



Recreation & Cultural Affairs Committee

April 14, 2008

Prepared by: Nelson Diaz

EXHIBITS LIST

NO.	DATE	ITEM #	DESCRIPTION
1	4/14/2008		County Manager's Memorandum re: Changes to the Agenda
2	4/14/2008	8A-1	Stack of emails regarding Land Grab of Parcel B
3	4/14/2008	8D-1	3 pictures showing an advertisement of Slava's a Snow Show
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Memorandum



Date: April 14, 2008

To: Honorable Chairperson and Members
Recreation & Cultural Affairs Committee

From: George M. Burgess
County Manager 

Subject: Requested Changes to the
Recreation & Cultural Affairs Committee Agenda

Additions

2D SUBSTITUTE

Carlos A. Gimenez

081172 RESOLUTION AUTHORIZING PLACEMENT OF A COMMEMORATIVE PLAQUE AT THE GARDENS OF THE KEY BISCAYNE BRANCH LIBRARY TO HONOR THE CONTRIBUTIONS OF ELLEN MERRITT [SEE ORIGINAL ITEM UNDER FILE NO. 080876]

Scrivener's Errors

2I

Katy Sorenson

081051 RESOLUTION AUTHORIZING IN-KIND SERVICES FROM THE MIAMI-DADE PARK AND RECREATION DEPARTMENT FOR THE JULY 4, 2008 41ST ANNUAL FOURTH OF JULY CELEBRATION SPONSORED BY THE GFWC WHISPERING PINES WOMAN'S CLUB, INC. A NOT-FOR-PROFIT ORGANIZATION, IN AN AMOUNT NOT TO EXCEED \$926.00 TO BE FUNDED FROM THE DISTRICT 8 IN-KIND RESERVE FUND

Note: *This item was reprinted to include a signed version of the District Specific In-Kind Request Recommendation memorandum.*

Parcel B

From: miamicitywatch@aol.com
To: undisclosed-recipients:
Date: 4/11/2008 2:33:05 PM
Subject: Fwd: Speak Out (before Monday) Against Land Grab of Parcel B in front of the American Airlines Arena

To Friends of Public Space and Sane Public Planning:

See the following report that addresses the demands for Parcel B (in front of the American Airlines Arena on the water) by the Bay of Pigs Museum as well as for a 1,000 space parking garage to primarily benefit the Miami Heat. This action is an outrageous land grab that totally ignores the history of public process in utilizing our precious waterfront. The Project for Public Spaces had a design workshop in 2004 that came up with a vastly different set of ideas for the space. Where is all of that in the planning?

Please write County COmmissioners to demand the end of these quick land grabs and to integrate planning for the waterfront- including Bicentennial Park.

Greg Bush
 Vice President, Urban Environment League

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

From: George M. Burgess, County Manager

Subject: Conceptual Study of Bay of Pigs Museum and Library on Parcel "B" Site

The following report has been prepared in response to Resolution R-1000-07, sponsored by Chairman Barreiro, Vice Chairwoman Jordan and Commissioners Martinez, Sosa, Seijas, Diaz, Gimenez, Edmonson, and Rolle, directing the Manager to provide a conceptual study analyzing development of a Bay of Pigs Museum and Library on Parcel B site.

PROJECT DESCRIPTION:

This analysis is based on the attached preliminary design of the Bay of Pigs Museum and Library prepared by Chisholm Architects proposed to be constructed on the County's 2.76 acres of land directly east of the American Airlines Arena (Parcel "B") and contains the following basic characteristics:

- * A five story building approximately 82 feet high.
- * Below ground, ground level and above ground level parking of approximately 353,490 square feet to accommodate approximately 1,000 cars. Although building further down is feasible, it is a more expensive process. While an above ground parking structure costs approximately \$25,000 per space, an underground facility would cost approximately \$70,000 per space.
- * Three levels of enclosed space with approximately 110,000 square feet to accommodate exhibition, office, theater, storage, library and other museum space.
- * Proposed lot coverage of 88.6% or 106,785 sq. ft. of 120,225 sq. ft.

It appears that there is room for the continuation of the Baywalk project between the building and the Bay, however this must be

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 By the Clerk for the record.

APR 14 2008

Item 8A
 Exhibit 1
 Meeting RCAC

confirmed and shown on the site plan. It should be noted that Project # 142 in the BBC/GOB is being presented to the Government and Operations Committee of the Board on March 11, 2008 for modification of the language to include the Baywalk as part of the project to repair the sea wall.

LAND OWNERSHIP AND RESTRICTIONS:

On January 8, 1998, the City of Miami deeded 19.04 acres of land to Miami-Dade County for the American Airlines Arena, associated structures, including the 2.76 acres of land presently known as Parcel "B." This Deed includes a Restrictive Covenant which limited the development on all of the land for a 33 year period to the following uses:

- * Arena "meaning a sports and entertainment complex together with:
 - 37,500 sq. ft. of office space
 - retail, food and beverage space within the ticket secure area inside the actual Arena.
 - 30,000 sq. ft. of retail space located outside the secure ticket area
 - parking, roadways, plaza and other public spaces
- * Specialty Entertainment - Up to 70,000 sq. ft. for retail, specialty entertainment, dining, cinema, public cultural facilities, educational facilities, museums, and visitor attractions, as well as administrative office space.
- * Parking Facilities "adequate parking for the facilities built on the site, either below ground, above ground, surface or in a multi-level parking facility.
- * The City of Miami Baywalk for downtown would have to be maintained.

Any other development that is consistent with the land's zoning classification, which is currently Parks and Recreation. *

The original American Airlines Arena Agreement between the County, Miami Heat Ltd. and Basketball Properties, Ltd. (BPL), dated April 29, 1997, provided for the development of the Arena, permanent and temporary retail on Parcel B, transient maritime docking facilities, a Baywalk, and open space. On December 16, 2003, via Resolution R-1446-03, the County approved Composite Amendment Eight to the American Airlines Arena (AAA) Agreements, terminating BPL's (the developer/operator of the AAA) rights and obligations under the Arena Agreements to the Parcel B Retail Complex in order for the County to utilize Parcel B for public open space purposes.

PLANNING AND ZONING CONSIDERATIONS:

The County's Comprehensive Development Master Plan (CDMP) has a written policy element devoted to Coastal Management. For the purposes of constructing a Museum on the Bay, Objectives CM-5 and CM-6 of this CDMP Element would apply:

- * Objective CM-5 - new development on the shoreline shall be water dependent, water related, or at a minimum should include environmentally compatible shoreline access facilities such as walkways, piers, and viewing areas with landscaping allowing views of the water. Any new building on the water would have to consider these issues.
- * Objective CM-6 directs the County to minimize user conflicts and impacts of man-made structures and activities on coastal resources.

The objectives of the Coastal Management Element of the CDMP are carried out and enforced by the Biscayne Bay Shoreline Development Review Committee, which reviews projects based on the following factors:

- * Trees and landscaping according to detailed criteria.
- * Setback requirements from the water line based on building

Read

82' high
48.5' setback

elevations. The proposed Museum plan showing a structure 82 feet high would require a 48.5 foot setback from the edge of the water.

* A visual corridor to Biscayne Bay must be maintained. The corridor must be at least 20% of the width of the lot (up to 100 feet max for corridor), but some credit is given for using the adjacent street as part of the corridor to the Bay.

* A side setback from the property line of at least 25 feet is required for any Structure built on the land in question.

* The Committee will also consider maintaining a walkway for the public along the edge of Biscayne Bay (Baywalk), as well as other smaller technical requirements of landscaping, parking, and building placement on the lot.

* The Committee can consider variances to the above requirements based on an overall review of the project and its affect on the Biscayne Bay Shoreline.

The property is located within the City of Miami and is therefore subject to City zoning ordinances. The current zoning for this site is PR - Parks, Recreation and Open Space. Under this zoning, major structures such as performing arts centers, museums, art galleries and exhibition space which "change the character of an existing park," shall be approved only by a Special Exception Permit or a Major Use Special Permit (MUSP).

city zoning

PPS project 2004

PUBLIC INPUT:

The Project for Public Space, Inc., (PPS) a non-profit organization founded in 1975 to promote the design and management of public spaces through the use of workshops, training, community planning design review, research and other activities, led workshops in August 2004 and December 2004 on Parcel B. Parcel B was originally selected for analysis because the City of Miami had identified it as a key missing link along the Bayfront "between Bicentennial Park and the Bayside Marketplace" as well as a major opportunity site, due to its proximity to and views of the Bay, and its location at the center-point of the proposed Baywalk promenade.

As noted in the workshop reports, participants supported keeping this space well programmed but not overbuilt, with park-like features and amenities, such as shade trees, benches and seating, places to picnic or BBQ, and casual activities (pick-up soccer rather than scheduled leagues). There was interest and support for turning Parcel B into more of a neighborhood park that serves the communities that surround it - a place that is first and foremost designed for their use. In fact, the Urban Environment League, a Florida not-for-profit corporation founded in 1996 whose vision is "to promote a safe, clean, vibrant, sustainable community guided by the public's interest," while supportive of the concept of a Bay of Pigs Museum, has expressed its strong desire to have Parcel B remain a location for a waterfront park.

The current plan lacks green open space, covering 88.6% of the lot with building. The design contains a large open plaza in the middle of the museum but it is only accessible to museum visitors, not the general public visiting the site.

AMERICAN AIRLINES ARENA (AAA):

Representatives from Basketball Properties, Ltd. (operating the Arena) expressed overall support for the project but have some serious concerns which they would like addressed if the project were to move forward. They expressed serious reservations about the possibility of not having access to the water or use of the property as a staging

area for acts coming to the AAA. BPL is constantly competing with other venues (particularly the Bank Atlantic Center in Broward County) which have vast parking lots and staging areas for visiting artists and Parcel B is the only area available to the AAA for this use. BPL would like to have input throughout the approval process to insure their interests are protected.

CONCLUSION:

Based on the aforementioned information, staff has concluded that the Bay of Pigs Museum could be built on Parcel B under current zoning and deed restrictions, subject to appropriate City and County approval. Any development on the site would require addressing the AAA's requirement for an area to stage events and accommodate valet parking.

Director
General Services Administration

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Parcel B

From: SteveNmia@aol.com
To: Nanlieb@aol.com
Cc: ernestmartin1@bellsouth.net; gbush@miami.edu; mimosan@earthlink.net
Date: 9/8/2007 1:49:43 AM
Subject: you letter in Herald

Thanks Nancy for you great letter.....I just got back from three weeks in Michigan.....

There is no end to the stupid ideas churning at city and county halls.....It is depressing.....

Steve Hagen, co chair 305 754 0099
Parks & Public Space Committee of Miami Neighborhoods United

Posted on Fri, Sep. 07, 2007

Museum merits a better home

The Bay of Pigs Museum deserves a better location than Parcel B, hidden behind the American Airlines Arena, sited on top of a new arena parking garage, lacking visibility and devoid of an identity or characteristic that a site should be for the important mission of this museum.

The Miami-Dade County Commission approved a "study" for a plan to put this museum on Parcel B. Hopefully, that study will include all of the work that went into removing Armando Codina's plan for a high rise from Parcel B and having the Heat return Parcel B to the county.

When the Urban Environment League waged the battle against the Codina high-rise, it also led the way to remove the requirement for the Heat and the county to build a pedestrian bridge from the arena to Bayside. The funds to be used for the bridge were supposed to be used to improve Parcel B. This never happened.

In the original deal created for the arena, this pedestrian bridge was to allow Heat patrons to park at Bayside and walk to the arena. If the Heat builds a parking garage on Parcel B with the Bay of Pigs Museum on top the irony will be that Bayside would lose out on parking revenue from the bridge connection, but the Heat would have parking on the county's last waterfront site.

This should win an award for the worst planned project in all of Miami (since The Miami Herald was built as a wall against the water).

It is a shame that the county never allowed Bicentennial Park's architect, Cooper Robertson, to incorporate Parcel B into the park plan. Robertson realized that Parcel B would be a viable place for teams to play soccer since that was the original use chosen by voters years ago. He also realized that people who now play soccer in Bicentennial Park would be displaced with the renovation of the park.

I hope the powers-that-be come to their senses to find a real location for the Bay of Pigs Museum and leave Parcel B as a public, open, waterfront destination integrated with a restored Bicentennial Park.

NANCY LIEBMAN, Miami Beach

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From: Barbara Bisno
To: Gregory Bush
Cc: Hagen, Steve; Mann, Bebe; Sandoval, Judy; Williams, Hadley C.; West, Nina; BUSH GREG; Cruz, Elvis
Date: 4/13/2008 5:58:53 PM
Subject: Re: Fw: County meeting tomorrow

Greg,

I'm sorry I can't come - I have a meeting which conflicts. I hope others can come. Also, that committee will be looking at the MOU with 3 museums and City/County re Bicentennial Park at that meeting. The GOB citizens advisory committee recommended it be approved and I was the sole vote against. The MOU includes a waiver of the County rule which requires a recipient of County funds to have control of the site it is seeking funds for. However, the museums have not signed a lease with the City yet so therefore do not have control of the site. The MOU contains a waiver of that point. I have told the Comm who appointed me about this - Edmonson but don't know if she is on the committee. Also, MOU says city will sign lease with Sports Authority and the SA will sign lease with museums to avoid requirement of referendum on city leasing waterfront property. County says GOB was referendum but just in case they are inserting Sports Authority. Did same thing with Children's museum. Hope you and others can stay at the meeting to speak about this too.

Barbara K. Bisno
1000 Venetian Way #603
Miami, Florida 33139
Tel: 305 374 2566
Cell: 786 390 4134
Fax: 305 374 2564
Email: bbisno@comcast.net

— Original Message —

From: Gregory Bush
To: Barbara Bisno
Cc: SteveNmia@aol.com ; Bmann520@aol.com ; mimosan@earthlink.net ; hwilliams@mindspring.com ; ninawest1000@yahoo.com ; bush4398@bellsouth.net ; ElvisCruz@mac.com
Sent: Sunday, April 13, 2008 2:23 PM
Subject: Re: Fw: Summary of City Master Plans including Miami 21

Barbara et al: Please see the following piece and provide me with any comments ASAP. The weakest element is my discussion of zoning, CDMP and the Dan Paul ammendment. There is a meeting tomorrow afternoon at 2 pm at County hall and some people need to show up to speak out. Please do not distribute further at this stage.

Greg

Waterfront Land Up for Grabs! Who Knew?

By Gregory Bush

Extra! Extra! New land has been found in front of the American Airlines Arena. Hurry, Hurry.

Put a stake in the ground and claim it before others do!

Who knew that this new public land has been found? Who has been involved in deciding what to do with it?

Sadly, in its present form, the issue appears before the County commission's Recreation and Culture committee Monday April 13th at 2 pm at the Stephen Clark Center. A Bay of Pigs Museum tied to a 1,000 space Heat parking garage appears politically favored to win the day.

Not far away, however, in great silence, a Bayfront Park statute honors Ponce de Leon, another adventurer who discovered (?) and claimed "new land" for God and the King of Spain. The point is that the history of our landscape is critical to our sense of place and the long term quality of our lives. Our process for deciding its use should be corrected now. Our struggles for the Miami Circle, Bicentennial Park, Virginia Key, Sewell Park and the Barnacle addition should have told public officials that new modes of decision making for public land need to be instituted and carried through.

In 2008, this parcel contains 2.7 acres of invaluable waterfront land worth millions that is apparently up for grabs to the cleverest packager because the public process for designing public land has been indefensibly lame. This issue is not about the worthy goal of honoring the Bay of Pigs veterans, whose museum should appropriately be placed in the Freedom Tower, but about the power of big time lobbyists who have cobbled together a deal to promote the parking needs of a **1,000 space parking garage** for the Miami Heat. We, the public, need an investigation of this process of appropriating public land with little public input. How did this deal come about? Why aren't other organizations able to ask for and receive such valuable waterfront land?

New land? Who recalls that the Heat sold the public the idea of getting their land for the American Airlines Arena with pictures of kids playing soccer on the field in front of the Arena. Now they need more parking spaces for their events. Our fast changing landscape and our processes for defining its future uses has a deeply textured but largely forgotten history. More generally, according to conservative New York Times columnist David Brooks, we are all living in the Bad Memory Century. "Already, the information acceleration syndrome means that more data is coursing through everybody's brains, but less of it actually sticks."

Miami is the poster child for America's Bad Memory City. Public officials seldom recall deed restrictions or commitments for public land use, or a myriad of other commission actions passed in prior years to utilize public land. We're a fast buck place that seems to recreate wheels over and over again just to appear new and to jump to the tune of clever promoters with deep pockets or political influence.

The result is to create an ephemeral game-oriented people who live in places that don't last. We need to think more about reuse, the economic and ecological value of public spaces, the complex needs of our diverse communities and the sense that we are building places that could last for centuries. Think of the Miami Circle.

The case in point: Today's game involves the Heat (with the Bay of Pigs Museum that few could oppose from a normal political stance) who call for a huge parking structure and a museum honoring the Bay of Pigs veterans on top of this sadly neglected site. (See the conceptual drawings at www.bayofpigmuseum.org)

Significantly, the County Parks Department, which has recently touted a new long range Master file://C:\Documents and Settings\Judith\Local Settings\Temp\0FDA8393-BDA8-4E50-A6... 4/13/2008

County Parks master Plan

Plan at the Great Parks Summit, was apparently never part of the process of deciding what to do with this space. The County Manager's report on the issue, delivered by GSA without Parks Department input.

Yet there was a public process to decide the future of this site in 2004 that was led by the nationally recognized group Project for Public Spaces and that has not been referenced and has been totally ignored. (See their report reprinted at www.uel.org)

The public should be aware of this land grab, the context behind it, and decide for themselves the uses of this critically important parcel. Yet who knew we had that right? And what processes are in place to get such public input?

Some facts to consider:

by Goes Bush READ

1. The structure being proposed will take up 88.8% of this last available open space on the bay in downtown Miami. Without significant view corridors and little to do with water related or water dependent uses as specified by local CDMP directives.
2. This deal dishonors the memory of the Bay of Pigs Veterans because of the highly undemocratic process in which the uses of public land are made and the way the decisions have been made. Cubans have a deservedly major voice in our community but they, and their Heat allies, should not pervert our admittedly weak political processes for their own ends. Questions about the Mega Deal for downtown Miami can justifiably be turned back on the processes for Parcel B as well.
3. Show us the money! Just like the PAC and the Science and Art museums, Miamians can give public land to groups who don't prove their own financial game plan before the end game comes due. The cost overruns, we are seeing, are enormous for everyone in the county. Who is accountable for this money and what processes are in place before the structures are built?
4. Public processes were created in 2001 and 2004 for this site that included hundreds of people calling for dramatically different land uses of an integrated waterfront from the mouth of the Miami River to Pace Park. Why are these earlier visions being ignored?
5. Serious questions relate to improper procedures in terms of the County Charter Section 7 and the Dan Paul Amendment, as well as the Carollo Ammendment for any city related property.
6. This land is zoned for park and recreation. Is a 1,000 space parking garage with a museum on top in any way a park? How stretched can we make the definitions for parks these days?

To conclude, this item should be deferred from present consideration by the commission and a rational process for waterfront land use devised with sufficient public input within the next six months.

Report to the County Manager from GSA

Notes: TLL- 3/26/08 **Title:** CONCEPTUAL STUDY OF BAY OF PIGS MUSEUM AND LIBRARY ON PARCEL "B" SITE

Date: To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners From: George M. Burgess County Manager

Subject: Conceptual Study of Bay of Pigs Museum and Library on Parcel "B"

Site **BODY** The following report has been prepared in response to Resolution R-1000-07, sponsored by Chairman Barreiro, Vice Chairwoman Jordan and Commissioners Martinez, Sosa, Seijas, Diaz, Gimenez, Edmonson, and Rolle, directing the Manager to provide a conceptual study analyzing development of a Bay of Pigs Museum and Library on Parcel B site.

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It appears that there is room for the continuation of the Baywalk project between the building and the Bay, however this must be confirmed and shown on the site plan. It should be noted that Project # 142 in the BBC/GOB is being presented to the Government and Operations Committee of the Board on March 11, 2008 for modification of the language to include the Baywalk as part of the project to repair the sea wall.

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Airlines Arena, associated structures, including the 2.76 acres of land presently known as Parcel "B." This Deed includes a Restrictive Covenant which limited the development on all of the land for a 33 year period to the following uses:

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Reed

• * Trees and landscaping according to detailed criteria.

• * Setback requirements from the water line based on building elevations. The proposed Museum plan showing a structure 82 feet high would require a 48.5 foot setback from the edge of the water.

• * A visual corridor to Biscayne Bay must be maintained. The corridor must be at least 20% of the width of the lot (up to 100 feet max for corridor), but some credit is given for using the adjacent street as part of the corridor to the Bay.

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• * The Committee can consider variances to the above requirements based on an overall review of the project and its affect on the Biscayne Bay Shoreline.

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workshops, training, community planning design review, research and other activities, led workshops in August 2004 and December 2004 on Parcel B. Parcel B was originally selected for analysis because the City of Miami had identified it as a key missing link along the Bayfront – between Bicentennial Park and the Bayside Marketplace – as well as a major opportunity site, due to its proximity to and views of the Bay, and its location at the center-point of the proposed Baywalk promenade. As noted in the workshop reports, participants supported keeping this space well programmed but not overbuilt, with park-like features and amenities, such as shade trees, benches and seating, places to picnic or BBQ, and casual activities (pick-up soccer rather than scheduled leagues). There was interest and support for turning Parcel B into more of a neighborhood park that serves the communities that surround it - a place that is first and foremost designed for their use. In fact, the Urban Environment League, a Florida not-for-profit corporation founded in 1996 whose vision is "to promote a safe, clean, vibrant, sustainable community guided by the public's interest," while supportive of the concept of a Bay of Pigs Museum, has expressed its strong desire to have Parcel B remain a location for a waterfront park. The current plan lacks green open space, covering 88.6% of the lot with building. The design contains a large open plaza in the middle of the museum but it is only accessible to museum visitors, not the general public visiting the site.

AMERICAN AIRLINES ARENA (AAA): Representatives from Basketball Properties, Ltd. (operating the Arena) expressed overall support for the project but have some serious concerns which they would like addressed if the project were to move forward. They expressed serious reservations about the possibility of not having access to the water or use of the property as a staging area for acts coming to the AAA. BPL is constantly competing with other venues (particularly the Bank Atlantic Center in Broward County) which have vast parking lots and staging areas for visiting artists and Parcel B is the only area available to the AAA for this use. BPL would like to have input throughout the approval process to insure their interests are protected.

CONCLUSION: Based on the aforementioned information, staff has concluded that the Bay of Pigs Museum could be built on Parcel B under current zoning and deed restrictions, subject to appropriate City and County approval. Any development on the site would require addressing the AAA's requirement for an area to stage events and accommodate valet parking.

Parcel B

Parcel in

From: miamicitywatch@aol.com
To: undisclosed-recipients:
Date: 9/24/2007 5:24:55 PM
Subject: Fwd: Eye on Miami on Parcel B - At American Airlines Arena -- Bay of PigsMuseum

<http://eyeonmiami.blogspot.com/>

Parcel B: I Found a copy of The Dec. 1, 2004 Placemaking Workshop Report. By Geniusofdespair

The site wanted for the Bay of Pigs museum -- parcel B -- has had a planning session which was well attended by people from the community. The Placemaking Workshop report for Parcel B is 21 pages long and the draft was submitted Dec. 21st, 2004...here is the concluding paragraph:

"There was widespread support among workshop participants of keeping this space well programmed but not overbuilt, with park like features and amenities, such a shade trees, benches and eating paces to picnic or barbecue, and things to do but in a more casual way (pick-up soccer rather than scheduled leagues). There seems to be interest and support for turning parcel B into more of a neighborhood park, with a casual feel, that serves the communities that surround it as well as the private sponsors and Miami Heat clientele. This may or may not be possible given the fact that it may be hard to create a neighborhood park next to a major regional entertainment venue and destination. However, it is clear that the people of Miami want a place that is first and foremost designed for their use â€” not primarily for museums, or tourists, or as a profit making sports facility, but as one of the ten places that makes Miami great and the downtown worth living in."

So, this site, although neglected by the County, was much in the minds of the citizens, who met in good faith to plan their open space.

I wasn't aware that there is a Cuban History museum in the pipeline. Were you? There was a ground-breaking in June and County Bond money is funding it (press release below). Take note of this County Manager George Burgess. Maybe this is the place to house the Bay of Pigs exhibit? That is certainly part of Cuban History. Do we need to have two exhibit venues and the Freedom Tower? That is a lot of exhibition space.)

Email and AIM finally together. You've gotta check out free AOL Mail! - <http://mail.aol.com>

**SUMMARY OF FINDINGS AND RECOMMENDATIONS
PPS REPORT ON PARCEL B**

FINDINGS

- To turn Parcel B into a successful waterfront destination, all the private and public entities and stakeholders with jurisdiction over adjacent sites need to partner with the County to promote the place.
- All the institutions, businesses, municipal authorities, and grass-roots neighborhood groups along the downtown section of the Bay (this should include the hotels and Miami River redevelopment projects) to commit to think about Bayfront Park, Bayside, Parcel B, Bicentennial Park/Museum Park, Women's Club, Sealine Marina, Margaret Pace Park as comprising one continuous public space and place, yet each with and expressing its own character and appeal.
- The public needs to be encouraged to see it that way.
- Under the current conditions – absence of linkages, difficult pedestrian connections, Bicentennial Park still under construction, residential projects under construction, etc. – the site will only be activated successfully by major events that are well advertised, marketed, and open to the public.
- Using the site for special private events has played its role for the parcel but, if continued, this trend will not serve to promote Parcel B as an available, public open space.

RECOMMENDATIONS

- Workshop participants suggested creating a seasonal events calendar for the space, starting with several holiday events. This seasonal event calendar could be extended with other, smaller events to fill-up the schedule and sustain activity throughout the year and at different times of day
- An event where there is food is a better event. Additionally, the current relative isolation of the parcel from other services and amenities makes providing food on site a desirable option. Key to the success of food service operations on Parcel B in the near term will be to tie it to special events.
- Workshop participants envisioned the short-term event oriented uses of the site to be appropriate for rental of a variety of equipment including kayaks, bikes, games, etc.
- A first step in improving the image of the site would be to give it a proper name. During the public workshop in December, PPS facilitators asked participants to suggest names for the space. Suggested names are in the Appendix of the draft report. Naming the parcel could become the basis of a larger publicity campaign for the site, which would open the process up to a larger audience along the Bayfront. NBC or a local radio station could have citizens call-in with name ideas, and prizes could be awarded for the best ideas.

Short-Term Physical Improvements

- For any of the events listed in the previous section to occur, some additional physical improvements to the site will be needed in order accommodate users.

Workshop participants had many ideas for temporary structures other amenities that could support various events including:

- Movable / temporary stage for performances and concerts;
- A tent / awning to provide shade and weather protection;
- A floating stage for events that could be shared with other venues along the Bay;
- Temporary bleachers or folding/movable chairs for event viewing;
- Beach chairs that could be rented for a minimal fee;
- Port-o-potties – although the Arena could provide toilet facilities to site users, workshop participants felt that it would be more convenient to have basic facilities on-site, especially during larger events;
- Flexible shade structure / trellis that could be used for multiple programs and events;
- Create “rooms”/areas for activities where smaller groups can gather. Workshop participants remarked on the fact that this site is one of the smallest in the context of the series of open spaces on the Bay. People liked the intimate scale of the space and suggested that this quality should be enhanced by physical amenities that create smaller, more intimate spaces.
- To mitigate against noise generated by the truck traffic on the Port Boulevard, and give the parcel a sense of enclosure, a sound wall could be built, providing a surface for art and greenery and blocking the trucks from view as well.
- Another necessary short-term improvement is to provide a range of seating options - both fixed and movable.
- A major concern for all seating will be that with the current lack of shade and landscaping, seating would be exposed to the sun.
- Landscaping for the site was envisioned as lush, green and tropical, providing ample shade with trees, Royal palms, Sea-grape trees, shrubs, and creepers on pergola or trellis structure(s). Xeriscaping could compensate for lack of irrigation.
- Overall recommendation for improving access to the site was to enhance and keep the gates open during the day.
- Ideas for making pedestrian and bicycle access easier focused on signage and enhancing existing connections to transit and Biscayne Blvd.
- Permanent facilities should be planned for and designed after a two to three year period of experimentation to determine exactly what types of uses the facility should house and how they can best be accommodated.
- It is PPS’ opinion that programming is 80% of the success of a public space. Programming this space with flexible uses, moveable amenities, and keeping the number and amount of structures to a minimum until they are required will be key to building and audience and a “market” for this place, before anything permanent is constructed.
- Create a management entity to begin to evaluate the recommendations mentioned in this report for implementation.

- o This entity should create a plan and design for Parcel B. Working with one of the existing firms currently engaged in designing Bayfront parks, such as Civitas, who is currently under contract to the city for Bicentennial Park, would both expedite the contracting process and increase the chances that the design of these two closely related parks will complement one another. In a meeting that PPS had with Mark Johnson, a principal with Civitas, it became clear that the goals and approach of these two organizations are compatible with a process based on community participation, consensus building, and place-making.
- o This management group also could begin to reach out to and survey potential user groups from the greater Miami area to identify who might be interested in using the park on an informal but regular basis.
- o Select a name for the place, and begin using the name to brand these activities, outreach and planning efforts.
- There was widespread support among workshop participants of keeping this space well programmed but not overbuilt, with park like features and amenities, such as shade trees, benches and seating, places to picnic or bbq, and things to do but in a more casual way (pick-up soccer rather than scheduled leagues).

Hand in

Parcel B

From: Gregory Bush
To: Barbara Bisno
Cc: SteveNmia@aol.com; Bmann520@aol.com; mimosan@earthlink.net;
 hcwilliams@mindspring.com; ninawest1000@yahoo.com; bush4398@bellsouth.net;
 ElvisCruz@mac.com
Date: 4/13/2008 2:23:26 PM
Subject: Re: Fw: Summary of City Master Plans including Miami 21

Barbara et al: Please see the following piece and provide me with any comments ASAP. The weakest element is my discussion of zoning, CDMP and the Dan Paul ammendment. There is a meeting tomorrow afternoon at 2 pm at County hall and some people need to show up to speak out. Please do not distribute further at this stage.

Greg

Waterfront Land Up for Grabs! Who Knew?

By Gregory Bush

Extra! Extra! New land has been found in front of the American Airlines Arena. Hurry, Hurry. Put a stake in the ground and claim it before others do!

Who knew that this new public land has been found? Who has been involved in deciding what to do with it?

Sadly, in its present form, the issue appears before the County commission's Recreation and Culture committee Monday April 13th at 2 pm at the Stephen Clark Center. A Bay of Pigs Museum tied to a 1,000 space Heat parking garage appears politically favored to win the day.

Not far away, however, in great silence, a Bayfront Park statute honors Ponce de Leon, another adventurer who discovered (?) and claimed "new land" for God and the King of Spain. The point is that the history of our landscape is critical to our sense of place and the long term quality of our lives. Our process for deciding its use should be corrected now. Our struggles for the Miami Circle, Bicentennial Park, Virginia Key, Sewell Park and the Barnacle addition should have told public officials that new modes of decision making for public land need to be instituted and carried through.

In 2008, this parcel contains 2.7 acres of invaluable waterfront land worth millions that is apparently up for grabs to the cleverest packager because the public process for designing public land has been indefensibly lame. This issue is not about the worthy goal of honoring the Bay of Pigs veterans, whose museum should appropriately be placed in the Freedom Tower, but about the power of big time lobbyists who have cobbled together a deal to promote the parking needs of a **1,000 space parking garage** for the Miami Heat. We, the public, need an investigation of this process of appropriating public land with little public input. How did this deal come about? Why aren't other organizations able to ask for and receive such valuable waterfront land?

New land? Who recalls that the Heat sold the public the idea of getting their land for the American Airlines Arena with pictures of kids playing soccer on the field in front of the Arena. Now they need more parking spaces for their events. Our fast changing landscape and our processes for defining its future uses has a deeply textured but largely forgotten history. More generally, according to conservative New York Times columnist David Brooks, we are all living in the Bad Memory Century. "Already, the information acceleration syndrome means that more data is coursing through everybody's brains, but less of it actually sticks."

Miami is the poster child for America's Bad Memory City. Public officials seldom recall deed restrictions or commitments for public land use, or a myriad of other commission actions passed in prior years to utilize public land. We're a fast buck place that seems to recreate wheels over and over again just to appear new and to jump to the tune of clever promoters with deep pockets or political influence.

The result is to create an ephemeral game-oriented people who live in places that don't last. We need to think more about reuse, the economic and ecological value of public spaces, the complex needs of our diverse communities and the sense that we are building places that could last for centuries. Think of the Miami Circle.

The case in point: Today's game involves the Heat (with the Bay of Pigs Museum that few could oppose from a normal political stance) who call for a huge parking structure and a museum honoring the Bay of Pigs veterans on top of this sadly neglected site. (See the conceptual drawings at www.bayofpigsmuseum.org)

Significantly, the County Parks Department, which has recently touted a new long range Master Plan at the Great Parks Summit, was apparently never part of the process of deciding what to do with this space. The County Manager's report on the issue, delivered by GSA without Parks Department input.

Yet there was a public process to decide the future of this site in 2004 that was led by the nationally recognized group Project for Public Spaces and that has not been referenced and has been totally ignored. (See their report reprinted at www.uel.org)

The public should be aware of this land grab, the context behind it, and decide for themselves the uses of this critically important parcel. Yet who knew we had that right? And what processes are in place to get such public input?

Some facts to consider:

1. The structure being proposed will take up 88.8% of this last available open space on the bay in downtown Miami. Without significant view corridors and little to do with water related or water dependent uses as specified by local CDMP directives.
2. This deal dishonors the memory of the Bay of Pigs Veterans because of the highly undemocratic process in which the uses of public land are made and the way the decisions have been made. Cubans have a deservedly major voice in our community but they, and their Heat allies, should not pervert our admittedly weak political processes for their own ends. Questions about the Mega Deal for downtown Miami can justifiably be turned back on the processes for Parcel B as well.
3. Show us the money! Just like the PAC and the Science and Art museums, Miamians can give public

land to groups who don't prove their own financial game plan before the end game comes due. The cost overruns, we are seeing, are enormous for everyone in the county. Who is accountable for this money and what processes are in place before the structures are built?

4. Public processes were created in 2001 and 2004 for this site that included hundreds of people calling for dramatically different land uses of an integrated waterfront from the mouth of the Miami River to Pace Park. Why are these earlier visions being ignored?

5. Serious questions relate to improper procedures in terms of the County Charter Section 7 and the Dan Paul Amendment, as well as the Carollo Ammendment for any city related property.

6. This land is zoned for park and recreation. Is a 1,000 space parking garage with a museum on top in any way a park? How stretched can we make the definitions for parks these days?

To conclude, this item should be deferred from present consideration by the commission and a rational process for waterfront land use devised with sufficient public input within the next six months.

Report to the County Manager from GSA

Notes: TLL- 3/26/08 **Title:** CONCEPTUAL STUDY OF BAY OF PIGS MUSEUM AND LIBRARY ON PARCEL "B" SITE

Date: To: Honorable Chairman Bruno A. Barreiro and Members,
Board of County Commissioners From: George M. Burgess County
Manager Subject: Conceptual Study of Bay of Pigs Museum and Library
on Parcel "B" Site **BODY** The following report has been prepared in
response to Resolution R-1000-07, sponsored by Chairman Barreiro, Vice
Chairwoman Jordan and Commissioners Martinez, Sosa, Seijas, Diaz, Gimenez,
Edmonson, and Rolle, directing the Manager to provide a conceptual study
analyzing development of a Bay of Pigs Museum and Library on Parcel B site.
PROJECT DESCRIPTION: This analysis is based on the attached
preliminary design of the Bay of Pigs Museum and Library prepared by Chisholm
Architects proposed to be constructed on the County's 2.76 acres of land directly
east of the American Airlines Arena (Parcel "B") and contains the following basic
characteristics: * A five story building approximately 82 feet high. * Below
ground, ground level and above ground level parking of approximately 353,490

square feet to accommodate approximately 1,000 cars. Although building further down is feasible, it is a more expensive process. While an above ground parking structure costs approximately \$25,000 per space, an underground facility would cost approximately \$70,000 per space. * Three levels of enclosed space with approximately 110,000 square feet to accommodate exhibition, office, theater, storage, library and other museum space. * Proposed lot coverage of 88.6% or 106,785 sq. ft. of 120,225 sq. ft. It appears that there is room for the continuation of the Baywalk project between the building and the Bay, however this must be confirmed and shown on the site plan. It should be noted that Project # 142 in the BBC/GOB is being presented to the Government and Operations Committee of the Board on March 11, 2008 for modification of the language to include the Baywalk as part of the project to repair the sea wall.

LAND OWNERSHIP AND RESTRICTIONS: On January 8, 1998, the City of Miami deeded 19.04 acres of land to Miami-Dade County for the American Airlines Arena, associated structures, including the 2.76 acres of land presently known as Parcel "B." This Deed includes a Restrictive Covenant which limited the development on all of the land for a 33 year period to the following uses:

* Arena meaning a sports and entertainment complex together with:
 - 37,500 sq. ft. of office space
 - retail, food and beverage space within the ticket secure area inside the actual Arena.
 - 30,000 sq. ft. of retail space located outside the secure ticket area
 - parking, roadways, plaza and other public spaces

* Specialty Entertainment - Up to 70,000 sq. ft. for retail, specialty entertainment, dining, cinema, public cultural facilities, educational facilities, museums, and visitor attractions, as well as administrative office space.
 * Parking Facilities adequate parking for the facilities built on the site, either below ground, above ground, surface or in a multi-level parking facility.

* The City of Miami Baywalk for downtown would have to be maintained.
 Any other development that is consistent with the land's zoning classification, which is currently Parks and Recreation.

* The original American Airlines Arena Agreement between the County, Miami Heat Ltd. and Basketball Properties, Ltd. (BPL), dated April 29, 1997, provided for the development of the Arena, permanent and temporary retail on Parcel B, transient maritime docking facilities, a Baywalk, and open space. On December

16, 2003, via Resolution R-1446-03, the County approved Composite Amendment Eight to the American Airlines Arena (AAA) Agreements, terminating BPL's (the developer/operator of the AAA) rights and obligations under the Arena Agreements to the Parcel B Retail Complex in order for the County to utilize Parcel B for public open space purposes. ¶

¶ PLANNING AND ZONING CONSIDERATIONS: ¶ The County's Comprehensive Development Master Plan (CDMP) has a written policy element devoted to Coastal Management. For the purposes of constructing a Museum on the Bay, Objectives CM-5 and CM-6 of this CDMP Element would apply: ¶ ¶

- ¶ Objective CM-5 - new development on the shoreline shall be water dependent, water related, or at a minimum should include environmentally compatible shoreline access facilities such as walkways, piers, and viewing areas with landscaping allowing views of the water. Any new building on the water would have to consider these issues. ¶ ¶
- ¶ * Objective CM-6 directs the County to minimize user conflicts and impacts of man-made structures and activities on coastal resources. ¶ ¶ The objectives of the Coastal Management Element of the CDMP are carried out and enforced by the Biscayne Bay Shoreline Development Review Committee, which reviews projects based on the following factors: ¶ ¶
- ¶ * Trees and landscaping according to detailed criteria. ¶ ¶
- ¶ * Setback requirements from the water line based on building elevations. The proposed Museum plan showing a structure 82 feet high would require a 48.5 foot setback from the edge of the water. ¶ ¶
- ¶ * A visual corridor to Biscayne Bay must be maintained. The corridor must be at least 20% of the width of the lot (up to 100 feet max for corridor), but some credit is given for using the adjacent street as part of the corridor to the Bay. ¶ ¶
- ¶ * A side setback from the property line of at least 25 feet is required for any Structure built on the land in question. ¶ ¶
- ¶ * The Committee will also consider maintaining a walkway for the public along the edge of Biscayne Bay (Baywalk), as well as other smaller technical requirements of landscaping, parking, and building placement on the lot. ¶ ¶

- * The Committee can consider variances to the above requirements based on an overall review of the project and its affect on the Biscayne Bay Shoreline. 

The property is located within the City of Miami and is therefore subject to City zoning ordinances. The current zoning for this site is PR - Parks, Recreation and Open Space. Under this zoning, major structures such as performing arts centers, museums, art galleries and exhibition space which "change the character of an existing park," shall be approved only by a Special Exception Permit or a Major Use Special Permit (MUSP). 

PUBLIC INPUT:
 The Project for Public Space, Inc., (PPS) a non-profit organization founded in 1975 to promote the design and management of public spaces through the use of workshops, training, community planning design review, research and other activities, led workshops in August 2004 and December 2004 on Parcel B. Parcel B was originally selected for analysis because the City of Miami had identified it as a key missing link along the Bayfront between Bicentennial Park and the Bayside Marketplace as well as a major opportunity site, due to its proximity to and views of the Bay, and its location at the center-point of the proposed Baywalk promenade. As noted in the workshop reports, participants supported keeping this space well programmed but not overbuilt, with park-like features and amenities, such as shade trees, benches and seating, places to picnic or BBQ, and casual activities (pick-up soccer rather than scheduled leagues). There was interest and support for turning Parcel B into more of a neighborhood park that serves the communities that surround it - a place that is first and foremost designed for their use. In fact, the Urban Environment League, a Florida not-for-profit corporation founded in 1996 whose vision is "to promote a safe, clean, vibrant, sustainable community guided by the public's interest," while supportive of the concept of a Bay of Pigs Museum, has expressed its strong desire to have Parcel B remain a location for a waterfront park. The current plan lacks green open space, covering 88.6% of the lot with building. The design contains a large open plaza in the middle of the museum but it is only accessible to museum visitors, not the general public visiting the site.

AMERICAN AIRLINES ARENA (AAA): Representatives from Basketball Properties, Ltd. (operating the Arena) expressed overall support for the project but have some serious concerns which they would like addressed if the project were to move forward. They expressed serious reservations about the possibility of not having access to the water or use of the property as a staging area for acts coming to the AAA. BPL is constantly competing with other venues (particularly the Bank Atlantic Center in Broward County) which have vast parking lots and staging areas for visiting artists and Parcel B is the only area available to the AAA for this use. BPL would like to have input throughout the approval process to insure their interests are protected.



taking up more space



CONCLUSION: Based on the aforementioned information, staff has concluded that the Bay of Pigs Museum could be built on Parcel B under current zoning and deed restrictions, subject to appropriate City and County approval. Any development on the site would require addressing the AAA's requirement for an area to stage events and accommodate valet parking.

||

Parcel B

Page 1 of 5

From: MiamiCityWatch@aol.com

To: undisclosed-recipients:

Date: 9/9/2007 9:10:08 AM

Subject: Bay of Pigs Museum on Biscayne Bay's Parcel B? I'm no lawyer but...(Eye on Miami)

Dan Paul Amendment

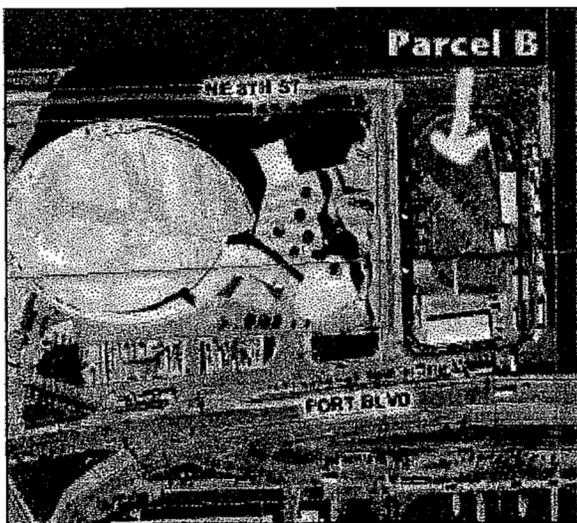
From: MiamiCityWatch@aol.com

To: undisclosed-recipients:

Date: 9/9/2007 9:10:08 AM

Subject: Bay of Pigs Museum on Biscayne Bay's Parcel B? I'm no lawyer but...(Eye on Miami)

Bay of Pigs Museum on Biscayne Bay's Parcel B? I'm no lawyer but...by
Geniusofdespair



Although never entered into Miami Dade Parks inventory (the Park's Dept. tells me), Parcel B is still zoned Parks and Recreation.

So legal eagles here is my question and my answer: Am I correct?

If it is county land and it is zoned Parks and Recreation, it must go for a countywide referendum because of Article 7 (The Dan Paul Amendment) of the Home Rule Charter. All County Parks are governed by this Amendment. However, the Amendment says:

file://C:\Documents and Settings\Judith\Local Settings\Temp\9F25B4F1-BB9F-46D8-85F... 4/14/2008

"Note: This Article does not apply to municipal property in Coral Gables, Hialeah, Hialeah Gardens, Miami, Sweetwater and West Miami."

So if it is County Property it is not constituted as "municipal" property of the the City of Miami although it retains the City Zoning. Thus, if it is County Property subject to the Dan Paul Amendment this section would apply, and a Bay of Pigs Museum and Library atop a parking garage would have to be voted on countywide:

SECTION 7.02. RESTRICTIONS AND EXCEPTIONS.

In furtherance of this policy parks shall be used for public park purposes only, and subject to the limited exceptions set forth in this Article, there shall be no permanent structures or private commercial advertising erected in a public park or private commercial use of a public park or renewals, expansions, or extensions of existing leases, licenses, or concessions to private parties of public park property, unless each such structure, lease, license, renewal, expansion, extension, concession or use shall be approved by a majority vote of the voters in a County-wide referendum.

The people of this county did vote once before on this property and the vote was for Soccer Fields (It was part of the American Airlines Arena Referendum). Can the County Commission just cast that vote aside? By the way, City of Miami waterfront property is also subject to a citywide vote (Carollo Amendment). I am including the entire Article for Legal Eagles to look at but I think we would need another countywide vote:

**ARTICLE - 7
PARKS, AQUATIC PRESERVES, AND
PRESERVATION LANDS**

Note: This Article does not apply to municipal property in Coral Gables, Hialeah, Hialeah Gardens, Miami, Sweetwater and West Miami. See Section 7.04.

SECTION 7.01. POLICY.

Parks, aquatic preserves, and lands acquired by the County for preservation shall be held in trust for the education, pleasure, and recreation of the public and they shall be used and maintained in a manner which will leave them unimpaired for the enjoyment of future generations as a part of the public's irreplaceable heritage. They shall be protected from commercial development and exploitation and their natural landscape, flora and fauna, and scenic beauties shall be preserved. In lands acquired by the County for preservation and in parks along the Ocean or the Bay the public's access to and view of the water shall not be obstructed or impaired by buildings or other structures or concessions which are in excess of 1500 square feet each. Adequate maintenance shall be provided.

SECTION 7.02. RESTRICTIONS AND EXCEPTIONS.

In furtherance of this policy parks shall be used for public park purposes only, and subject to the limited exceptions set forth in this Article, there shall be no

permanent structures or private commercial advertising erected in a public park or private commercial use of a public park or renewals, expansions, or extensions of existing leases, licenses, or concessions to private parties of public park property, unless each such structure, lease, license, renewal, expansion, extension, concession or use shall be approved by a majority vote of the voters in a County-wide referendum. Nothing in this Article shall prevent any contract with federally tax-exempt not-for-profit youth, adult, and senior cultural, conservation and parks and recreation program providers. To ensure aquatic preserves, lands acquired by the County for preservation, and public parks or parts thereof which are nature preserves, beaches, natural forest areas, historic or archeological areas, or otherwise possess unique natural values in their present state, such as Matheson Hammock, Greynolds Park, Redlands Fruit and Spice Park, Castellow Hammock, Crandon Park, Trail Glades Park, Deering Estate Park, Pine Shore Park, Old Cutler Hammock, Chapman Field, Tamiami Pinelands, Wainright Park, Larry and Penny Thompson Park, Whispering Pines Hammock, Mangrove Preserve, Owaissa Bauer Park, Fuchs Hammock, Black Point Marina, Simpson Park, Sewell Park, Barnes Park, Virginia Key, mangrove preserves, and all other natural or historical resource based parks do not lose their natural or historical values, any structure, lease, license, renewal, extension, concession or use in any of this class of public parks or in aquatic preserves and preservation lands must be approved by an affirmative vote of two-thirds of the voters in a County-wide referendum. No park shall be designed to be used beyond its appropriate carrying capacity and to the extent required by law all parks and facilities and permitted special events and concessions operating in the parks shall be fully accessible to persons with disabilities. Nothing in this Article shall prevent the maintenance of existing facilities, the maintenance, operation, and renovation of existing golf course and marina restaurants at their existing square footage by government agencies or private operators, provided such private operators are chosen as a result of competitive selection and their initial contract terms are limited to no more than ten years, or the construction, operation, maintenance, and repair by government agencies or private operators of or issuance of temporary permits for:

- A. Appropriate access roads, bridges, fences, lighting, flag poles, entrance features, picnic shelters, tables, grills, benches, irrigation systems, walls, erosion control devices, utilities, trash removal, parking and security and fire facilities for the primary use of the park system;
- B. Food and concession facilities each not in excess of 1500 square feet of enclosed space, with any complementary outdoor or covered areas needed to service park patrons;
- C. User-participation non-spectator recreation and, playground facilities, golf courses and golf-course related facilities, and bandstands and bandshells containing less than 1,000 spectator seats and athletic facilities, sports fields and arenas containing less than 3,000 spectator seats;
- D. Facilities for marinas, sightseeing and fishing boats, visiting military vessels, and fishing;
- E. Park signage and appropriate plaques and monuments;

- F. Rest rooms;
 - G. Fountains, gardens, and works of art;
 - H. Park service facilities, senior, day care and pre-school facilities, small nature centers with not more than one classroom;
 - I. Film permits, temporary fairs, art exhibits, performing arts, concerts, cultural and historic exhibitions, regattas, athletic contests and tournaments, none of which require the erection of permanent structures;
 - J. Advertising in connection with sponsorship of events or facilities in the park, provided however all such facilities and uses are compatible with the particular park and are scheduled so that such events do not unreasonably impair the public use of the park or damage the park.
 - K. Programming partnerships with qualified federally tax exempt not-for-profit youth, adult, and senior cultural, conservation, and parks and recreation program providers;
 - L. Agreements with cable, internet, telephone, electric or similar service providers or utilities, so long as any installations are underground or do not adversely impact natural resources, or parks facilities and uses.
- No park facilities, golf courses, or County lands acquired for preservation shall be converted to or used for non-park offices, purposes, or uses. The County, the municipalities, and agencies or groups receiving any public funding shall not expend any public money or provide any publicly funded services in kind to any project which does not comply with this Article. No building permit or certificate of occupancy shall be issued for any structure in violation of this Article. The restrictions applying to parks in this Article shall not apply to the Dade County Youth Fair site, Metro Zoo, Tamiami Stadium, Haulover Fishing Pier, the Dade County Auditorium, the Museum of Science, the Gold Coast Railroad Museum, Vizcaya Museum and Gardens, Trail Glade Range, the Orange Bowl, the Commodore Ralph Munroe Marine Stadium, the Seaquarium, Curtis Park track and stadium, Fairchild Tropical Gardens, and mini and neighborhood parks except that no mini or neighborhood park may be leased or disposed of unless a majority of the residents residing in voting precincts any part of which is within 1 mile of the park authorize such sale or lease by majority vote in an election.

SECTION 7.03. ENFORCEMENT AND CONSTRUCTION.

All elections required by this Article shall be held either in conjunction with state primary or general elections or as part of bond issue elections. The provisions of this Article may be enforced in the same manner as provided in Section (C) of the Citizens' Bill of Rights of this Charter. The provisions of this Article shall be liberally construed in favor of the preservation of all park lands, aquatic preserves, and preservation lands. If any provision of this Article shall be declared invalid it shall not affect the validity of the remaining provisions of this Article. This Article shall not be construed to illegally impair any previously existing valid written contractual commitments or bids or bonded indebtedness.

SECTION 7.04. JURISDICTION.

Except as otherwise provided herein the provisions of this Article shall apply to all

County and municipal parks, aquatic preserves, and lands acquired by the County for preservation now in existence or hereafter acquired, provided that if this Article was not favorably voted upon by a majority of the voters voting in any municipality at the time of the adoption of this Article the municipal parks of such municipality shall be excluded from the provisions of this Article.

at 11:53 AM

Labels: County Commission, Cuba, Geniusofdespair, Parcel B

4 comments:

Anonymous said...

Why are we insulting the museum by putting it with a huge parking garage?
Should we not respectfully just build a stand alone museum?

September 08, 2007

C.L. Jahn said...

Ahh, perhaps the point of building the museum is to hide the fact that what the County Commission REALLY wants to put there is a parking garage. The museum is merely camouflage. It's the old bait and switch.

September 08, 2007

Mensa said...

If interested parties started a legal action to block this improper use of waterfront property, it would be tied up in court so long that the developers would give up. Now a days it is much harder to pay off a judge than a lowly politician.

September 08, 2007

Anonymous said...

Something should be done because this is a matter that should be decided by the whole community. How can our officials take away the commons (Our parks) without our consent?

September 09, 2007

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Item: 8D

Exhibit 1

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