

# The Miami Herald

Posted on Fri, Dec. 18, 2009

## City puts brakes on `Miami 21' blueprint

BY CHARLES RABIN AND ANDRES VIGLUCCI

[aviglucci@MiamiHerald.com](mailto:aviglucci@MiamiHerald.com)

Miami's three sitting city commissioners agreed Thursday to delay the sweeping Miami 21 zoning code for three months, setting the stage for what could be significant changes sought by activists and developers.

Mayor Tomás Regalado, who requested the delay, attempted to allay Miami 21 supporters' fears that he intends to kill the new code, which was approved in October after four years of vetting and hundreds of public meetings, and which he strenuously opposed as a commissioner.

But Regalado made it clear he will reopen the plan for changes, including amendments that would allow for greater public say on specific projects. Such amendments, sought by Miami Neighborhoods United, an activist group, were rejected by planners and a commission majority when the new code was approved. Some of the group's leaders strongly supported Regalado, the lone ``no" vote on Miami 21, in November's mayoral vote.

``I will pledge to you," Regalado said, ``Miami 21 will be implemented, but with the input of the new commissioners."

With no public comment, commissioners Marc Sarnoff, Francis Suarez, and Frank Carollo voted to delay the code's effective date from Feb. 19 to May 20 after about 45 minutes of discussion. The item was a last-minute addition to the agenda for Thursday's regular commission meeting.

Suarez cited the need for input from the ``business community," though developers and their lawyers have had dozens of meetings with city planners and officials and have testified repeatedly in public hearings on Miami 21 over several years.

Carollo said he could use more time to study what he said were complex new rules developers would have to follow under Miami 21.

However, the new commission could be setting itself up for further delay in trying to reconcile often mutually exclusive changes sought by neighborhood activists and developers. Attempts by planners and city leaders to balance competing interests was one reason Miami 21 took so long to win approval.

### NEW DYNAMICS

The newest obstacle for Miami 21 is largely the result of changed political dynamics at City Hall.

Regalado defeated a Miami 21 supporter, former commission Chairman Joe Sanchez, in the race to succeed term-limited Mayor Manny Diaz, who made the new code a centerpiece of his administration. The election also installed two Regalado allies on the commission to join a third ally, veteran Commissioner Marc Sarnoff.

Two Miami 21 supporters, meanwhile, were forced off the commission by corruption charges. Their seats remain vacant pending a special election in January.

The expansive Miami 21 would replace a code that many critics say is outdated and led to overscaled, patchwork development across the city. The new code would foster more-cohesive development, mixing residential and commercial uses in denser urban ``nodes" to produce pedestrian-friendly streets and reduce auto dependency.

## **PRAISE**

Though Miami 21 was controversial at home, its passage has been hailed by planners and ``smart-growth" advocates across the country as a landmark accomplishment in improving the design of big cities.

The vote to delay came on the same day that a columnist in The Boston Globe urged other cities to follow the example of Miami 21, which he called ``a blueprint for sustainable urban form." Several already are, including Denver, which is working on a similar code.

News that Regalado would seek to delay the new code was met with anger and bafflement on local blogs that focus on urban planning, with several commenters calling the action ``backward."

Some developers and influential zoning lawyers have continued fighting the new code after passage because they did not get changes they sought when Miami 21 was approved. The Bilzin Sumberg law firm took the lead in attacking the code, contending it would illegally limit what big landowners could build.

They have found strange bedfellows in their fight to derail Miami 21 with some neighborhood activists who contend the new code did not do enough to curtail big development, especially in proximity to residential neighborhoods.

Suarez acknowledged the public has had ``an incredible amount of input," but said that ``also getting input from the business community can make it better." He said he'd received several e-mails asking if the city has plans to repeal the new zoning code.

``This is not one step toward repealing it," he said.

Regalado made no mention of a possible new Publix in Little Havana that he previously had cited as the reason for delaying the code's implementation. In an interview last week, Regalado claimed the project -- which has not been submitted to the city for review -- could not be built under Miami 21.

Miami 21 supporters say the new code would not block the Publix, though it would require a pedestrian-friendly urban footprint, with a parking garage lined with retail or residential uses, rather than a suburban-type store surrounded by a large parking lot.

A Publix spokeswoman referred questions to an Orlando developer planning the store for the company. The developer, Steve Brandon of Brandon Partners, did not respond to requests for an interview.

### **`MUCH BLOOD'**

Sarnoff -- the lone surviving commissioner who voted for Miami 21 -- thanked Regalado for stating he has no intention of derailing Miami 21.

``Much blood was spilled on the dais with Miami 21," Sarnoff said. ``I have no problem with granting a 90-day extension."

Sarnoff then held up a picture of a proposed new Brickell Avenue headquarters for Banco Santander, one of the world's largest banks.

He said the company has spent \$1 million on designs to get the proposed building up to Miami 21's standards.

And he reminded his fellow commissioners that Miami 21 must be implemented, just as he and Regalado intend to follow through on the city's end of the Marlins ballpark agreement, a controversial decision to build a new stadium that the two voted against.

``We stand upon the shoulders of those before us," Sarnoff said.

Regalado said he asked for the delay for two reasons: He wants to give two incoming commissioners time to meet with neighborhood groups he said were mostly left out of the process. And he believes those groups have the right to attach some amendments to the code.

He specifically named Miami Neighborhoods United, who he said offered a host of changes, ``very few" of which were accepted.

But, Regalado added, Miami 21 ``will be the road map for Miami for the next decades."