



**RESOLUTION # 2015-20**

**RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI APPROVING THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD FOR A SPECIAL USE PERMIT FOR A PLANNED COMMUNITY DEVELOPMENT FOR 2009-2099 SW 67 AVENUE AND 2000, 2020, 2030, 2040 AND 2060 SW 66 AVENUE, WEST MIAMI, FLORIDA 33155; SETTING FORTH REQUIREMENTS FOR THE DEVELOPMENT OF CERTAIN LAND IN THE CITY OF WEST MIAMI AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS AND TERMS AND CONDITIONS AS RECOMMENDED BY THE PLANNING AND ZONING BOARD; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, GABLES GATE II LLC. hereinafter referred to as "owner", of the real property described in the attached Exhibit "A" hereinafter referred to as "Parent Tract" has submitted an application for a Special Use Permit For Planned Development, together with a site plan of the proposed development and survey, describing certain subdivision improvements and easements which the owners have covenant and agree to make; and

**WHEREAS**, the Special Use Permit for Planned Development was heard at a public hearing on April 30, 2015; and

**WHEREAS**, the Planning and Zoning Board recommended the application for approval by the City Commission; and

**WHEREAS**, owner has agreed to the terms and conditions set forth in this resolution in consideration for the granting of the site plan approval.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of West Miami as follows:

- Section 1. The aforementioned statements are true and correct and adopted as is fully stated herein.
- Section 2. Having reviewed the application and recommendation of the Planning and Zoning Board for the Special Use Permit for Planned Development of an eight (8) story mixed use development at 2009 SW 67 Avenue in West Miami, Florida, the Special Use Permit is hereby approved with the following requirements:

A. **Building Density:**

Units per acre in Commercial Use Area = 105 units per acre

Units per acre in Apartment Use Area = 48 units per acre

Commercial parcel is: 44,017.89 square feet/acre = 1.01

Apartment parcel is: 45,989.44 square feet/acre = 1.05

90,007.73 square feet/acres= 2.06

Total units allowed 221 units,

Total square feet allowed @ 3.0 for commercial area with retail = 132,053.67

Total square feet allowed @ 2.5 for apartment area with retail = 114,974.60

- Present building scenario has 212 units. Maximum allowed is 212 units and 204,572.50 square feet. Eight stories as proposed are allowed and the building meets all 60 degree angles at the 35 feet criteria.
- The proposed front building elevation shows the required ten (10') feet as required. The front building elevation meets all arcade requirements and setbacks.
- The rear portion of the building sits on apartment zone district. The rear building meets the required twenty five foot setback to the South and East. The applicant has requested and been granted a variance for the the required setback to the North.
- The overall heights of the building are within the height restrictions.
- The parking garage exceeds the required amount of 364 spaces. The parking provided is 369 spaces.

B. **Landscaping:**

Landscaped area is shown at 12% and the City Ordinance 282 requires 10 % for all developments over an acre. Landscaping provided is exceeds the requirement.

C. **Traffic Study:**

The traffic study provided indicates no adverse effects to the surrounding roadways the City engineers have verified the provided information and agree with the findings by Richard Garcia and Associates. The parking access is allowed only from SW 20 ST and SW 21 ST. The general public and all residents have no access from to residential roadways to the east or south of proposed development.

D. **Public Works improvements:**

- All swales surrounding the proposed project shall have a curb and gutter along the edge of road way.

- The development shall water line concurrency with our water system. This shall require a twelve inch (12") water main extension to the project with cross-connections to the existing water main in the area. The developer shall assume all costs as the responsible party for the water main extension. This development shall be West Miami Water and Sewer customer. In addition the proposed water main is subject to review by the City Engineers, WASAD and Miami-Dade Fire Department.
- Existing sewer capacities will be calculated by TY Lin/ HJ Ross City Engineers, improvements to the system shall be borne by the developer.
- Storm Water for this property shall meet current storm water run-off ordinance for the entire property
- Lighting shall meet Miami-Dade County off-street parking ordinance
- Streets surrounding the development shall be completely milled and overlaid at the end of project as indicated by the Public Works Director.
- All sidewalks surrounding project shall be six inch, 3000 psi concrete in a stamped pattern to be selected by the City. Also all right-of-ways surrounding the project and across from the project shall have a curb and gutter installed as indicated by the Public Works Department.
- Irrigation and Landscape in the swales shall be as indicated by the City's Public Works Department.
- All City impact fees for parks, police and sanitary sewers will be paid by the developer prior to a Certificate of Occupancy being issued. Any other governmental agencies having jurisdiction shall have the right to review, collect impact fees and shall be required to meet concurrency requirements.
- Any fees for review, inspections and certifications by the City Engineers shall be the responsibility of the developer or agents. All City impact fees for parks, police and sanitary sewers will be paid by the developer prior to a Certificate of Occupancy being issued. Any other governmental agencies having jurisdiction shall have the right to review, collect impact fees and shall be required to meet concurrency requirements. Any omission from this review does not relieve the developer from its responsibility to provide details and pay all associated costs.

E. Owner shall provide the City with an opinion of title prepared by an attorney-at-law duly licensed in the State of Florida, certifying the names of all title holders and lien holders of the Parent Tract, who shall execute and join the covenant running with the land and other documents required by this resolution as a condition precedent which opinion of title has been submitted by Owner, original of which is attached hereto and made part thereof.

F. Owner shall provide water system, fire flow and sanitary sewer system improvements as required by the City to serve proposed building. Owner shall submit plans for all proposed regulations pertaining thereto. As-built construction plans shall be provided to the City for all improvements. All necessary easements and dedications required for said public improvements shall be provided and executed prior to acceptance of the improvements by

the City.

- G. Owner shall reimburse the City for all administrative, legal and engineering costs incurred by the City in conjunction with this proposed developments.
- H. Owner shall provide detailed plans for the construction of proposed development depicted on the plans submitted under SUPPD # 2015-001 heretofore submitted to the City, prior to issuance of building permits for improvements. Said plans shall include pavement, drainage, trash collection area, gates and other structures and shall be subject to approval by the City and all governing agencies.

Section 3. This Resolution shall become effective immediately upon passage. All Resolutions or parts of Resolutions in conflict herewith are repealed.

PASSED AND ADOPTED this 6<sup>th</sup> day of May, 2015.

APPROVED:

**EDUARDO H. MUHIÑA, MAYOR**

ATTEST:

**ANNERY GONZALEZ, CITY CLERK**

APPROVED AS TO FORM AND SUFFICCIENCY:

**JOSE A. VILLALOBOS, CITY ATTORNEY**

ROLL CALL VOTE:

MAYOR EDUARDO H. MUHIÑA	<u>Y</u>
VICE-MAYOR JUAN M. BLANES	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER RHONDA A. RODRIGUEZ	<u>Y</u>
COMMISSIONER LUCIANO L. SUAREZ	<u>Y</u>