



RESOLUTION # 2017-46

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 #2017-001, FOR VALENTINA VIEW, LLC. AND VALENTINA PROPCO, LLC 2201, 2281 SW 67 AVENUE, 6547, 6557, 6567 AND 6577 SW 23 STREET AND 6546, 6556, 6566 ,6576, SW 22 STREET, WEST MIAMI, FLORIDA 33144, REQUIREMENTS FOR DEVELOPMENT OF CERTAIN LANDS IN THE CITY OF WEST MIAMI AND REQUIRING UNIFICATION OF FOLIOS OF LANDS AND COMPLETE DEVELOPMENT OF ALL LANDS AND IN LIEU OF THEREOF, REQUIRING CERTAIN IMPROVEMENTS, DEDICATIONS, COVENANTS AND OTHER TERMS AND CONDITIONS, SUBJECT TO APPROVAL OF UNIFICATION OF FOLIOS BY THE APPROPRIATE GOVERNMENTAL AGENCIES, APPROVAL BY MIAMI DADE COUNTY PUBLIC WORKS DEPARTMENT AND ANY OTHER REGULATORY AGENCY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, Valentina View LLC. and Valentina Propco hereinafter referred to as "owner", as owner of the real property described in the attached Exhibit "B" hereinafter referred to as "Parent Tract" has submitted an application for SPECIAL USE PERMIT FOR PLANNED DEVELOPMENT # 2017-001, together with a site plan of the proposed development plans, showing certain subdivision improvements 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 # 2017-001 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" was held on August 29th, 2017 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.

On September 20th, 2017 a "Public Hearing" was held at the West Miami City Commission Chamber to hear views and concerns of the area property owners. The development was presented and different views and questions were expressed the attorney for the developer explained and answered questions about the project.

- B.) The review of the proposed "Special Use Permit for Plan Development" a 338 residential mixed use project consisting of an eight (8) story mixed Use building with two (2) stories of off-street parking plus one underground parking level and surrounded by a five (5) story building with residential units towards the residential street of SW 22 Street and SW 23 Street.

The building requirements are as follows:

Retail commercial use Floor Area Ratio (FAR) = 3.0X 57,856sq.ft. =173,568 sq.ft.

Rear Parcels use Floor Area Ratio (FAR) = 2.5X 54,720sq.ft. = 136,800 sq.ft.

Proposed FAR 249,105 square feet

Proposed building is 271,152 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.

- C.) The front building elevation is shown at zero setback on the West property line, no front setback required. The front ten feet of the building has the required 13 feet high portico along the front elevation.
- D.) The rear of the building is setback fifty six feet (56') to the private balconies and Sixty feet (60') to the main building, twenty five feet setback is required. The developer has relocated the trash collection to the western end of the property running parallel to SW 22 Street and SW 23 Street. 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 east. The delivery dock areas in the west end of the building are completely closed to the residential view to the east.
- E.) The building is across SW 22 Street to the North and SW 23rd, Street to the South and no setback is required on the south property line abutting the "R1" residential homes across the street on SW 23 Street. An eight (8') feet CBS wall is required on the east side of the development along the property lines which abuts the "R2" Residential District to the East with no openings to the property. The overall height of the building is 90 feet and is within the 95 feet height restriction.
- F.) The parking provided is 568 and exceeds the required amount of 561 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.

- G.) The ramp access to the parking areas are on SW 22 Street and SW 23 Street and 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:

- H.) Landscaped area is shown at 15,300 square feet 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:

- I.) The traffic study provided indicates no adverse effects to the surrounding roadways. 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 22 Street and SW 23 Street. The delivery of merchandise or movers with trucks will have access from SW 22 Street and SW 23 Street delivery bays only within the times allowed. All agencies having jurisdiction shall have the right to review the proposed project. TYLIN Consulting Engineers are in agreement to with the proposed entrances and delivery areas as proposed from SW 22 Street. Any additional costs for the review and inspections by our consulting engineers will be paid by the developer.

Public Works improvements:

- J.) All right-of-way swales surrounding the proposed project and across the 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 23 Street that exists at the present time between the project boundaries shall be remain. All parkways will be sodded and landscape to match the development.
- K.) 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.
- L.) Existing sewer laterals have capacities for the new building and any additional improvements to the system shall be borne by the developer.
- M.) Storm Water for this property shall meet current storm water run-off ordinance for the entire property.

- N.) The Water system for the proposed development shall be improved as required and the expenses associated shall be the responsibility of the developer.
- O.) 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.
- P.) 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 22 Street and SW 23 Street shall be completely milled and overlaid per MDPWD standards for local roadways as part of the design.
- Q.) All sidewalks surrounding project shall be six inch, 3000 psi concrete sidewalks in a color or pattern to be selected by the City.
- R.) Irrigation and Landscape of all right-of-way swales shall be as indicated by the City's Public Works Department.
- S.) 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.
- T.) 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.
- U.) The review by Planning and Zoning Department has determined that the proposed "Special Use Permit for Plan Development" of an eight story mixed use commercial building at 2201 SW 67 Avenue, is within the intent of Zoning Ordinance 282 and the 2000 and 2005 City of West Miami Comprehensive Plan. 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.
- V.) Developer shall reimburse the City for all administrative, legal and engineering costs incurred by the City in conjunction with this proposed developments.
- W.) Owner shall provide detailed plans for the construction of proposed development depicted on the plans submitted under SUPPD # 2017-001 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.

- X.) 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.
- Y.) 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.

The reviews by Planning and Zoning Department and the "Public Hearing" on August 29th, 2017 before the Planning and Zoning Board and the "Public Hearing" on September 20th, 2017 before the City of West Miami City Commission have determined that the proposed "Special Use Permit for Plan Development" of an Eight story mixed use and commercial use development at 2201 SW 67 Avenue, is in compliance with the intent of Zoning Ordinance 282 Sec.2B, 4.23, 4.3, 4.32-4 Ord. 2014-01.

PASSED AND ADOPTED this 20th day of September, 2017

APPROVED



Eduardo H. Muhiña, Mayor

ATTEST:


Yolanda Aguilar, Ex Officio City Clerk

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>