



RESOLUTION #2012-48

RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI APPROVING A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT AT 2323, 2393 SW 67TH AVENUE AND 6566 SW 23RD STREET, WEST MIAMI, FL 33155. APPLICANT REQUESTS A SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT OF A RETAIL COMMERCIAL BUILDING FOR A CVS PHARMACY. THE DEVELOPMENTS AS PROPOSED CONSIST OF A ONE STORY 13,013 SQUARE FEET STRUCTURE WITH A COMMERCIAL OFF-STREET PARKING LOT, LIGHTING, A CBS PERIMETER WALL AND LANDSCAPING AS REQUIRED BY ZONING ORDINANCE 282. ZONING ORDINANCE 282 SEC.2B.1.

WHEREAS, BOOS Development Group. hereinafter referred to as "owner", as owner of the real property described in the attached Exhibit "A" hereinafter referred to as "Parent Tract" has submitted an application for SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT # 2012-003, together with a site plan of the proposed development survey, showing certain subdivision improvements and easements which the owners covenant and agree to make; and

WHEREAS, said 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. In consideration of the foregoing, Owner is hereby granted SUPPD # 2012-003 of the above described Parent Tract located and being in the City of West Miami, County of Miami-Dade, State of Florida, on the following terms and conditions:

A.) A "Public Hearing" on August 28th, 2012 was held before the Planning and Zoning Board. During the hearing the people expressed their views on this project. After hearing all the views the Planning and Zoning Board made a motion to recommend the development with the below stated items for a favorable recommendation to the City Commission. On October 3rd, 2012, the development was presented to the City Commission during a "Public Hearing" and no different views were expressed.

B.) Having reviewed the proposed "Special Use Permit for Plan Development" of one story retail commercial building with 14,748sq.ft. The Building Density Requirements are as follows:

Retail commercial use Floor Area Ratio (FAR) = .40sq.ft.

Commercial parcel at 2393 SW 67 Ave: 27,924 square feet / acre X .40 = 11,169.6sq.ft.

Commercial parcel at 2323 SW 67 Ave: 21,300 square feet / acre X .40 = 8,520.0sq.ft.

49,224 square feet/ Total FAR = 19,689.6sq.ft.

Proposed FAR :14,748 or .23%

- Proposed building scenario is 14,748 sq.ft. One story retail as proposed is allowed.
- The proposed front building elevation shows a setback of twelve (12') feet from the property line to the west and north property line. There is no setback required by our ordinance.
- The rear building is setback from the residential properties to the east by 127.19 feet to the East.
- The overall height of the building is thirty-one (31') feet and it is within the thirty-five (35') feet height restriction.
- The parking exceeds the required amount of 50 spaces. The parking provided is 58 spaces or 1 space for every 300 square feet of building space.

Landscaping:

Landscaped area is shown at 24.63% and the City Ordinance 282 requires 18% for all developments of one (1) acre or more but less than five (5) acres. Landscaping as provided exceeds our ordinance requirement.

Traffic Study:

The traffic study provided indicates no adverse affects to the surrounding roadways. Trips per peak hour to site are 153, a reduction from a combined total to all three sites of 304 during peak hours, significantly reducing trips to the parcel properties. We have provided the City engineers with a copy of the traffic study and they have verified the information provided by CPH Engineers Inc. The parking access is allowed only from SW 24 ST and existing entrance and exit on SW 23 ST within the commercial area. The general public and all local residents will have no access from the parking lot to the residential roadways to the east or south of proposed development.

Public Works improvements:

- A precast decorative concrete wall shall be placed at a specified setback between the residential property to the east and the property at 6566 SW 23 Street with lush landscaping on both side of the proposed wall. The wall shall have a height of eight feet (8') between the residential and proposed parking lot as proposed by the adjacent property owner and the wall along SW 23 Street shall be six (6') feet in height as requested by area residents. The wall between the commercial properties to the south shall be six feet (6') to match the rest of the proposed fence.
- A raised concrete paver island shall be required on the exit to SW 23 Street from the "Drive Thru" lanes with a formed radius that prevents right turns to SW 23 ST. A regulatory sign shall be installed requiring "Left Turn Only" on the island.
- A parapet shall be installed by the developer over the Drive-Thru lanes canopy to match proposed parapet roof on building.
- A speed hump traffic calming device shall be installed by the developer on SW 23 Street as proposed and the location shall be as directed by the Director of Public Works.
- Two additional regulatory signs shall be installed at the zoned district line with the text "Local Traffic Only".
- Trees shown on elevation renderings must be of same height and caliber when planted at the proposed project site.
- Store loading hours shall be between the time slots provided by CVS of 12PM to 4:00PM.
- All swales surrounding the proposed project shall have a curb and gutter along the edge of road way and shall be sodded and landscaped to match the development. All parking along the swales of SW 23 Street that exists at the present time between the project boundaries shall be eliminated and returned to a curb and gutter parkway with sod and landscape to match the development.
- Applicant will be required to dedicate and record a utility easement along the east property line for the relocation of the existing utility easement on the adjacent parcel at 2323 SW 67 Avenue to 6566 SW 23 Street. Also the applicant must relocate a 2" water service line to the new easement per engineer's requirements and all subsequent water line reconnections.
- Existing sewer laterals have capacities for the new building and no additional improvements to the system are necessary.

- Storm Water for this property shall meet current storm water run-off ordinance for the entire property.
- Lighting shall meet Miami-Dade County and City of West Miami off-street parking ordinance.
- Any streets surrounding the development that are damaged during construction 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 sidewalks in a color to be selected by the City.
- 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 Zoning approval being issued. Any other governmental agencies having jurisdiction shall have the right to review, collect impact fees and developer 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.

Any omission from this review does not relieve the developer from its responsibility to provide details and pay all associated costs.

The review by Planning and Zoning Board and Department have determined that the proposed "Special Use Permit for Plan Development" of a one story retail commercial building at 2323-2393 SW 67 Avenue and 6566 SW 23 Street, is in compliance with the intent of Zoning Ordinance 282 and the 2000 City of West Miami Comprehensive Plan. This development provides for retail commercial on the perimeter of the City's corridor as indicated in the Comprehensive Plan and provides for off-street parking for the commercial corridor while maintaining the residential component of the City in the plan.

Section 2. This Resolution shall become effective immediately upon its passage. All Resolutions and parts of Resolutions in conflict herewith are repealed.

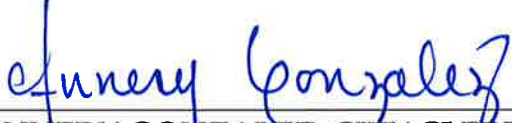
PASSED AND ADOPTED this 3rd day of October, 2012.

APPROVED:



EDUARDO H. MUÑINA, MAYOR

ATTEST:



ANNERY GONZALEZ, CITY CLERK

APPROVED AS TO FORM AND SUFFICIENCY:



JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

MAYOR EDUARDO H. MUÑINA	<u>Y</u>
VICE -MAYOR LUCIANO L. SUAREZ	<u>Y</u>
COMMISSIONER CANDIDA BLANCA	<u>Y</u>
COMMISSIONER JUAN M. BLANES	<u>Y</u>
COMMISSIONER ELSA J. VAZQUEZ	<u>Y</u>