of local businesses and attract new business while improving the quality of life for all of its citizens. Staff has concerns that in allowing the distribution, possession and sale of alcoholic beverages by adult entertainment uses, the city may encounter similar nuisance problems and illicit activities as those encountered in the neighboring jurisdictions.

Jeff Cazeau the client's attorney with a business address of 18305 Biscayne Boulevard, Aventura, was present representing the applicant Sunny Isles Eatery. He stated that his client would like to open an upscale, high end adult entertainment establishment in the City. They are proposing to invest \$2 million dollars to renovate the building located at 2050 NE 151st Street and believe the project will enhance the neighborhood. But in order to be competitive in this business they are requesting to lift the prohibition of alcoholic beverage in the city's code of ordinances.

Edward Santiago a resident 18070 Collins Avenue, Sunny Isles currently employed as a Police Sergeant at the city of Sunny Isles Beach Police Department spoke in favor of the item. He stated that they have not found any narcotics during canine sniffs conducted in the former establishment called "The Dollhouse"

Public Discussion: Kevin Burns a resident of 2065 Alamanda Drive spoke in favor of the proposed ordinance stating that he knows that the city allows an adult entertainment but is not aware that there is a prohibition on serving alcoholic beverage. There is nothing in the staff report other than what might be considered a social issue. This is an upscale establishment that will be run by people with excellent track record in this kind of business. This will not be detrimental to the city considering the amount of money that the applicant will be investing on the property.

Michael McDermaid a resident of 840 NE 127 Street spoke in favor of the item stating the applicant seems to have a good record in operating this kind of establishment but in order for them to be competitive they need to serve alcohol. Since this establishment is allowed to operate in the city then let us have the best operators.

Commission Discussion:

The Planning Commission discussed the proposed ordinance amending Article 5, Division 3 at Sections 5-303 of the Land Development Regulations to remove the prohibition on the consumption distribution, possession and sale of alcoholic beverages. Several Commissioners believed the text amendment allowing alcohol sales and consumption would attract similar adult entertainment businesses into the City's industrial district and generate unwanted crime and illicit activity to the surrounding area. However several commissions expressed support for the proposed ordinance and believed it would be a positive economic boost for the neighborhood and the City. Mr. Each made a motion to recommend approval and overturn staff's recommendation of denial. The motion was seconded by Mr. Castor. Three (3) commissioners (Mr. Each, Mr. Seifried and Mr. Castor) voted against staff's recommendation of denial while the remaining three (3) Commissioners (Mr. Ernst, Mr. Prevatel and Ms Harwitz) voted to accept staff's recommendation of denial. As such, the motion to reject staff's recommendation of denial failed on the basis of the vote being a tie.

VI. Committee Reports: None

VII. Old Business: None

VIII. New Business: None

IX. Communications: None

X. Adjournment:

There being no further business to come before the Planning Commission, the meeting adjourned at 10:15 p.m.

Respectfully submitted:

Attest:

Kevin Seifried, Chairman
Planning Commission

Tanya Wilson-Sejour, AICP, City Planner
Community Planning & Development

Arceli Redila, LEED AP, Board Secretary/Planning Technician
Community Planning & Development

Date: June 5, 2012

To: Planning Commission

Re: Request For Waiver of Plat Approval – 535 NW 121 Street

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A WAIVER OF PLAT FOR THE PROPERTY LOCATED AT 535 NW 121 STREET, IN ACCORDANCE WITH SECTION 3-802 OF THE CITY OF NORTH MIAMI LAND DEVELOPMENT REGULATIONS AND CHAPTER 28 OF THE MIAMI-DADE COUNTY CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

STAFF RECOMMENDATION

That the Planning Commission recommends approval of the proposed waiver of plat request, with conditions, for the property located at 535 NW 121 Street in North Miami.

BACKGROUND INFORMATION

The applicant (Christine Lopez) proposes to subdivide the lands located at 535 NW 121 Street from one (1) single family lot into two (2) separate single family lots. **The property is zoned R-2 and consists of 20,250 square feet in size.** The site currently contains a 1,865 square foot single family home to the east and a 1,185 square foot accessory unit (with no kitchen facility) to the west. If approved, the property would be re-plated to allow the property owner to add a kitchen to the accessory unit and convert the structure into a permanent single family residence, with a lot size of 8,100 square feet (or 0.19 acres). The existing structure on the second lot (east) will remain and have a lot size consisting of 20,250 Square Feet (or 0.46 acres). The waiver of plat request is subject to the requirements of Chapter 28 of the Miami-Dade County Code of Ordinance as well as Section 3-802 of the City's Land Development Regulation (LDR).

CONCLUSION

Staff has reviewed the proposed waiver of Plat pursuant to Section 3-802 of the City's LDR and is of the opinion that the plat conforms to all zoning and Comprehensive Plan regulations and has addressed all the conditions of the City's contract surveyor Craven Thompson and Associates. As such, staff recommends approval subject to the following conditions:

1. The accessory structure on the proposed westerly lot currently has a rear-yard setback of 20'. However, the required minimum setback for a single-family home is 25'. As

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Waiver of Plat. The Mayor and City Council of the City of North Miami, Florida, hereby, approve a waiver of plat for the property located at 535 NW 121 Street, in accordance with Section 3-802 of the City of North Miami Code of Ordinances and Chapter 28 of the Miami-Dade County Code of Ordinances, attached hereto as "Exhibit 1".

Section 2. Effective Date. This resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2012.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____	(Yes)	_____	(No)
Vice Mayor Jean R. Marcellus	_____	(Yes)	_____	(No)
Councilperson Michael R. Blynn, Esq.	_____	(Yes)	_____	(No)
Councilperson Scott Galvin	_____	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	_____	(Yes)	_____	(No)

Letter of intent

To whom it may concern,
the reason behind seperating the lot into two folio nr is to be able to have 2 electric meters (one for each home) and two legal kitchens. Any questions please feel free to contact me.

Best Regards

Christine Lopez

To: The Planning Commission

From: Maxine Calloway, Esq., A.I.C.P., Director of Community Planning & Development

Date: June 5, 2012

RE: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2012-2013 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

Staff is recommending that the Mayor and Council approve the proposed action plan for transmittal to U.S. Department of Housing and Urban Development (HUD) for its adoption.

BACKGROUND

The U.S. Department of Housing and Urban Development (U.S. HUD), the federal agency responsible for administration of the CDBG and HOME programs, requires each entitlement jurisdiction to prepare an Action Plan outlining needs and priorities for the funding year. Each jurisdiction is also required to invite public participation in the process through an open forum.

An Action Plan is defined as a comprehensive document, which describes the City's overall needs and priorities relative to housing and community development. Each year the Action Plan must be prepared and submitted to U.S. HUD for approval prior to release of funds. In FY 2012-2013, the City will receive \$743,569 and \$206,309 in CDBG and HOME funding, respectively; an overall decrease of \$657,302 from the prior year's allocation. Additionally, this fiscal year's allocation will be supplemented with \$379,784.00 of prior year funds, which will be used for the Single Family Rehabilitation program.

As part of the planning process, two public meetings were held to solicit public input on the proposed plan. The meetings were held at the Griffing Adult Center and Sunkist Grove Community Center, May 10, 2012 and May 16, 2012 respectively. Prior to the public meetings, there were several inquiries from community organizations about the Public Service portion of the proposed plan, which was published in the Miami Herald on May 6, 2012 and posted on the City's website. The notice was also emailed to all homeowners associations, inviting them to participate in this process.

Attachments

- 1) Resolution
- 2) Notice of Public Hearing
- 3) Proposed Action Plan

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA,
APPROVING FISCAL YEAR 2012-2013 ACTION PLAN
UNDER THE COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) AND HOME INVESTMENT
PARTNERSHIP GRANT (HOME) PROGRAMS;
PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL
OTHER PURPOSES.**

WHEREAS, since 1994, the City of North Miami ("City") has received Community Development Block Grant ("CDBG") funds from the U.S. Department of Housing and Urban Development ("HUD"), in order to provide a source of funding for various community and economic development programs and projects; and

WHEREAS, since 2003, the City has received HOME Investment Partnership Grant funds ("HOME"), in order to provide a source of funding for community housing programs; and

WHEREAS, the Single Family Rehabilitation is a program within the City's Local Housing Assistant Plan designed to provide qualified single family homeowners with deferred payment loans for home repairs, using CDBG and HOME funds; and

WHEREAS, the City will receive Seven Hundred Forty Three Thousand Five Hundred Sixty Nine and 00/100 Dollars (\$743,569.00), and Two Hundred Six Thousand Three Hundred Nine and 00/100 Dollars (\$206,309.00) in CDBG and HOME funds, respectively, for fiscal year 2012-2013; and

WHEREAS, the Single Family Rehabilitation Program will be supplemented with Three Hundred Seventy Nine Thousand Seven Hundred Eighty Four Dollars (\$379,784.00) of prior-year funds, reprogrammed from Multifamily Rehabilitation and Grounds Improvement program; and

WHEREAS, the aggregate funding allocation amount presented for the Fiscal Year 2012-2013 Action Plan is One Million Three Hundred Twenty Nine Thousand Six Hundred and Sixty Two Dollars (\$1,329,662.00); and

WHEREAS, HUD program regulations require that the City prepare an annual Action Plan for the use of grant funds with input from the public; and

WHEREAS, on May 10, 2012, and on May 16, 2012, the City conducted public meetings at Griffin Senior Adult Center and at Sunkist Grove Community Center, respectively, soliciting public views and input in the development of the Action Plan; and

WHEREAS, in accordance with HUD regulations, the City administration prepared the FY 2012-2013 Action Plan for the use of CDBG and HOME grant funds; and

WHEREAS, on June 5, 2012, the City Planning Commission held a duly noticed public hearing and found the proposed FY 2012-2013 Action Plan to be acceptable, and recommended its approval to the Mayor and City Council; and

WHEREAS, the Mayor and City Council of the City of North Miami, find the proposed FY 2012-2013 Action Plan to be in the best interests of the City and thereby, accept the Planning Commission's recommendation for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approval.** The Mayor and City Council of the City of North Miami, Florida, hereby approve Fiscal Year 2012-2013 Action Plan under the Community Development Block Grant (CDBG) and Home Investment Partnership Grant (HOME) programs, attached hereto as Exhibit "1."

Section 2. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2012.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Mayor Andre D. Pierre, Esq.	_____	(Yes)	_____	(No)
Vice Mayor Jean R. Marcellus	_____	(Yes)	_____	(No)
Councilperson Michael R. Blynn, Esq.	_____	(Yes)	_____	(No)
Councilperson Scott Galvin	_____	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	_____	(Yes)	_____	(No)



NOTICE TO PUBLIC
CITY OF NORTH MIAMI
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
HOME INVESTMENT PARTNERSHIP PROGRAM (HOME)
FISCAL YEAR 2012-2013 ACTION PLANS & PUBLIC MEETINGS

The City North Miami is an entitlement community eligible to receive assistance under the U. S. Department of Housing and Urban Development [HUD] Community Development Block Grant [CDBG] Program and HOME Investment Partnerships [HOME] Program. As mandated by Federal Regulation, 24 CFR Part 91, the City of North Miami is required to submit an annual update of its Consolidated Plan. The update, known as an Action Plan, will reflect a collaborative process whereby North Miami establishes a unified vision of community development actions (interaction with municipalities, community organizations, civic organizations and private sector). This planning effort will cover the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME). All HUD entitlement communities must submit an Action Plan in order to receive these funds.

The specific strategies identified in the Plan to address housing and community development needs are as follows: provide affordable housing; expand economic opportunities; increase the capacity of public facilities and public services; and improve infrastructure.

The Fiscal Year 2012-2013 Action Plan describes the activities the City proposes to undertake to accomplish the objectives of the Consolidated Plan, are listed below.

No.	Activity	Funding Allocation
1	CDBG Program Administration	\$148,713
2	CDBG Public Services – Non-profit Community Based Organizations	\$105,000
3	CDBG Housing Rehabilitation Program	\$489,856
3.5	CDBG Housing Rehab- Prior years re-appropriation	\$379,784
4	HOME Program Administration	\$20,630
5	HOME Community Housing Development Organization (CHDO) Set-aside	\$30,947
6	HOME Single-Family Rehabilitation Program	\$100,732
7	HOME First-time Homebuyer Program	\$50,000
8	HOME Tenant Based Rental Assistance Program	\$4,000
	TOTAL CDBG & HOME FUNDS	\$1,329,662

As part of the planning process, the City of North Miami is conducting workshops to solicit public input on programs and activities eligible for CDBG and HOME funding, and to prioritize such programs and activities for eligible areas citywide. Residents are invited to attend and participate in these discussions. The locations and dates of the meetings are as follows:

Locations: Griffing Adult Center
12220 Griffing Blvd.
Thursday, May 10th, 2012
Time: 6 to 8 pm

Sunkist Grove Community Center
12500 N.W. 13th Avenue
Wednesday, May 16th, 2012
Time: 6 to 8 pm

There will be a public hearing opportunity at the Planning Commission Meeting, June 5, 2012 at 7:00PM, in the Council Chambers, 776 NE 125th Street, 2nd Floor. The thirty day comment period begins on June 6, 2012 until July 6, 2012. All comments must be in writing and sent to the attention of the CDBG Administrator, City of North Miami, Community Planning & Development Dept., 776 N.E. 125th Street, North Miami, Florida 33161 no later than July 6, 2012 at 5:00 pm.

**HOME INVESTMENT PARTNERSHIP PROGRAM
PROPOSED FY 2012-2013 ACTION PLAN**

HOME ALLOCATION = \$206,309

ACTIVITIES	ALLOCATION
1. PROGRAM ADMINISTRATION (10%) (A) Housing Inspector	\$20,630.00
2. CHDO SET A-SIDE (15%) (A) HOMEBUYER ASSISTANCE	\$30,947.00
3. HOUSING REHABILITATION (A) Single Family Rehab Assistance	\$100,732.00
(B) MULTI-FAMILY REHABILITATION	\$0.00
4. First Time Home Buyer Assistance	\$50,000.00
5. Tenant Base Rental Assistance (TBRA)	\$4,000.00
Total	\$206,309.00

FY13 HOME allocation decreased by \$285,814 (58% decrease).

**COMMUNITY DEVELOPMENT BLOCK GRANT
PROPOSED FY2012-2013 ACTION PLAN**

CDBG ALLOCATION= \$743,569	
Activities	Allocation
PROGRAM ADMINISTRATION-20 % of annual allocation (A) CDBG Administrator (B) Housing Manager (Partial salary/fringes) (C) Fair Housing (\$6,500) (D) Program Expenditures	\$148,713.00
PUBLIC SERVICES-10 % of annual allocation (A) North Miami Foundation (\$15,000) (B) Community Based Organizations (\$60,000) (C) Youth Summer Employment (\$30,000)	\$105,000.00
HOUSING REHABILITATION-20% of projected annual housing rehabilitation expenditures allocated to housing delivery services. (A) Single Family Rehab Projects (\$391,885.00) (B) Housing Services Delivery Cost (\$97,971.00) <ol style="list-style-type: none"> 1. Housing Coordinator (Partial salary/fringes) 2. Housing Services Administrative Specialist (Partial salary/fringes) 3. Housing Services Aide (Partial salary/fringes) 4. Housing Inspector (Partial salary/fringes) 5. CP&D Technician (Partial salary/fringes) 	\$489,856.00
TOTAL	\$743,569

FY13 CDBG allocation decreased by \$371,488 (33.2% decrease).