



RESOLUTION # 2016-16

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF WEST MIAMI EXHIBIT A, VACATING, ABANDONING AND CLOSING THE STREET OF SW 63 AVENUE BETWEEN SW 9 STREET AND SW 8 STREET TO THE NORTH; SUBJECT TO APPROVAL OF RE-PLATTING BY THE APPROPRIATE GOVERNMENTAL AGENCIES, APPROVAL BY FLORIDA DEPARTMENT OF TRANSPORTATION, MIAMI DADE COUNTY PUBLIC WORKS DEPARTMENT AND ANY OTHER REGULATORY AGENCY; A SKETCH OF STREET TO BE VACATED; A SURVEY ATTACHED HERETO AS EXHIBIT A; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 6320 Holdings, LLC filed an application to close that portion of "Public Street of SW 63 Avenue, between SW 9th Street and SW 8 Street to the North, as described in the proposed development plan and survey filed with the Application to Close Public Street; and

WHEREAS, said application included a survey describing that portion of Public Street that is sought to be closed and abandoned; and

WHEREAS, 6320 Holdings, LLC have filed an application to vacate the Public Street on SW 63 Avenue between SW 9 Street and SW 8 Street to the North per attached survey and proposed development plan is attached hereto as Exhibit B.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST MIAMI, FLORIDA AS FOLLOWS:

SECTION 1. The above recitals are herein adopted as if fully stated herein.

SECTION 2. The City Commission found that this action will serve a public purpose and benefit the public without violating private property rights.

SECTION 3. That the application for closure of SW 63 Avenue between SW 9 Street and SW 8 Street (a/k/a Tamiami Trail) to the North, as described in the survey and legal documents attached herein as Exhibit B is hereby approved to be vacated, abandoned and closed and all rights of the City of West Miami and the public in and to said location subject to the acceptance of the Florida Department of Transportation, Miami-Dade County Public Works Department and any other authority in Miami-Dade County that may have jurisdiction herein.

SECTION 4. In passing this Resolution, after public hearing, the City of West Miami Commission is requesting the Miami-Dade County Public Works Department to consider the proposed Traffic Flow Modification/Street Closure.

SECTION 5. That the procedure used in the adoption of this Resolution is expressly ratified and approved.

SECTION 6. That the City Clerk is hereby directed to publish notice of the adoption of this Ordinance one time within thirty (30) days hereafter in a newspaper of general circulation in the City of West Miami.

PASSED AND ADOPTED this 20th, day of April, 2016.

APPROVED


Attest:


EDUARDO MUHINA, MAYOR


ANNERY GONZALEZ, CMC
CITY CLERK

Date of publication: April 4th, 2016
Public Hearing: April 20th, 2016

Approved as to form and sufficiency:

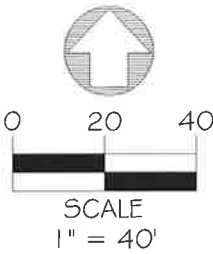

JOSE A. VILLALOBOS, CITY ATTORNEY

ROLL CALL VOTE:

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

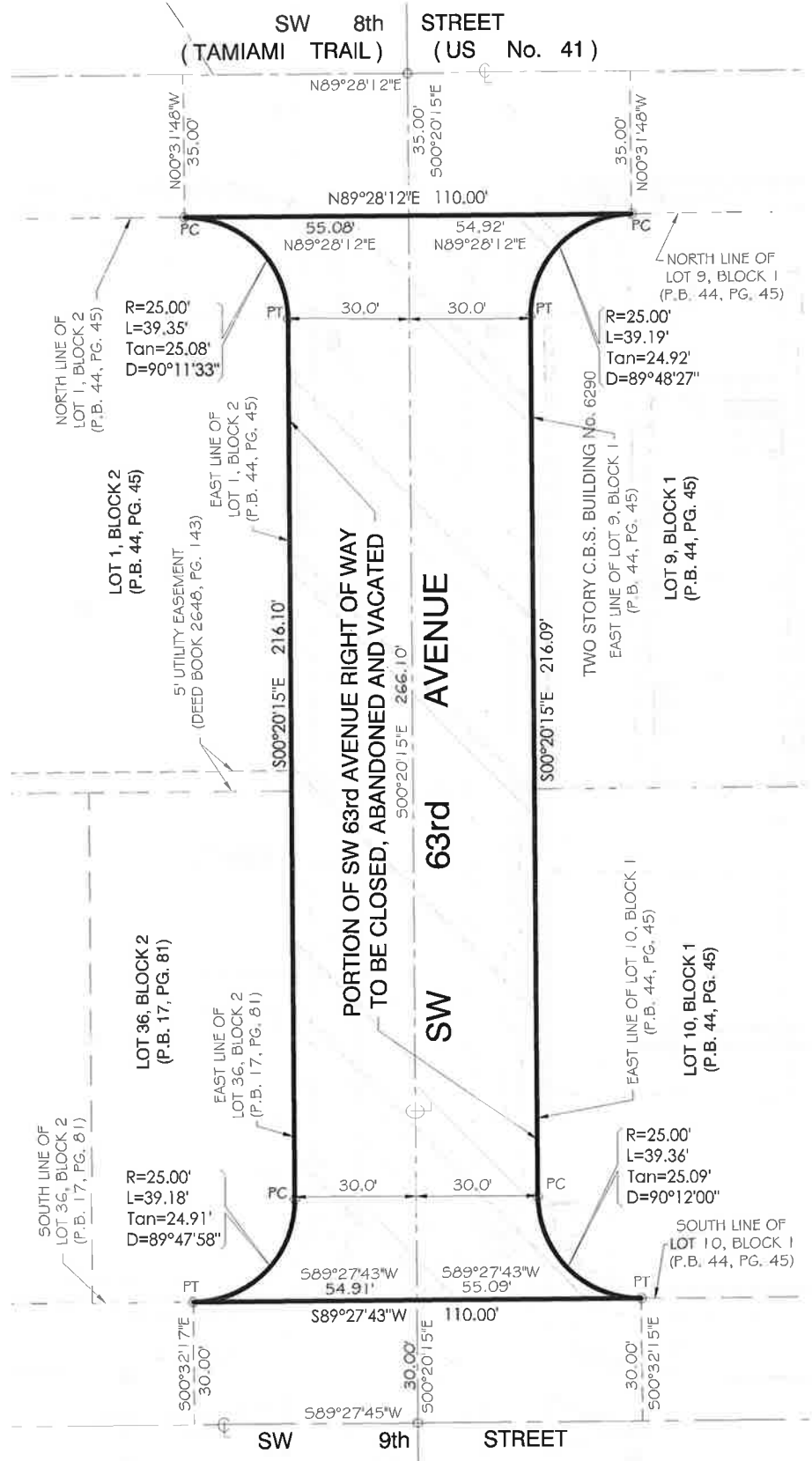
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PORTION OF SW 63rd AVENUE TO BE CLOSED, ABANDONED AND VACATED



LEGEND:

- PB. = PLAT BOOK
- O.R.B. = OFFICIAL RECORDS BOOK
- PG. = PAGE
- PC = POINT OF CURVATURE
- PT. = POINT OF TANGENCY
- S.F. = SQUARE FEET
- R = RADIUS CURVE
- L = ARCH LENGTH
- D = CENTRAL ANGLE
- T = TANGENT



NOTICE: This document is not valid, full and complete without all pages.

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PORTION OF SW 63rd AVENUE TO BE CLOSED, ABANDONED AND VACATED**

LEGAL DESCRIPTION

PORTION OF SW 63rd STREET RIGHT OF WAY TO BE CLOSED, ABANDONED AND VACATED:

That portion of SW 63rd Avenue Right of Way, as shown on the Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA", according to the plat thereof, as recorded in Plat Book 44, at Page 45, of the Public Records of Miami-Dade County, Florida, bounded on the North by the Easterly prolongation of the North Line of Lot 1, Block 2 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA" and the Westerly prolongation of the North Line of Lot 9, Block 1 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA"; bounded on the South by the Easterly prolongation of the South Line of Lot 36, Block 2 of "ALAMEDA", according to the plat thereof, as recorded in Plat Book 17, at Page 81, of the Public Records of Miami-Dade County, Florida, and the Westerly prolongation of the South Line of Lot 10, Block 1 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA"; bounded on the East by the West Line of Lots 9 and 10, Block 1 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA"; and bounded on the West by the East Line of said Lot 1, Block 2 of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA" and the East Line of said Lot 36, Block 2 of "ALAMEDA"

AND

The external area of a 25 foot radius curve, concave to the Southwest, bounded by the North and the East Lines of Lot 1, Block 2 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA", said curve being tangent to both of the last described lines.

AND

The external area of a 25 foot radius curve, concave to the Southeast, bounded by the North and the West Lines of Lot 9, Block 1 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA", said curve being tangent to both of the last described lines.

AND

The external area of a 25 foot radius curve, concave to the Northwest, bounded by the South and the East Lines of Lot 36, Block 2 of said Plat of "ALAMEDA", said curve being tangent to both of the last described lines.

AND

The external area of a 25 foot radius curve, concave to the Northeast, bounded by the South and the West lines of Lot 10, Block 1 of said Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA", said curve being tangent to both of the last described lines.

Containing 16,502 Square Feet or 0.38 Acres, more or less, by calculations.

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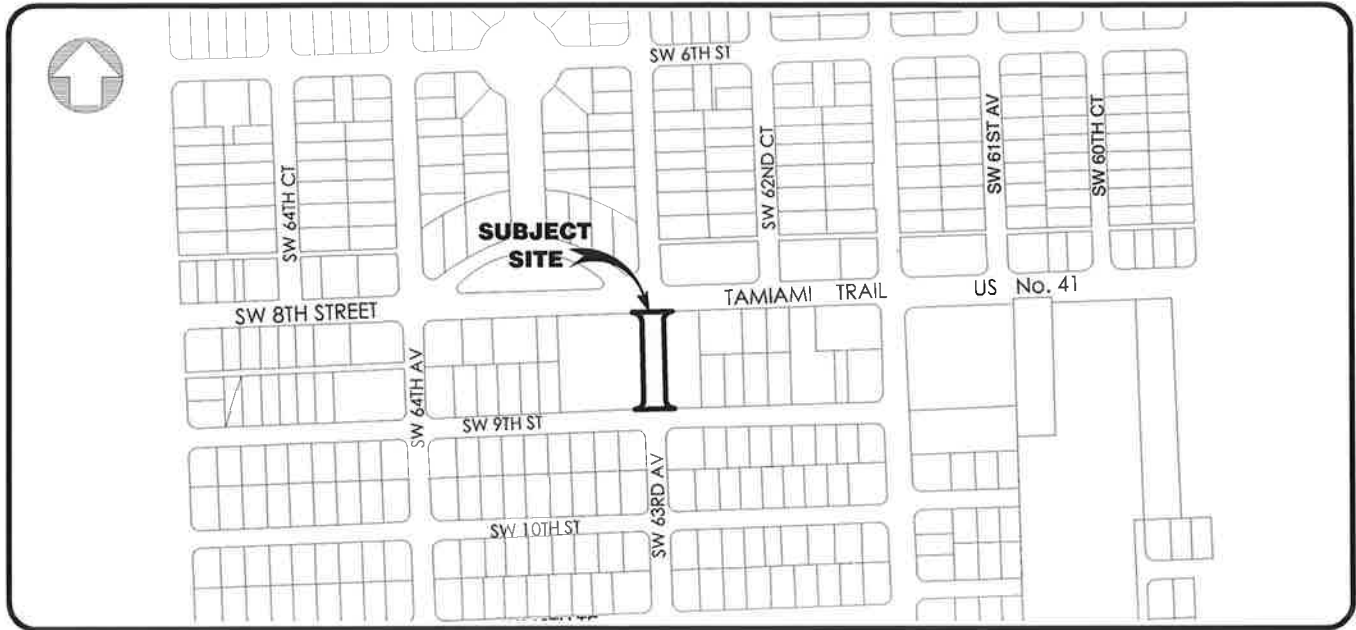
LONGITUDE SURVEYORS

7715 NW 48TH STREET, SUITE 310, DORAL, FLORIDA 33166 * PHONE:(305)463-0912 * FAX:(305)513-5680 * WWW.LONGITUDESURVEYORS.COM

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JOB No. 15572 PAGE 2 OF 3

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION
PORTION OF SW 63rd AVENUE TO BE CLOSED, ABANDONED AND VACATED**



LOCATION MAP
(NOT TO SCALE)

PERTINENT INFORMATION USED FOR THE PREPARATION OF THIS DOCUMENT:

The Legal Description of the Subject Parcel was generated from the following documents:

1. Plat of "RESUBDIVISION OF SECOND REVISED PLAT PORTION OF ALAMEDA", recorded in Plat Book 44, at Page 45, of the Public Records of Miami-Dade County Florida.
2. Plat of "ALAMEDA", recorded in Plat Book 17, at Page 81, of the Public Records of Miami-Dade County, Florida.
3. Plat of "FAIR LAWN", recorded in Plat Book 8, at Page 83, of the Public Records of Miami-Dade County, Florida.

Bearings as shown hereon are based upon the centerline of SW 8th Street (Tamiami Trail), (US No. 41), with an assumed bearing of N89°28'12"E, said line to be considered a well established and monumented line.

EASEMENTS AND ENCUMBRANCES:

No information was provided as to the existence of any easements other than what appears on the underlying Plat of record, Please refer to the Limitations item with respect to possible restrictions of record and utility services.

RESTRICTIONS:

Since no other information were furnished other than what is cited in the above pertinent information used for the preparation of this document, the Client is hereby advised that there may be legal restrictions on the subject property that are not shown on this Sketch or contained within this report that may be found in the Public Records of Miami-Dade County, Florida or any other public and private entities as their jurisdictions may appear.

This document does not represent a field boundary survey of the described property, or any part or parcel thereof.

SURVEYOR'S CERTIFICATE:

I hereby certify: That this "Sketch to Accompany Legal Description" and the Survey Map resulting therefrom was performed under my direction and is true and correct to the best of my knowledge and belief and further, that said "Sketch to Accompany Legal Description" meets the intent of the applicable provisions of the "Minimum Technical Standards for Land Surveying in the State of Florida", pursuant to Rule 5J-17.051 through 5J-17.052 of the Florida Administrative Code and its implementing law, Chapter 472.027 of the Florida Statutes.

LONGITUDE SURVEYORS LLC., a Florida Limited Liability Company
Florida Certificate of Authorization Number LB7335

By: _____ Date: _____
Jose Senas, PSM
Registered Surveyor and Mapper LS5938
State of Florida

NOTICE:

Not valid without the signature and original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey Maps by other than the signing party are prohibited without the written consent of the signing party.

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P. 305 594.2877
F. 305 594 2878

The Lasarte Law Firm
3250 N.E. First Avenue
Suite 334
Miami, FL 33137
www.lasartelaw.com

Felix Lasarte
Felix@lasartelaw.com

January 19, 2016

Mr. Juan Pena
Director of Planning & Zoning
901 SW 62 Avenue
Miami, FL 33144

Re: Special Use Permit Application / Folio Nos. 15-4012-021-0060 & 15-4012-021-0150 / Road Closing Petition / Letter of Intent

Dear Mr. Pena:

Our office represents The Estate Companies ("Estate Companies"). As you know the Estate Companies their affiliates and/or subsidiaries are involved in the development of numerous projects in the City of West Miami ("City"). The projects have been immensely successful and the City and its residents seem pleased.

The Estate Companies, through some of its principals, affiliates and/or subsidiaries, owns a property located at 6320 SW 8th Street ("CVS Property"). The CVS Property consists of 58,905 sq. ft. and is used as a CVS Pharmacy. The Estate Group, through some of its principals, affiliates and/or subsidiaries, also has under contract another property located at 6290 SW 8th Street ("Motel Property"). The Motel Property consists of 25,270 sq. ft. and is used as a motel. The Motel Property and the CVS Property are both zoned Commercial on the North half and are zoned R-5 Street Parking in the South half. Both properties straddle the East and West sides of SW 63rd Avenue.

Our client wants to develop both parcels as one by vacating a portion of SW 63rd Avenue. The intent is to develop a mixed use development consisting of 241 residential units and 88 work/live (Commercial) units. This project would consist of an 8 story tower on the North half of the site and a 5 story tower on the South side of the site with the same quality and amenities of other developments that the Estate Group has developed in the area. It is important to note that our client does not seek any type of variance in the present application.

In order to develop the project we respectfully petition the City as follows:

1. The City vacates SW 63rd Avenue from the southern edge of pavement of SW 8th Street to the northern edge of pavement of SW 9th Street.
2. The City approves a Special Use Permit for a Planned Development consisting of 8 stories; 241 residential units; and 88 Work/Live (Commercial).

This development is consistent with the City's Comprehensive Master Plan and is compatible with other mixed use developments in the area. By closing SW 63rd Avenue the single family community on the South side of SW 9th Street will be protected from the current traffic flow of 8th Street drivers cutting through to SW 9th Street (West Miami) to avoid the congestion flow to SW 62nd Avenue traffic light. This development also creates a transition buffer along the southern edge of the property in order to respect the character of the abutting single family community.

When the City adopted these building guidelines that permit mixed use towers along the perimeter of the City, the intent was for developments such as this to be built on the edges of the City. These new developments will provide the tax base to preserve the inner single family core of the City and will provide modern retail amenities to the residents of the City.

We ask that you approve the application favorably and we look forward to working with your staff and present the application before the City Commission. Please contact our office if you have any questions.

Sincerely
The Lasarte Law Firm



Felix Lasarte