

The following are questions for the M21 meeting on 9/5/07:

1. City Mgr. WHAT IS THE HURRY to get approval of an incomplete Code?
2. City Mgr. Has Miami 21 been removed from the Sept. 27, 2007 Commission Meeting Agenda FOR SURE?
3. City Mgr. Will you confirm in writing that the revised Code (and Atlas, if any changes) will be released at least FOUR WEEKS before any City Commission Meeting at which it is being re-submitted?
4. DPZ. Why use number of stories to control building height. Since there is no minimum story height, we don't see that it accomplishes your objective of forcing developers to provide "nicer" heights. We only see problems.
5. City Mgr. Why is there no Transportation Plan being presented, with details of additional bus routes, parking facilities, etc. as part of Miami 21 for the First Quadrant? FL statutes require a financially feasible Plan when zoning for increased density is being proposed.
6. City Mgr. Why have the drawings requested by the Commissioners not been provided?
7. City Mgr. Why have the drawings for specified standard lots requested by citizens, Comm. Sarnoff, and MNU not been completed and presented?
8. DPZ Why are there no "Mass Model" views of several typical parts of the First Quadrant showing several blocks of the current Code vs. the Miami 21 Code?
9. City Mgr. Last Wednesday, you told Barbara Bisno that she would be contacted by Orlando Toledo to work jointly on the Notice issues and she has not been contacted to date. When can she reasonably be expected to be contacted?
10. DPZ. Why are the methodologies to be used for calculating Public Benefit "Trust Fund cash contributions" not included in the proposal to the City Commission? 3.11.4 The details of the methodology must be available and agreeable to the public.
11. DPZ Why are property owners going to be forced to have the front of their home facing the Principal Frontage? Families with children may not want their front walk leading to the busier street - for safety reasons. Are uniformity and visual elegance more important than the safety of our children?
12. DPZ Why are owners of small lots in low income areas, those who cannot afford a second story, being penalized by having to put parking inside their home?
13. City Mgr. Why is Civic Space (fire house) being allowed as bonus capacity when incremental civic space is supposed to be compensated for by Impact Fees?
14. City Mgr. Why are there no Impact Fees for non-residential space in mixed use projects?
15. DPZ Why are trees on thoroughfares supposed to be 22 feet apart? Was this the standard used on Grand Avenue in the West Grove? Coral Way would be totally Non-conforming, with the big trees farther apart and the small trees on the side being closer together.
16. DPZ Why do trees have to be in 4' X 4' planters? Larger trees cannot survive under this condition. Ask any arborist.
17. Is the proposed "Miami 21 Code" going to be the standard for the whole City as stated by the Zoning Director and the Planning Director at the PAB workshop in

April? Or is it going to be changed for each Quadrant, as DPZ has been answering in recent meetings? If the later, are we going to have four different Codes? A First Quadrant Code, a Second Quadrant Code? etc.?

18. City Mgr. DPZ has stated in several meetings that Miami 21 does not have design standards which will limit architectural creativity. Then why has the Planning Department recently forced a developer who designed a Mediterranean façade in keeping with the neighborhood to re-design its project to “Modern”? Is there a written or unwritten ‘standard’ already being applied, which is not known to the public?
19. City Mgr. There is provision in the Code for changes to Miami 21 to be proposed by the City Administration. Why is there no provision for a group of citizens to request a change – which would go through the normal process for possible changes?
20. City Mgr. We have not seen any evidence of coordination of Miami 21 with other governmental entities and agencies. Why?
21. City Mgr. Miami 21 for the First Quadrant is proposing major Land Use Changes. Why is Miami 21 not being presented as an amendment to the Miami Comprehensive Neighborhood Plan?
22. City Mgr. What other components of Miami 21 should be included in amendments to the Comprehensive Plan?
23. DPZ. Are you willing to add a requirement that a T4 abutting or across and alley/street from at T3 will have a height limitation of 35 feet?
24. DPZ. What about more than a 5 foot setback?
25. DPZ. Why have you not provided for a T4H for T4 lots abutting a Historic District, as requested by Buena Vista East?
26. DPZ & City Mgr. You have stated that a main reason that the City initiated the Miami 21 Project was the problem of 27th Avenue – hi rise buildings beside single family homes in residential neighborhoods. In a few areas in the First Quadrant, you have down-zoned to T4, but in quite a corridors you have left single family T3 lots abutting T5 and T6-8 lots. They are not beside transit hubs, so why are you not solving the problems of these neighborhoods in accordance with the original objective of Miami 21?
27. DPZ. Is it true that by continuing to allow hi rise buildings where there are currently small retail businesses serving a small community, the higher and better use of the hi rise will cause increases in real estate taxes for the buildings housing the small businesses and that they are often forced out of business because of higher taxes? How can you resolve this problem?
28. DPZ DPZ has been stating in public meetings that the City must respect the legal property rights of property owners. According to the laws of Florida, the government can exercise its Police Powers to change zoning so long as it is part of a valid, land use planning activity. This law has been upheld in the FL courts. What are those “legal property rights” according to your understanding?
29. City Mgr. Is it correct that the Non-Conforming language in Miami 21 was lifted from the current 11000 Code without analysis of the impact of that language? There are other instances of conflicting language and provisions, such as Table 2 “Miami 21 Summary” in Article 4 says that in T3 Stoops and Porches are “Prohibited”, whereas in 5.3.2 Building Configurations (T3) Stoops and Porches are allowed to Encroach.

Have you implemented a Quality Control process to insure that the next version released does not contain such problems?

30. Is the Zoning in Progress proposed ordinance going to be re-written in accordance with requests from MNU in May 2006?
31. City Mgr. Why weren't more historic neighborhoods consulted during the re-write of Chapter 23 (Historic Preservation)? Why is the latest draft not available? When is it going to be available? Will historic neighborhoods which were not consulted to date, be consulted before the draft is presented to the City Commission?