



RESOLUTION # 2016-15

A RESOLUTION OF THE CITY OF WEST MIAMI CITY COMMISSION, CITY OF WEST MIAMI, FLORIDA, FOR SITE PLAN APPROVAL OF SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT #2016-002, FOR GREEN GABLES INVESTMENTS LLC. AT 6400 SW 8 STREET, WEST MIAMI, FLORIDA 33144; REQUIREMENTS FOR DEVELOPMENT OF CERTAIN LANDS IN THE CITY OF WEST MIAMI AND REQUIRING UNIFICATION OF LANDS AND COMPLETE DEVELOPMENT OF ALL LANDS; REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS, COVENANTS AND OTHER TERMS AND CONDITIONS.

WHEREAS, GREEN GABLES LLC. 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 # 2016-002, together with a site plan of the proposed development plans, showing certain subdivision improvements and easements which the owners covenant and agree to make; and

WHEREAS, the Planning and Zoning Department has determined that the proposed "Special Use Permit for Plan Development" of an eight story mixed use commercial building at 6400 SW 8 Street, is within the intent of Zoning Ordinance 282 and the 2000 and 2005 City of West Miami Comprehensive Plan; and

WHEREAS, a "Public Hearing" was held on March 22, 2016 before the Planning and Zoning Board. During the hearing the people expressed their views on this project. After hearing all the views of the public and responses from the attorney for the development and the developer the Planning and Zoning Board made a motion to recommend the development with the below stated items with a favorable recommendation to the City Commission; and

WHEREAS, this development provides for mixed use commercial and residential on the perimeter of the City's corridor as indicated in the Comprehensive Plan and provides for off-street parking for the commercial use while maintaining the restrictions in the City's plan; 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. The favorable recommendation of the Planning and Zoning board is hereby ratified and approved.

Section 2. The project described hereinabove was reviewed by the Planning and Zoning Department at a "Public Hearing" on March 22nd, 2016 before the Planning and Zoning Board.

Section 3. At a "Public Hearing" on April 20th, 2016 before the City of West Miami, the City Commission determined that the proposed "Special Use Permit for Plan Development" of an eight story mixed use and commercial use development at 6400 SW 8 Street, is in compliance with the intent of Zoning Ordinance 282 Sec.2B, 4.23, 4.3, 4.32-4 Ord. 2014-01.

Section 4. The application for SUPPD # 2016-002 of the above described Parent Tract located and being in the City of West Miami, County of Miami-Dade, State of Florida, is hereby granted on the following terms and conditions:

- A. The review of the proposed "Special Use Permit for Plan Development" of an eight (8) story mixed use building with four (4) stories of off-street parking with one underground parking and surrounded by a five (5) story building with two (2) story townhouses towards the residential street of SW 9 Street.

The building requirements are as follows:

Retail commercial use Floor Area Ratio (FAR) = 3.0X 19,365sq.ft. =58,095 sq.ft.

Rear Parcel use Floor Area Ratio (FAR) = 2.5X 27,249sq.ft. = 68,122.50 sq.ft.

Parcel 6400 SW 8 Street: 44,614 combined with rear parcel square feet

Proposed FAR 126,217.50 square feet

Proposed building is 114,795 sq. ft.

Eight stories mixed use in the front parcel and five stories of residential in the rear parcel with four stories of off-street parking as proposed.

- B. The front building elevation shows a zero setback on the north property line, no front setback required.
- C. The rear of the building is setback ten feet (10') to the private balconies and twenty feet (20') to the main building, no setback required. The developer has relocated the trash collection to the middle of the property running horizontal to the service alley. This will allow for the collection to be performed from the delivery dock area inside an enclosed area and therefore shielded from the residential area to the south. The delivery dock area in the middle of the building is completely closed to the residential view to the south.
- D. The building is across SW 9 Street and therefore no setback is required on the south property line abutting the "R1" residential homes. A six feet CBS wall is shown at the on the West property line which abuts the "R2" Residential District with no openings to the property and extends along the property line. The overall height of the building is 90 feet and is within the 95 feet height restriction.
- E. The parking provided is 234 and exceeds the required amount of 218.3 parking spaces. Parking spaces shall be nine (9') feet by eighteen (18') feet in size

for standard vehicles and Handicap parking spaces as required by Florida statutes.

- F. The ramp access to the parking area on the second, third and fourth floor shall be gated to prevent public access to the private parking garage and shall have all public areas recorded and monitored with surveillance equipment twenty-four hours a day, seven days a week including holidays.

Landscaping:

- G. Landscaped area is shown at 6447/10% of the site and the City Ordinance 282 requires 10% for all developments of one (1) acre or more. Landscaping as provided meets required and the massing of trees, plants and palms meet our requirement. The City will mitigate the removal of the specimen trees from the adjacent parkway areas surrounding the subject property. Trees shown on elevation renderings must be of same height and caliber when planted at the proposed project site.

Traffic Study:

- H. The traffic study provided indicates no adverse effects to the surrounding roadways. The subject project will generate 68 trips per AM peak hour and 38 during peak PM Hours. The City engineers have been provided a copy of the traffic study and they have verified the information provided by "RGA" Engineers. The parking access to the building is allowed only from SW 64 Avenue and exits only from SW 64 Avenue. The delivery of merchandise or movers with trucks will have access from SW 65 Avenue within the the service alley between to SW 8 Street and SW 9 Street. All agencies having review have been submitted the proposed project. TYLIN Consulting Engineers are in agreement to with the proposed entrances and delivery areas as proposed from SW 64 Avenue. Any additional costs for the review and inspections by our consulting engineers will be paid by the developer.

Public Works improvements:

- I. All right-of-way swales surrounding the proposed project shall have a curb and gutter along the edge of road way and shall be sodded and densely landscaped to match the development. All parking along the right-of-way swales of SW 9 Street that exists at the present time between the project boundaries shall be eliminated and turned to a raised curb and gutter parkway with irrigation, sod and landscape to match the development.
- J. Applicant will be required to construct all improvements per City engineer's requirements and shall reimburse the City for expense relative to the project oversight by the City Engineer.
- K. Existing sewer laterals have capacities for the new building and no additional improvements to the system are necessary.

- L. Storm Water for this property shall meet current storm water run-off ordinance for the entire property.
- M. Lighting shall meet Miami-Dade County and City of West Miami off-street parking ordinance. Any light spillage to the residential properties to the north shall be shielded at the expense of the developer.
- N. 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. The roadway SW 64 AVENUE shall be completely milled and overlaid per MDPWD standards for local roadways as part of the design.
- O. The Water System for the proposed development shall be improved as required and the expenses associated shall be the responsibility of the developer.
- P. All sidewalks surrounding project shall be six inch, 3000 psi concrete sidewalks in a color or pattern to be selected by the City.
- Q. Irrigation and Landscape of all right-of-way swales shall be as indicated by the City's Public Works Department.
- R. All City impact fees for GSA, Police and Sanitary Sewers will be paid by the developer prior to 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 all concurrency requirements.
- S. 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.
- T. Developer shall reimburse the City for all administrative, legal and engineering costs incurred by the City in conjunction with this proposed developments.
- U. Owner shall provide detailed plans for the construction of proposed development depicted on the plans submitted under SUPPD # 2016-002 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.
- V. Owner agrees that no Certificate of Occupancy or Temporary Certificate of Occupancy shall be granted for any occupancy of the building until all dedications and improvements made a part of this resolution are completed and approved by the City of West Miami and all other pertinent government agencies.

- W. Owner agrees that the City shall have the right to invoke and enforce the conditions, restrictions, limitations and reservations set forth within the Special Use Permit for Planned Development, at developers/owner's expense.
- X. Subject to owner issuing Hold Harmless and Indemnification Agreement holding the City harmless of any present or future action by any owner of adjacent private alley between 64th and 65th Avenues, west of the subject property.

PASSED AND ADOPTED this 20th day of April, 2016

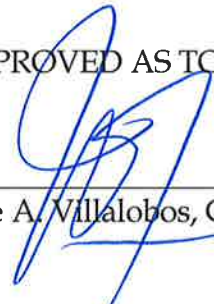
APPROVED


 Eduardo H. Muñiña, Mayor

ATTEST:


 Annery Gonzalez, CMC
 City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


 Jose A. Villalobos, City Attorney

ROLL CALL VOTE:

Mayor Eduardo H. Muñiña	<u>Y</u>
Vice-Mayor Candida Blanca	<u>Y</u>
Commissioner Juan M. Blanes	<u>Abstained</u>
Commissioner Rhonda A. Rodriguez	<u>Y</u>
Commissioner Luciano L. Suarez	<u>N</u>