



# City of Miami

## Ordinance 14093

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

### Legislation

**File Number: 12217**

**Final Action Date: 9/13/2022**

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO ARTICLES 3 AND 7 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), REZONING CERTAIN PARCELS OF APPROXIMATELY 130 ACRES (5,677,404 SQUARE FEET) FOR THE DEVELOPMENT OF THE "MIAMI FREEDOM PARK SPECIAL AREA PLAN" ("SAP"), LOCATED AT APPROXIMATELY 1400 NORTHWEST 37 AVENUE AND A PORTION OF 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; THE SAP CONSISTS OF THE APPROVAL OF A SOCCER STADIUM, NEW LODGING USE ("HOTEL"), COMMERCIAL SPACE, OFFICE SPACE, PARKING SPACES, PEDESTRIAN PROMENADE, PLAZA, GREEN CIVIC SPACE TYPE, AND A PUBLIC PARK; THE SAP WILL MODIFY THE TRANSECT ZONE REGULATIONS THAT ARE APPLICABLE TO THE SUBJECT PROPERTY AND WHERE A REGULATION IS NOT SPECIFICALLY MODIFIED BY THE SAP, THE REGULATIONS AND RESTRICTIONS OF THE MIAMI 21 CODE WILL APPLY; FURTHER CHANGING THE ZONING TRANSECT OF THE ACREAGE DESCRIBED HEREIN AND IN EXHIBIT "A", ATTACHED AND INCORPORATED, FROM "CS", CIVIC SPACE TRANSECT ZONE, TO "CI", CIVIC INSTITUTIONAL TRANSECT ZONE, AND TO "T6-8-O", URBAN CORE – OPEN TRANSECT ZONE; ALL AS FURTHER DESCRIBED IN THE REGULATING PLAN AND CONCEPT BOOK, ATTACHED AND INCORPORATED AS EXHIBITS "B" AND "C"; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed Miami Freedom Park Special Area Plan ("SAP") consists of approximately 130 ± acres (5,677.404 square feet) of public land generally located at 1400 Northwest 37 Avenue and a portion of 1550 Northwest 37 Street Miami, Florida, as more particularly described on pages 1-2 of Exhibit "A", attached and incorporated, ("Property"); and

WHEREAS, the Property is currently zoned "CS", Civic Space Transect Zone on the Zoning Atlas of Ordinance No. 13114, the Zoning Ordinance of the City of Miami, Florida, as amended ("Miami 21 Code"); and

WHEREAS, the City of Miami ("Applicant" or "City") submitted a request to rezone the Properties through the process described in Article 3, Section 3.9, titled "Special Area Plans", and Article 7, Section 7.1.2.8, titled "Amendment to Miami 21 Code", of the Miami 21 Code; and

WHEREAS, the Applicant owns the Property, which is subject to a current management agreement for the Melreese Country Club, International Links Management Agreement, to operate a public golf course of approximately 130 acres; and

WHEREAS, the Property is generally located along the City's jurisdictional boundary to the north, Northwest 42 Avenue/State Road 953 (Le Jeune Road) to the west, State Road 836 and Northwest 14 Street to the south, and the single-family neighborhood known as Grapeland Heights to the east; and

WHEREAS, the Property abuts the existing Grapeland Park, currently improved with baseball fields and a waterpark; and

WHEREAS, beyond the City's jurisdictional boundary to the north and Le Jeune Road to the west is the Miami Dade County International Airport; and

WHEREAS, on November 6, 2018, City voters approved a referendum authorizing the City to negotiate a 99-year lease of 73 acres of the Property with Miami Freedom Park, LLC; and

WHEREAS, the City Commission conditionally approved the 99-year lease of the 73 acres of the Property to Miami Freedom Park, LLC ("Lessee") on April 28, 2022 pursuant to Resolution No. 22-0156 ("Lease"); and

WHEREAS, the SAP will consist of a 25,000-seat soccer stadium, a 750-room hotel, 600,000 square feet of commercial space, 400,000 square feet of office space, 5,100 parking spaces, a 240,000 square feet Pedestrian Promenade, a 420,000 square feet Plaza, and a 1,260,000 square feet Green Civic Space type, and proposed remediation and improvements for an approximately 58-acre park space; and

WHEREAS, the existing Future Land Use Map ("FLUM") designation for the Miami Freedom Park SAP Property is "Public Parks and Recreation"; and

WHEREAS, the Applicant submitted a companion FLUM Amendment (ePlan ID PZ-20-6123) to amend the FLUM designation of a portion of the northwesterly 73 acres subject to the Lease from "Public Parks and Recreation" to "Restricted Commercial" for 8.207 acres of the Property and to "Major Institutional, Public Facilities, Transportation and Utilities" for 12.570 acres of the Property; and

WHEREAS, the Miami Freedom Park SAP proposes certain modifications to the existing Zoning, Future Land Use designations, and Miami 21 Code regulations for the Property in order to redevelop the Property in accordance with the 2018 referendum and in accordance with the terms of the Lease; and

WHEREAS, the SAP includes the following:

- Within the portion of the Property subject to the Lease, a rezoning of 12.570 acres of the Property from "CS", Civic Space Transect Zone, to "CI", Civic Institution Transect Zone, as described on pages 3-4 of Exhibit "A", attached and incorporated;
- Within the portion of the Property subject to the Lease, a rezoning of 8.207 acres of the Property from "CS", Civic Space Transect Zone, to T6-8-O, Urban Core –

Open Transect Zone, as described on pages 5-6 of Exhibit “A”, attached and incorporated;

- Within the portion of the Property not subject to the Lease, but that will remain City-owned and operated, a rezoning of 2.131 acres from “CS”, Civic Space Transect Zone, to T6-8-O, Urban Core – Open Transect Zone, as described on pages 7-8 of Exhibit “A”, attached and incorporated;
- Modifications to underlying Transect Zone regulations including but not limited to: Density, Intensity, Height, Parking, Building Disposition and Configuration, Public Art, and Signs;
- Public right-of-way improvements, plaza(s), and civic space;
- The remediation of approximately 130 acres of contaminated property;
- Development of a new approximately fifty-eight (58) acres of park space;
- Establishing procedures for SAP Permits; and
- Stadium and Parking Design.

WHEREAS, transect zones have been proposed in a successional form to ensure that proposed development is concentrated in the North/Northwest portion of the Property and that proposed development properly transitions to the lower scale residential area to the east; and

WHEREAS, the proposed transect zones will also allow for the soccer stadium as well as additional Commercial, Lodging, Apartment Hotel and Office Uses providing a new mixed use, pedestrian-friendly, urban development opportunity for the area; and

WHEREAS, the new approximate fifty-eight (58) acre park, which will remain zoned CS, Civic Space Transect Zone, is also proposed to ensure programmed open space will be maintained and accessible to the general public; and

WHEREAS, height and building scale will transition from “CS”, Civic Space, with a maximum height of four (4) stories for the T6-8 Transect and a maximum height of 18-stories subject to Miami Dade County Aviation (“MDAD”) and Federal Aviation Administration (“FAA”) regulations and limitations for the CI Transect; and

WHEREAS, the SAP application is consistent with Miami Comprehensive Neighborhood Plan (“MCNP”) Policies; and

WHEREAS, the Regulating Plan, attached and incorporated as Exhibit “B,” governs the internal distribution of the development proposed that includes open space and civic spaces and allows master planning of the Miami Freedom Park SAP development; and

WHEREAS, the approved Regulating Plan and Concept Book, attached and incorporated as Exhibits “B” and “C” respectively, supported by the proffered Development Agreement, will provide clear and comprehensive parameters for future development on the Property; and

WHEREAS, on June 8, 2022, a virtual recorded meeting of the Coordinated Review Committee (“CRC”) took place in which the CRC reviewed the SAP and provided comments; and

WHEREAS, the Miami Freedom Park SAP is governed by a set of plans, titled “Miami Freedom Park Special Area Plan Concept Book”, as prepared by Arquitectonica and Arquitectonica GEO, consisting of 101 pages and under ePlan (PZ-20-6114); and

WHEREAS, on June 15, 2022, a meeting of the Urban Development Review Board (“UDRB”) took place in which the UDRB reviewed the proposed SAP and provided comments in Resolution No. UDRB-R-22-024; and

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

WHEREAS, projects such as this proposed SAP are important to the economic revitalization and enhancement of the City; and

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

WHEREAS, the Applicant submitted a proposed Regulating Plan and Concept Book, which have been reviewed by the City’s Planning Department and other public Departments and Agencies; and

WHEREAS, the City’s Planning Department has recommended approval, with conditions, of the SAP including the Regulating Plan and Concept Book; and

WHEREAS, the City’s Planning Department recommended the following conditions as part of the SAP:

1. The development shall be substantially in accordance with the Regulating Plan and Concept Book, titled “Miami Freedom Park SAP”, as prepared by Arquitectonica, Manica Architects and Arquitectonica GEO consisting of 101 pages dated stamped approved for hearing in ePlan (PZ-20-6114).
2. The Stadium, Parking Garage and Proposed Park are developed in accordance with the plans included in the Concept Book pages A-50 to A-82. Other developments proposed shall be developed in accordance with the Regulating Plan and subject to an SAP permit as may be required therein.
3. The massing of the Parking Garage shall be reconfigured to incorporate an east – west Pedestrian Passage, partially open to the sky, that allows vehicle crossing via a bridge / connector above. The Pedestrian Passage shall provide clear and direct access to the Pedestrian Promenade within the Soccer Village to the east. The Pedestrian Passage shall have a minimum width of 20 feet and shall include enhanced architectural, landscaping and hardscape elements.
4. Any outstanding conditions requested by City staff for project PZ-22-6114 that modify, amend, alter, and/or change the Concept Book or Regulating Plan shall be provided to staff by Applicant or Lessee and approved by City staff prior to final

- approval before the City Commission, unless those conditions are imposed by the City Commission and incorporated into the final approval as approved as to legal form by the City Attorney and rendered by the City Clerk.
5. The requirements of all applicable departments/agencies as part of the City of Miami building permit submittal process shall be met.
  6. All applicable requirements pursuant to Chapter 24 of the Miami-Dade County Code, titled "Environmental Protection", shall be complied with.
  7. All applicable building codes, land development regulations, ordinances, and other laws shall be met and all applicable fees due must be paid prior to the issuance of any building permit.
  8. All the applicable regulations from the FAA and MDAD departments shall be met. Furthermore, due to the SAP Area being in close proximity to the Miami International Airport, development within the corresponding aviation zones and flight path restrictions, shall require compliance with Miami Dade County pursuant to Article XXXVII. Airport Zoning regulations, as may be applicable.
  9. The Applicant intends to redevelop 2.131 acres within the SAP Area as an administrative office use in the future. Until such time, that 2.131-acre area parcel is intended to serve as an amenity to the park. Such areas are intended to be improved, used, and operated in connection with the abutting parks and serve as a community amenity. Once the Applicant obtains a master building permit to redevelop such parcel for the anticipated administrative office use or at any time prior to then, the Lessee shall make park space improvements as further described in the Development Agreement to the parcels of land owned by the City of Miami (Folio Nos. 30-3129-000-0050 and 0160) of a minimum equivalent size of 2.131 acres. Said improvement shall be reviewed and approved by the Planning and Parks and Recreation Directors. Such parcels are located within unincorporated Miami-Dade County and the improvements require compliance and approval with the zoning and building permit regulations of Miami-Dade County.
  10. No Transit Oriented Development ("TOD") parking reductions shall be taken until either the proposed pedestrian-only bridge is constructed over the Tamiami Canal or the pedestrian facilities on the Douglas Rd bridge over the Tamiami Canal are reconstructed.
  11. All building permits shall include extensive detail regarding the site planning and design methods to address sea level rise, water quality management, and mitigation of heat island effect.
  12. A minimum amount of bicycle parking shall be provided as Long Term, as required by Miami 21, and shall be covered.
  13. Section 1.5, titled "Definitions of Art in Public Places," and Section 3.17, titled "Public Art Requirements," shall be removed from the Regulating Plan.
  14. A Unity of Title shall be required by the Applicant to include 1400 Northwest 37 Avenue within the TOD.

15. Fences and walls fronting Northwest 37 Avenue, and the T3-L Transect Zone should have a more restrictive height and should conform to regulations of the most restrictive Abutting Transect Zone (T3-L) for the portion of the Property zoned CS.
16. Allow the Miami Police Department to conduct a security survey, at the City's discretion, and to make recommendations concerning security measures and systems; further submit a report to the Planning Department, prior to commencement of construction, demonstrating how the Police Department recommendations, if any, have been incorporated into the SAP security and construction plans, or demonstrate to the Planning Director as to why such recommendations are impractical.
17. Obtain approval from or provide a letter from the Department of Fire-Rescue indicating Applicant's, or Lessee's, coordination with members of the Fire Plan Review Section at the Department of Fire-Rescue in the review of the scope of the SAP, owner responsibility, building development process, and review procedures, as well as specific requirements for fire protection and life safety systems, exiting, vehicular access, and water supply.
18. Obtain approval or provide a letter of assurance from the Department of Solid Waste, that the SAP has addressed all concerns of the said Department prior to obtaining a building permit.
19. The City of Miami Art and Public Places Program, pursuant to the Miami 21 Code, Article XVI of the Code of the City of Miami, Florida, as amended, ("City Code") titled "Art in Public Places", and the City of Miami Public Art Master Plan and Program Guidelines shall all be complied with, as the SAP Property is owned by the City of Miami.
20. Lessee to demonstrate compliance with the applicable conditions contained in the Lease approved by the City Commission on April 28, 2022, by Resolution Enactment No. 22-0156 as applicable to the development of the portion of the Property that is subject to the Lease.
21. Lessee to demonstrate compliance with the applicable conditions listed in the Development Agreement to be considered by the City Commission under Eplan File ID. 22-14684.
22. Record the following in the Public Records of Miami-Dade County, Florida, prior to the issuance of any building permit:
  - a) Declaration of Restriction Covenants providing that the operation and maintenance of all Civic and Open Spaces on that portion of the Property subject to the Lease, and any related improvements located thereon, shall be the responsibility of the Lessee, their successor(s), or their designee in perpetuity; and
  - b) Record in the Public Records a Unity of Title or a covenant in lieu of a Unity of Title, if applicable, subject to the review and approval of the City Attorney's Office.
23. Prior to the issuance of a building permit, provide the Building Department – Environmental Resources with a certified arborist report that gives an assessment of each onsite tree, including those within the right-of-way and those whose canopies

cross the Property line from an adjacent lot. The report shall provide specifications such as tree number, common name, botanical name, DBH, overall height, spread, and condition. Ensure each of these specifications are consistent with the tree disposition drawing. Color photographs in support of the assessment are also required. The report shall be dated no more than three (3) months from the time of submittal. A certified arborist can be found by visiting [www.isa-arbor.com](http://www.isa-arbor.com) and selecting 'Find an Arborist' on the homepage.

24. The Applicant, Lessee, or successor, if exempt from platting, prior to issuance of any building permit for a new building, shall obtain confirmation of the exemption from the Department of Resilience and Public Works. In the event that the SAP Property or any portion thereof is subject to the replatting process under City of Miami Code Chapter 54 and 55 regarding subdivision regulations prior to issuance of building permits for those portions of the Property that contain the various public and private right-of-way dedications and lot reconfiguration that would trigger replatting. New/proposed street alignments shall meet all access requirements for emergency vehicles. Maneuvering diagrams for the approved Fire must be submitted along with the tentative plat submittal. All other building permits shall be subject to review and approval by the Department of Resiliency and Public Works.
25. The following Department of Resilience and Public Works development conditions below shall be complied with:
  - a) Site plan must show locations of Monument Line and Street Centerline along with their dimensions to the Base Building Line. Provide Property boundary information in accordance with survey;
  - b) All right-of-way improvements and public street cross sections shall be according to City of Miami Resilience and Public Works Engineering Standards.
  - c) All driveway approaches shall be according to City of Miami Department of Resilience and Public Works Engineering Standards.
  - d) A maintenance agreement with the City is required for any non-standard improvements located in the right-of-way.
  - e) Any right-of-way modifications to traffic signs and pavement markings require review and approval from Miami-Dade County Department of Transportation and Public Works – Traffic Engineering Division.
  - f) The maximum slope for a driveway ramp sloping downward toward the street is 1:10 for the last 20 feet to the property line. The maximum slope for a driveway ramp sloping upward toward the street is 1:20 for the last 20 feet to the property line.
  - g) All encroachments into right of way shall conform to the provisions of Chapter 32 of Florida Building Code.
  - h) No run-off is allowed into right-of-way area. All storm water must be retained on site including the driveways and plazas on private property adjacent to public streets. Plazas and driveways must be graded or trench drains provided to prevent "sheet flow" from entering the right of way. If deep drainage wells are selected for storm water disposal, they must be located on-site in an open area to accommodate future maintenance access.
  - i) All transitions from the established street profile grade to the proposed building floor elevation must be accomplished on private property. Stairs, ramps, retaining walls, etc. will not be permitted in the right-of-way and

the record profile street grade cannot be changed to accommodate the proposed building ground floor elevation.

- j) Right-of-way conditions must comply with American Disability Act (ADA) Guidelines.
- k) Since this project is more than one acre in total construction area, the methods of construction must comply with the City of Miami Municipal Separate Storm Sewer System Permit (MS4). This project will require a Florida Department of Environmental Protection (DEP) Storm water, Erosion and Sediment Control permit. For information on a DEP permit application, please contact the Department of Resilience and Public Works Department at (305) 416-1200 or [www.dep.state.fl.us/water/stormwater/npdes](http://www.dep.state.fl.us/water/stormwater/npdes).
- l) Roadway restoration for all utility extensions, existing damaged pavement and pavement damaged during construction shall comply with City of Miami standards and requirements. The streets and avenues adjacent to the project site must be clear of dust and construction debris at all times.
- m) Department of Resilience and Public Works requires that no closures of vehicular travel lanes will be permitted during the course of construction unless a temporary replacement lane, approved by the Department of Resilience and Public Works, is constructed and maintained by the contractor throughout the duration of the lane closure. A maintenance of traffic (MOT) plan is required for any temporary right of way closure request.
- n) All landscaping installations and/or removal require permit application and approval from the Building Department – Environmental Resources Section.

26. Provide the Planning Department with a temporary construction plan for review and approval that addresses construction phasing and includes the following elements:

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

27. Prior to the issuance of a master building permit for the construction of any new building(s), the Applicant, Lessee, or successor shall provide the Planning Department for review and approval as relative to that building permit:

- a. Environmental Impact Statement.
- b. Traffic Sufficiency Letter from the City of Miami, Office of Transportation.
- c. Final determination of Public School Concurrency and Capacity Reservation, if applicable.
- d. Proof of compliance with applicable code provisions established by the following department or agencies, specifically but limited to: Miami-Dade Aviation, DERM, FAA, Miami-Dade County Department of Transportation and Public Works, and all other required City, County, and State Departments.

28. The " Miami Freedom Park SAP" includes a Development Review Process which addresses the build out of the project as identified in the Regulating Plan. All development within this SAP shall be submitted for review and approval by the Planning Director prior to the issuance of any building permit consistent with the requirements of Sec. 3.9.1.g. of Miami 21 and the SAP.
29. If the project is to be developed in phases and/or individual specific projects, the Applicant, Lessee, or successor shall submit an interim plan, including a landscape plan, which addresses design details for the land occupying future phases of this Project in the event that the future phases are not developed, said plan shall include a proposed timetable and shall be subject to review and approval by the Planning Director.
30. The Applicant, Lessee, and any successor shall meet conditions identified in this Ordinance, within the SAP, and all applicable local, state, and federal regulations, as may be applicable.
31. Within 90 days of the effective date of this Ordinance, record a certified copy of the Development Agreement specifying that the Development Agreement runs with the land subject to the Lease and is binding on the Lessee, its successors, and assigns, jointly or severally.
32. Prior to the effectuation of this SAP, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the Miami-Dade County Clerk of Courts. The covenant (standard master covenant and agreement form) shall run with the land, and shall be binding on any subsequent owners, heirs, or assigns., jointly or severally. The covenant with the conditions attached must be submitted to and approved by the Planning Department approval and be in a form acceptable to the Office of the City Attorney before being recorded. After recordation, a certified copy bearing the Book and Page Number and date shall be provided for inclusion in the case file. Fees required per City Code for Monitoring of Special Area Plan and Inspection and Field Compliance Review of Operations shall be paid to the City prior to the final clearance of this condition.
33. The Lessee shall defend, indemnify, and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement/SAP. The Lessee shall reimburse the City for all costs incurred in defense of such an action, including court costs, attorney's fees, and award of any damages against the City. If the City determines it necessary to protect the City's interest, the Lessee shall execute an indemnity and reimbursement agreement with the City with terms consistent with the requirements herein. The City shall notify the Lessee within a reasonable time of its receipt of any action and the City shall cooperate in the defense. The City shall have the sole purposes of this condition, the following definitions apply: "City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers; "Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Lessee otherwise created by this condition.

34. As applicable, Applicant, Lessee, or successor, as defined in the approved SAP, shall be responsible for securing the City's approval for any change or modification to the approved temporary construction plan. Request for approval of any change or modification to the previously approved temporary construction plan shall be submitted for review and approved no later than two weeks prior to implementation of requested change or modification.
35. The Applicant, Lessee, or successor shall coordinate with the Planning Director for compliance with any recommendations or conditions to the Planning Director pursuant to the UDRB Resolution dated June 15, 2022.
36. The following UDRB condition shall be complied with: "[b]reak massing of the parking garage to establish an east – west Pedestrian Passage open to the sky, that allows vehicle crossing/bridges above. The design of the passage should emphasis opening to the soccer village to the east."
37. The Applicant, Lessee, and any successor shall coordinate with the Planning Director for compliance with any recommendations to the Planning Director pursuant to the Coordinated Review Committee meeting dated June 8, 2022.

WHEREAS, the Planning, Zoning and Appeals Board ("PZAB"), at its meeting on July 20, 2022, following an advertised public hearing, adopted Resolution No. PZAB-R-22-024 by a vote of nine to zero (9-0), Item No. PZAB.5, recommending approval of the Special Area Plan with the conditions as recommended by the City's Planning Department stated herein and the following additional conditions: 1. Improve connectivity between the two (2) parks on the southern portion of the SAP; 2. Comply with all recommendations from the Miami-Dade Aviation Department; 3. Include elevators on the pedestrian bridge as space allows; and 4. Develop the parks to create more shaded areas within the parks (rather than just the perimeter) and walkways to the shaded areas, rather than big open fields. Also Consider incorporating color into the parks; and

WHEREAS, the City Commission gave full consideration to the Planning Department's recommendations; and

WHEREAS, the City Commission has considered the criteria in the Miami 21 Code; and

WHEREAS, the City Commission has considered the goals, objectives, and policies of the Comprehensive Plan, the Miami 21 Code, and other City regulations; and

WHEREAS, the City Commission has considered the need and justification for the proposed change, including changed or changing conditions that make the passage of the proposed change necessary; and

WHEREAS, the City Commission, after careful consideration of the matter, deems it advisable and in the best interest of the general welfare of the City and its residents to approve with conditions the proposed SAP as stated herein;

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

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

Section 2. The Zoning Atlas of the Miami 21 Code is further amended to reflect the adoption of the Miami Freedom Park SAP.

Section 3. The Zoning Atlas of the Miami 21 Code is further amended to reflect a rezoning of 12.570 acres of the Property from “CS”, Civic Space Transect Zone, to “CI”, Civic Institution Transect Zone, as described on pages 3-4 of Exhibit “A”, attached and incorporated.

Section 4. The Zoning Atlas of the Miami 21 Code is further amended to reflect a rezoning of 8.207 acres of the Property from “CS”, Civic Space Transect Zone, to T6-8-O, Urban Core – Open Transect Zone, as described on pages 5-6 of Exhibit “A”, attached and incorporated.

Section 5. The Zoning Atlas of the Miami 21 Code is further amended to reflect a rezoning of 2.131 acres from “CS”, Civic Space Transect Zone, to T6-8-O, Urban Core – Open Transect Zone, as described on pages 7-8 of Exhibit “A”, attached and incorporated.

Section 6. The Miami Freedom Park Special Area Plan, including the Regulating Plan, attached and incorporated as Exhibit “B”, and the Concept Book, attached and incorporated as Exhibit “C”, are approved subject to the conditions specified herein and the Miami 21 Code.

Section 7. The City Commission makes the following findings of fact:

- a. The SAP is consistent with the Miami Comprehensive Neighborhood Plan, as amended;
- b. The SAP will have a favorable impact on the economy of the City;
- c. The SAP will efficiently use public transportation facilities;
- d. Any potentially adverse effects of the development will be mitigated through compliance with the conditions of this SAP as stated herein;
- e. The SAP will efficiently use existing public and civic spaces;
- f. The SAP will not negatively impact the environment or any natural resources of the City;
- g. The SAP will not adversely affect living conditions in the neighborhood;
- h. The SAP will not adversely affect public safety; and
- i. The public welfare will be served by the SAP.

Section 8. The Regulating Plan and Concept Book, attached as Exhibits “B” and “C”, attached and incorporated respectively, for the SAP which were submitted after amendments and on file with the Hearing Boards Section of the Planning Department as of June 1, 2022, shall be relied upon generally for administrative interpretations.

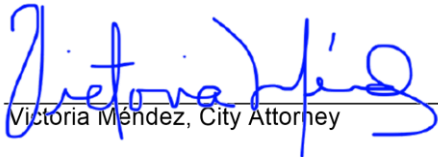
Section 9. The conditions as recommended by the Planning Department and stated herein are incorporated and adopted as conditions of the City Commission.

Section 10. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Miami 21 Code, which provisions may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or other appropriate word to accomplish such intention.

Section 11. If any section, part of a section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 12. This Ordinance may not become effective until thirty-one (31) days after second reading and adoption thereof pursuant and subject to Section 163.3187, Florida Statutes, and Section 163.3184(12), Florida Statutes.<sup>1</sup>

APPROVED AS TO FORM AND CORRECTNESS:

  
Victoria Méndez, City Attorney 8/29/2022

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<sup>11</sup> This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.



# City of Miami

## Master Report

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

**Enactment Number: 14093**

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**File Number:** 12217

**File Type:** Ordinance

**Status:** ADOPTED

**Revision:**

**Controlling Body:** City Commission

**File Name:** Special Area Plan - 1400 NW 37 Av and 1550 NW 37 Av

**Introduced:** 6/29/2022

**Requesting Dept:** Department of Planning

**Final Action Date:** 9/13/2022

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**Title:** AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PURSUANT TO ARTICLES 3 AND 7 OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED ("MIAMI 21 CODE"), REZONING CERTAIN PARCELS OF APPROXIMATELY 130 ACRES (5,677,404 SQUARE FEET) FOR THE DEVELOPMENT OF THE "MIAMI FREEDOM PARK SPECIAL AREA PLAN" ("SAP"), LOCATED AT APPROXIMATELY 1400 NORTHWEST 37 AVENUE AND A PORTION OF 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; THE SAP CONSISTS OF THE APPROVAL OF A SOCCER STADIUM, NEW LODGING USE ("HOTEL"), COMMERCIAL SPACE, OFFICE SPACE, PARKING SPACES, PEDESTRIAN PROMENADE, PLAZA, GREEN CIVIC SPACE TYPE, AND A PUBLIC PARK; THE SAP WILL MODIFY THE TRANSECT ZONE REGULATIONS THAT ARE APPLICABLE TO THE SUBJECT PROPERTY AND WHERE A REGULATION IS NOT SPECIFICALLY MODIFIED BY THE SAP, THE REGULATIONS AND RESTRICTIONS OF THE MIAMI 21 CODE WILL APPLY; FURTHER CHANGING THE ZONING TRANSECT OF THE ACREAGE DESCRIBED HEREIN AND IN EXHIBIT "A", ATTACHED AND INCORPORATED, FROM "CS", CIVIC SPACE TRANSECT ZONE, TO "CI", CIVIC INSTITUTIONAL TRANSECT ZONE, AND TO "T6-8-O", URBAN CORE – OPEN TRANSECT ZONE; ALL AS FURTHER DESCRIBED IN THE REGULATING PLAN AND CONCEPT BOOK, ATTACHED AND INCORPORATED AS EXHIBITS "B" AND "C"; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Notes:**

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**Links:** Linked To: PZAB-R-22-024 : A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD ("PZAB"), WITH ATTACHMENT(S), RECOMMENDING APPROVAL, WITH CONDITIONS, OF AN ORDINANCE OF THE MIAMI CITY COMMISSION PURSUANT TO ARTICLES 3 AND 7 OF ORDINANCE NO. 13114, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, ("MIAMI 21 CODE") BY REZONING CERTAIN PARCELS OF APPROXIMATELY 130 ACRES (5,677,404 SQUARE FEET), FOR THE DEVELOPMENT OF THE "MIAMI FREEDOM PARK SPECIAL AREA PLAN" ("SAP"), LOCATED AT APPROXIMATELY 1400 NORTHWEST 37 AVENUE AND A PORTION OF 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; THE SAP CONSISTS OF THE APPROVAL OF A SOCCER STADIUM, NEW LODGING USE ("HOTEL"), COMMERCIAL SPACE, OFFICE SPACE, PARKING SPACES, PEDESTRIAN PROMENADE, PLAZA, GREEN CIVIC SPACE TYPE, AND A PUBLIC PARK; THE SAP WILL MODIFY THE TRANSECT ZONE REGULATIONS THAT ARE APPLICABLE TO THE SUBJECT PROPERTY AND WHERE A REGULATION IS NOT SPECIFICALLY MODIFIED BY THE SAP, THE REGULATIONS AND RESTRICTIONS OF THE MIAMI 21 CODE WILL APPLY; FURTHER CHANGING THE ZONING TRANSECT OF THE ACREAGE DESCRIBED HEREIN AND IN EXHIBIT "A", ATTACHED AND INCORPORATED, FROM "CS", CIVIC SPACE TRANSECT ZONE, TO "CI", CIVIC INSTITUTIONAL



# City of Miami

## Master Report

City Hall  
3500 Pan American Drive  
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### Enactment Number: 14093

TRANSECT ZONE, AND "T6-8-O", URBAN CORE – OPEN TRANSECT ZONE; MAKING FINDINGS OF FACT AND STATING CONCLUSIONS OF LAW; PROVIDING FOR BINDING EFFECT; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Linked From: 14092 : AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING, WITH ATTACHMENT(S), ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM "PUBLIC PARKS AND RECREATION" TO "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION, AND UTILITIES" AND "RESTRICTED COMMERCIAL" OF THE ACREAGE DESCRIBED HEREIN OF REAL PROPERTY GENERALLY LOCATED AT 1400 AND 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Linked To: PZAB-R-22-023 : A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD, WITH ATTACHMENT(S), RECOMMENDING APPROVAL OF AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 10544, AS AMENDED, THE FUTURE LAND USE MAP OF THE MIAMI COMPREHENSIVE NEIGHBORHOOD PLAN, PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO §163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FROM "PUBLIC PARKS AND RECREATION" TO "MAJOR INSTITUTIONAL, PUBLIC FACILITIES, TRANSPORTATION, AND UTILITIES" AND "RESTRICTED COMMERCIAL" OF THE ACREAGE DESCRIBED HEREIN OF REAL PROPERTY GENERALLY LOCATED AT 1400 AND 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; MAKING FINDINGS; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Linked To: 14094 : AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), BY A FOUR-FIFTHS (4/5THS) AFFIRMATIVE VOTE, PURSUANT TO SECTION 29-B OF THE CITY OF MIAMI CHARTER, APPROVING A DEVELOPMENT AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BETWEEN MIAMI FREEDOM PARK, LLC AND THE CITY OF MIAMI TO GOVERN THE LEASED PORTION OF THE MIAMI FREEDOM PARK SPECIAL AREA PLAN ("SAP") COMPRISED OF APPROXIMATELY SEVENTY-THREE (73) ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1400 AND 1550 NORTHWEST 37 AVENUE, MIAMI, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," ATTACHED AND INCORPORATED, ("PROPERTY") FOR THE PURPOSE OF REDEVELOPMENT OF SUCH PROPERTY FOR A SOCCER STADIUM, PARKING GARAGE, AND OTHER USES; AUTHORIZING THE FOLLOWING USES INCLUDING, BUT NOT LIMITED TO COMMERCIAL, LODGING, RETAIL, AND OFFICE, AND ANY OTHER USES AUTHORIZED BY THE SAP; SPECIFICALLY PROVIDING FOR THE SAP TO CONSIST OF A 25,000-SEAT SOCCER STADIUM, A PARKING GARAGE CONTAINING 4,960 PARKING SPACES WITH ROOFTOP SPORTS FIELDS, MIXED USE RETAIL AND COMMERCIAL, A HOTEL, AND OFFICES; THE SAP DEVELOPMENT SHALL CONTAIN A MINIMUM OF 6.55 ACRES OF CIVIC SPACE; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE DEVELOPMENT AGREEMENT, IN A FORM ACCEPTABLE TO THE CITY ATTORNEY, AND WITH THE MODIFICATIONS STATED HEREIN FOR SAID PURPOSE; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:** 12217 - Exhibit A (PDF)  
12217 - Exhibit B Regulating Plan (PDF)  
12217 - Exhibit C Concept Book (PDF)  
12217 - Analysis and Maps (PDF)  
12217 - Application and Supporting Documents (PDF)  
12217 - Miami Airline Liaison Office - Letter dated 12-10-2019 (PDF)  
12217 - Miami-Dade Aviation Department Preliminary Land-Use/Airspace Analysis – Letter dated 01-22-2020 (PDF)  
12217 - Miami International Airport Airline Liaison Office memo to Miami-Dade County Aviation Department - Letter dated 04-08-2022 (PDF)  
12217 - Miami International Airport Airline Liaison Office response to April 8, 2022 memo - Letter dated 07-05-2022 (PDF)



# City of Miami

## Master Report

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### Enactment Number: 14093

- 12217 - Coordinated Review Committee combined comments (PDF)
- 12217 - Submittals at 07.20.2022 PZAB Mtg - AIPPB Resolution (PDF)
- 12217 - Submittals at 07.20.2022 PZAB Mtg - MDAD Correspondence (PDF)
- 12217 - Submittals at 07.20.2022 PZAB Mtg - Updated Staff Analysis (PDF)
- 12217 - PZAB (12179) Resolution (PDF)
- 12217 Submittal-Planning Dept-Analysis (PDF)

### History of Legislative File:

Revision:	Acting Body:	Date:	Action:	Result:
	Lakisha Hull AICP LEED AP BD+C	7/15/2022	Department Head Review	Completed
	Legislative Division	7/15/2022	Legislative Division Review	Completed
	Amber Ketterer	7/18/2022	ACA Review	Completed
	City Commission	7/28/2022	Meeting	Completed
	City Commission	7/28/2022	PASSED ON FIRST READING	Passed
	Amber Ketterer	8/24/2022	ACA Review	Completed
	Victoria Méndez	8/29/2022	Approved Form and Correctness	Completed
	Victoria Méndez	8/29/2022	Approved Form and Correctness	Completed
	City Commission	9/8/2022	Meeting	Completed
	City Commission	9/8/2022	MEETING RECESSED	Passed
	City Commission	9/13/2022	Meeting	Completed
	City Commission	9/13/2022	ADOPTED	Passed
	Mayor's Office	9/14/2022	Signed by the Mayor	Completed
	City Clerk's Office	9/14/2022	Signed and Attested by the City Clerk	Completed
	City Clerk's Office	9/14/2022	Rendered	Completed