

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH 18-184

July 25, 2019

Item No. 3

Recommendation Summary	
Commission District	2
Applicant	CAN Community Health, Inc.
Summary of Requests	The applicant is seeking an amendment of the North Central Urban Area District (NCUAD) regulating plan to re-designate the subject property from Mixed Use Main Street (MM) to Mixed Use Corridor (MC). Additionally, the applicant seeks to vary the minimum building frontage at the build-to line for phase 1 of the proposed office development.
Location	Lying at the southeast corner of NW 27 Avenue and NW 123 Street, Miami-Dade County, Florida.
Property Size	0.62 acres
Existing Zoning	North Central Urban Area District
Existing Land Use	Vacant
2020-2030 CDMP Land Use Designation	Community Urban Center
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-284.89.3 Amendments to Urban Center District Land Use Plan Category or Other Regulating Plan, Section 33-311 District Boundary Change, (See attached Zoning recommendation Addendum)
Recommendation	Approval of request #1, and approval with a condition of request #2.

REQUESTS:

- (1) AMENDMENT of the NCUAD Land Use Regulating Plan to re-designate the subject property from Mixed Use Main Street (MM) to Mixed Use Corridor (MC).
- (2) NON-USE VARIANCE of the standard urban center district regulations requiring 70% minimum building frontage along the build-to line; to permit phase 1 of the proposed office building with only 30% building frontage along the build-to line.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	NCUAD, MM; vacant	Community Urban Center
North	NCUAD, MM; offices	Community Urban Center
South	NCUAD, MCS; tire repair facility	Community Urban Center
East	NCUAD, MM; single-family residences	Community Urban Center
West	NCUAD, MCS & MC; Miami-Dade Public School facility	Community Urban Center

PROJECT DESCRIPTION AND PROJECT HISTORY:

Pursuant to Resolution #Z-14-12, the subject parcel was a part of a larger tract of land that was rezoned to the **North Central Urban Area District (NCUAD)**. All of the parcels within the boundaries of the approved **NCUAD** are regulated by plans and standards described in Ordinance #11-065, which are consistent with the Urban Center interpretative text. The subject property consists of two (2) contiguously owned parcels lying at the southeast corner of NW 27 Avenue and NW 123 Street. Combined, the parcels are .62 acre in size, are designated MM, Mixed-Use Main Street, within the Center Sub-district on the NCUAD Regulating Plan, which, does not permit office uses.

Staff notes that the subject property is currently the subject of an Administrative Site Plan Review (ASPR) #A2018000043, for the proposed medical office building, approval of which is contingent on the subject application. The MM district requires the vertical integration of uses. Therefore, the applicant seeks to re-designate the subject property from MM to MC Mixed Use Corridor District, in order to permit a medical office building. With this request, the applicant also seeks to vary the requirement for the buildings frontage at the build-to line for the first phase of the development, which is the subject of the aforementioned ASPR.

COMPREHENSIVE DEVELOPMENT MASTER PLAN AND ZONING ANALYSIS:

The applicant seeks to amend the regulating plans for the NCUAD, in order to re-designate the subject property from MM to MC (request #1) and to vary the building frontage requirement at the build-to line, to permit 30% (70% required) frontage at the build-to line (request #2). The subject property is located in an area designated as a community urban center on the Land Use Plan Map of the County's Comprehensive Development Master Plan (CDMP). The CDMP Land Use Element (LUE) states that *diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate-to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically.* Furthermore, the CDMP text states *where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern.*

Objective LU-7 of the CDMP addresses new development and redevelopment in existing and planned transit corridors and urban centers. Said Objective states that *Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that promotes the use of rapid transit services.* Policy LU-7A states: *...Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential land and non-residential land uses and activities in nodes around transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies.* Staff notes that the subject property is located along NW 27 Avenue, which is designated as a proposed premium transit corridor for future bus rapid transit on the CDMP Future Mass Transit

Map Series. Thus, the CDMP clearly calls for transit-supportive uses along premium transit corridors.

As previously stated, the current land use designation in the NCUAD for the subject property is MM, Mixed Use Main Street, which requires the vertical integration of mixed uses. The proposed MC, Mixed-Use Corridor, is a mixed-use land use category that is usually assigned to areas in close proximity to proposed rapid transit stations or premium bus service stops. In the case of NCUAD, the MC category allows for commercial or office uses, multi-family and their mix. It is staff's opinion that the applicant's desired MC category, in which vertical mixed uses are also allowed but not required, is **consistent** with the interpretative text, goals, objectives and policies CDMP.

ZONING ANALYSIS:

The applicant seeks to amend the NCUAD regulating plan in order to re-designate the subject property from MM to MC (request #1). The purpose of the requested re-designation of the subject property from MM to MC is to allow the applicant to establish a medical office use on the subject parcel. The MC category, among others, allows multi-family apartments, civic uses, healthcare uses and general retail/personal service establishments. However, the current MM category requires the vertical integration of uses, whereas the vertical integration of uses is only encouraged in the MC category. Essentially, the MC category permits office uses without the integration of residential uses.

Staff opines that approval of the applicant's request to re-designate the parcel to MC, would not be out of character with the uses permitted in this area of NW 27 Avenue or with the guidelines for the NCUAD derived from the North Central Charrette Report adopted by the BCC in 2004, which contained the residents' vision for the area. During the hearings conducted in connection with the adoption of the NCUAD regulations and rezoning, the community strongly requested the discouragement of auto-related uses and the encouragement of other commercial uses that will contribute to their livelihood and desired aesthetics.

Regarding the impact on transportation facilities, the subject property is located within a designated Community Urban Center and premium transit corridor (NW 27th Avenue). The Department of Regulatory and Economic Resources (RER) Platting and Traffic Review Section memorandum indicates that the proposed development will generate 29 PM daily peak hour trips, but that the development meets traffic concurrency because it lies within an infill area where traffic concurrency does not apply. As previously stated, the CDMP establishes urban centers primarily as transit-oriented, pedestrian-oriented hubs of urban development intensification around and along existing and proposed premium transit facilities. In doing so, the CDMP acknowledges the deterioration of roadway levels of service and the improvement of transit levels of service within these areas.

As far as non-transportation County services, memoranda from the Division of Environmental Resources Management (DERM) of the RER, the Water and Sewer Department (WASD), and Miami-Dade Fire Rescue Department indicate that the request does not impact Level of Service standards or generate or result in excessive noise, cause undue or excessive burden on public facilities, including water, sewer, or other such facilities which have been constructed or which are planned and budgeted for construction. Further, the WASD memorandum indicates that a public sewer system in feasible reach of the subject property will be available for connection by March 2020.

The applicant also seeks a non-use variance of the Standard Urban Center District regulations requiring 70% minimum building frontage along the build-to line, to permit phase 1 of the proposed office building with only 30% building frontage along the build-to line (request #2). When the request is analyzed under section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations, staff opines that approval of said request would maintain the basic intent and purpose of the zoning and subdivision regulations for the NCUAD. Further, based on the analysis below, staff opines that approval of the aforementioned request would be **compatible** with the development of the surrounding area under the NCUAD standards.

All of the parcels within the boundaries of the approved North Central Urban Area District Ordinance are regulated by plans and descriptive standards described in Ordinance #11-065. Among other things, said Ordinance requires buildings to be oriented to the street, parking lots to be predominately relegated to the rear or located on one side of buildings, and a seventy (70) percent minimum building frontage at the build-to line in all sub-districts. Staff notes that the subject property is also the subject of an administrative site plan review (ASPR), under ASPR #A2018000043, the approval of which is contingent on the applicant's request for a variance of the frontage requirement (request #2). The applicant indicated in its letter of intent that they are unable to fully develop the entire 0.62 acre parcel due to the unavailability of public sewer services on the property. This will require the applicant to install a septic tank and drain field on the subject parcel, which based on the submitted plans for the ASPR, covers the southern, approximately 55' of the subject property. Staff notes that the plans submitted with the ASPR, indicate that approximately 85% of the approximately 80' wide proposed building meets the building frontage requirements of 10' from the front (west) property line. However, the NCUAD regulations requires 147' of building frontage at the build-to line for the 210' wide frontage along NW 27 Avenue.

Staff opines that approval with conditions of this request, will not be out of character with the future development of the area under the NCUAD regulations. Staff notes that plans submitted with the aforementioned ASPR, indicate that this is Phase 1 of the development. Therefore, as a condition for approval of this request, staff requires that in the event that public sewer is made available to the subject property, any future development of the parcel will be required to bring the property into compliance with the 70% minimum building frontage at the build-to line. **Taking all aspects of the CDMP and Zoning analysis into consideration, staff recommends approval of request #1 under Section 33-284.89.3, and approval with conditions of request #2, under section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

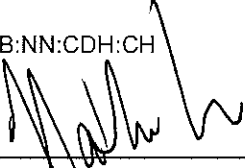
RECOMMENDATION:

Approval of request #1 and approval with a condition of request #2.

CONDITION FOR APPROVAL: (For request #2 only)

1. That the approval of the application be tied to the final approved plans for Administrative Site Plan Review (ASPR) #A2018000043.
2. In the event that public sewer is made available to the subject property, any future development of the parcel will be required to bring the property into compliance with the 70% minimum building frontage at the build-to line.

NK:JB:NN:CDH:CH



Nathan Kogon, Assistant Director
Development Services Division
Miami-Dade County
Department of Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

CAN Community Health, Inc.
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NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Division of Environmental Resources Management (RER)	No objection
Platting and Traffic Review Section (RER)	No objection*
Water and Sewer Department (WASD)	No objection
Fire Rescue	No objection
*Subject to conditions in the Department's attached memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Land Use Element Urban Centers pg. I-45	Urban Centers <i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i> <i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i> <i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and areawide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i> <i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below. Separately</i> Policies for Development of Urban Centers <i>Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development</i>
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intensifies or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

Radius. The area developed as an urban center shall extend to a one-mile radius around the core or central transit station of a Regional Urban Center designated on the LUP map. Designated Metropolitan Urban Centers shall extend not less than one-quarter mile walking distance from the core of the center or central transit stop(s) and may extend up to one-half mile from such core or transit stops along major roads and pedestrian linkages. Community Centers shall have a radius of 700 to 1,800 feet but may be extended to a radius of one-half mile where recommended in a professional area plan for the center, consistent with the guidelines herein, which plan is approved by the Board of County Commissioners after an advertised public hearing. Urban Center development shall not extend beyond the UDB.

Streets and Public Spaces. Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian accessways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.

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Density and Intensity. The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below. Average Floor Area Ratios (FAR)		
	Average Floor Area Ratios (FAR)	Max. Densities Dwellings per Gross Acre
Regional Activity Centers	greater than 4.0 in the core not less than 2.0 in the edge	500
Metropolitan Activity Centers	greater than 3.0 in the core not less than 0.75 in the edge	250
Community Urban Centers	greater than 1.5 in the core not less than 0.5 in the edge	125

In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.

As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use and design requirements of this section and Policy LU-7F.

Objective LU-7 (Page I-13)	Miami-Dade County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that's promote the use of transit services.
Policy LU-7A (Page I-13)	Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human services in varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.

ZONING RECOMMENDATION ADDENDUM

CAN Community Health, Inc.
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PERTINENT ZONING REQUIREMENTS/STANDARDS

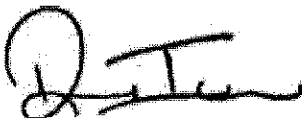
Section 33-284.89.3 Amendments to Urban Center or Urban Area District Land Use Plan Category or Other Regulating Plan	Notwithstanding any other provision of this Code to the contrary, for properties that have a zoning classification of urban center or urban area district, an application (i) to amend a land use regulating plan to change the land use category to which a specific property is designated or (ii) to amend any other element of a regulating plan as applicable to the particular property (iii) or to expand the boundaries of an urban center or urban area district shall be processed as an application for a district boundary change in accordance with the procedures set forth in Article XXXVI of this chapter.
Section 33-311 District Boundary Change	(A) The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County. (F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which: (1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered; (2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development; (3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida; (4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction; (5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.
Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations.	Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.

Memorandum



Date: April 16, 2019

To: Jack Osterholt, Deputy Mayor/Director
Department of Regulatory and Economic Resources

From: Rashid Istambouli, P.E.
Department of Regulatory and Economic Resources 

Subject: Z2018000184- 2nd Revision
CAN Community Health, Inc.
12300 NW 27th Avenue
DBC from Mixed Use Main Street (MM) to Mixed Use Corridor (MC)
for New 3-Story Medical Office Building
(0.603 Acres)
27-52-41

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to Section 24-43.1 the Code. With respect to other issues discussed herein DERM does not object to this application provided that all the conditions contained herein are complied with.

Wastewater Disposal

Public sanitary sewers are not currently located within feasible distance for connection to the subject property. Please note, DERM will evaluate the feasibility of connecting to the public sanitary sewer system for any future development order that proposes construction on this property.

The director of DERM may issue written approval for a non-residential land use to be served by a septic tank as a temporary means of wastewater disposal provided that the non-residential land use connects to public sanitary sewers and complies with the following:

1. The proposed development on the property shall not exceed the maximum sewage loading allowed by Section 24-43.1(4)(b) of the Code. This application is subject to plans submitted under A2018000043. Based on the information provided under A2018000043, the subject property complies with the allowable sewage loading.
2. The land use shall not discharge a liquid waste other than domestic sewage into a septic tank. Based on the information provided in this application, the proposed outpatient medical clinic is not proposing to generate a liquid waste other than domestic sewage that will discharge into the septic tank and drainfield.
3. The land use served or to be served by public water and a septic tank shall not be more or zoning classifications: BU-1A, BU-2, BU-3, IU-1, IU-2, IU-3 or IU-C. Based on the information provided in this application, the requested land use is in compliance with the Code.
4. Pursuant to Section 24-43.1(4)(a) of the Code, the property owner has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County which provides

that the only liquid waste, less and except the exclusions contained therein, which shall be generated, disposed of, discharged or stored on the property shall be domestic sewage discharged into a septic tank.

Potable Water Service

Public water can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

Existing public water facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Stormwater Management

Stormwater should be retained on site utilizing designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year/1-day storm event.

Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all state and federal criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources onsite. The materials submitted with the subject application indicate that tree resources will be impacted. However, DERM has no objections with the application provided that the applicant obtains a Miami-Dade County Tree Permit and that no specimen trees (a tree with a trunk diameter of 18 inches or greater) are impacted.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. The applicant is advised that a tree survey that includes a tree disposition table will be required prior to reviewing the tree removal permit application. Projects and permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code, specifically the specimen tree standard and CON 8A of the CDMP. A determination of specimen tree preservation requirements may require the applicant to modify the site plan to accommodate applicable specimen trees pursuant to Section 24-49.2(II)(2) of the Code.

Finally, in accordance with Section 24-49.9 of the Code and CON8I of the CDMP, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species. Please contact DERM's Tree and Forest Resources Section at (305) 372-6574 for additional information regarding tree permitting procedures and requirements.

Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

This memorandum shall constitute written approval of the application to the extent required by Chapter 24 of the Code.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: February 27, 2019

To: Nathan Kogon, Assistant Director
Department of Regulatory and Economic Resources

From: Raul A. Pino, PLS, Chief
Platting and Traffic Review Section
Department of Regulatory and Economic Resources

Subject: Z2018000184
Name: CAN Community Health, Inc.,
Location: 12300 NW 27 Avenue
Section 27 Township 52 South Range 41 East

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has **no objection**.

This land **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code or a Covenant in Lieu of Unity of Title approved by the Platting and Traffic Review Section will be acceptable.

This application meets the traffic concurrency criteria because it lies within the infill area where traffic concurrency does not apply. It will generate approximately **29 PM** daily peak hour vehicle trips.

Standard Conditions:

- During the platting and/or permitting process, applicant must submit paving, grading and pavement marking plans to the Department of Regulatory and Economic Resources Platting Section for review.
- All landscaping, walls, fences, entrance features, etc. will be subject to the Safe Sight Distance Triangle as per Section 33-11 of the Miami-Dade County Code and G5.3 of the Public Works and Waste Management Department Manual.

Memorandum



Date: February 25, 2019

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD)

Subject: Zoning Application Comments - CAN Community Health, Inc
Application No. Z2018000184 - (Previous Zoning App. No. A18-043)

The Water and Sewer Department (WASD) has reviewed the zoning application for the proposed development. Below, please find the comments for the subject application. The information provided below is preliminary and it does not affect the Zoning Process. The applicant is advised to consult with their engineer and the WASD Plans Review staff to finalize points of connection and capacity approval.

Application Name: CAN Community Health, Inc

Location: The proposed project is located at 12300 NW 27th Avenue with Folios No.30-2127-011-0200 and 30-3127-010-0120, in unincorporated Miami-Dade County.

Proposed Development: 8,170 square feet of Physician's Medical Office.

The total water demand is estimated to be 1,634 gpd.

Water: The proposed development is located within the City of North Miami's water service area. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area. In addition, a Water Supply Certification (WSC) will not be required from WASD as the water is supplied by the North Miami Utility.

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the North District Wastewater Treatment Plant (NDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity for the proposed project consistent with Policy WS-2 A (2) of the CDMP.

Currently, there is no gravity sewers in the vicinity of the property. The closest gravity sewer is located on NW 122nd Street west of NW 27th Avenue; however, there is not enough depth to connect to.

Please note that a new sanitary sewer system project is proposed along NW 27 Avenue from NW 107 Street to NW 123rd Street. This project is anticipated to be completed by March 2020. Said proposed sewer system will be abutting the subject application and will be available for connection upon completion.

WASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2 A(2) of the CDMP. Capacity evaluations of the plant for average flow and -peak

flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Should you have any questions, please call Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or Alfredo Sanchez at (786) 552-8237.

Memorandum



Date: February 20, 2019

To: Nathan M. Kogon, Assistant Director
Regulatory and Economic Resources

From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department

Subject: Z2018000184

The Miami-Dade Fire Rescue Department has **no objection** to the applicant requesting a rezoning to the property from MM to MC and the proposed two stories building shown in the site plan attached to this application.

For additional information, please contact Alejandro Cuello at 786-331-4545 or via email at Alejandro.cuello@miamidade.gov.

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

CAN COMMUNITY HEALTH/MATT JENSEN

N/A
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

Pending

Z2018000184

DATE

HEARING NUMBER

FOLIO: 30-2127-010-0120/30-2127-011-0200

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

February 27, 2019

NEIGHBORHOOD REGULATIONS:

Folio No.s: 30-2127-010-0120/30-2127-011-0200

There are no open/closed cases in CMS.

BUILDING SUPPORT REGULATIONS:

Folio No.s: 30-2127-010-0120/30-2127-011-0200

There are no open/closed cases in BSS.

VIOLATOR:

CAN COMMUNITY HEALTH/MATT JENSEN

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

DISCLOSURE OF INTEREST*

If a CORPORATION owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: CAN Community Health, Inc.

NAME AND ADDRESS

Percentage of Stock

is a not for profit Organization located at

1231 N. Tuttle Ave., Sarasota, FL 34237

see attached exhibit

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and the percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME

NAME AND ADDRESS

Percentage of Interest

If a PARTNERSHIP owns or leases the subject property, list the principals including general and limited partners. [Note: Where the partner(s) consist of another partnership(s), corporation(s), trust(s) or other similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:

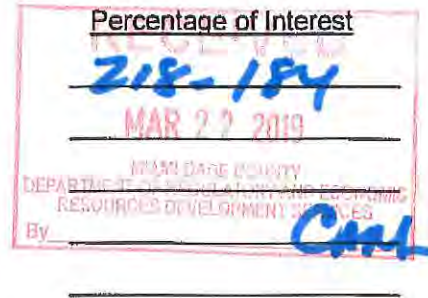
NAME AND ADDRESS

Percentage of Ownership

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)



Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust.

NOTICE: For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

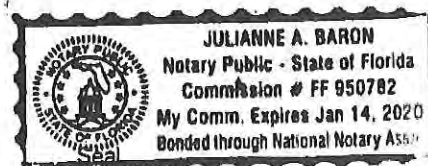
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature _____
(Applicant)

RICHARD E. CARLISLE
(Print Applicant name)

Sworn to and subscribed before me this 18th day of March, 2019. Affiant is personally known to me or has produced _____ as identification

Julianne A. Baron
Notary Public
My commission expires January 14, 2020



*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

CAN Community Health, Inc.



Richard E. Carlisle	President & Chief Executive Officer
Alex Kramer	Chief Financial Officer
Robert D. Nosal	Secretary
Robert Trisolini	Chairman
Demetrius Jifunza	Vice-President & Chairman
Netanel Shabat	Director
Meadow Walker	Director
Stephen Covert, PHD	Asst. Treasurer
Jackie Rogers	Asst. Secretary
Robin Moch	Director
Anthony J. Becich	Treasurer
Reinaldo Arroyo, M.D.	Director
Thomas A. D'Eletto, M.D.	Director



MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2018000184

Section: 27 Township: 52 Range: 41
 Applicant: CAN Community Health
 Zoning Board: Board of County Commissioners
 Commission District: 2
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Wednesday, February 6, 2019

REVISION	DATE	BY
		21



MIAMI-DADE COUNTY

AERIAL YEAR 2018

Process Number

Z2018000184

Legend



Section: 27 Township: 52 Range: 41

Applicant: CAN Community Health

Zoning Board: Board of County Commissioners

Commission District: 2

Drafter ID: EDUARDO CESPEDES

Scale: NTS



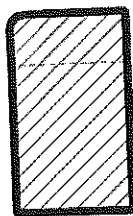
SKETCH CREATED ON: Wednesday, February 6, 2019

REVISION	DATE	BY
		22

REVISION	DATE	BY
		23

COMMUNITY URBAN CENTER

NW 27TH AVE



NW 123RD ST

NW 122ND ST

NW 121ST ST

MIAMI-DADE COUNTY
CDMP MAP

Process Number

Z2018000184

Section: 27 Township: 52 Range: 41
Applicant: CAN Community Health
Zoning Board: Board of County Commissioners
Commission District: 2
Drafter ID: EDUARDO CESPEDES
Scale: NTS

Legend



Subject Property Case



SKETCH CREATED ON: Wednesday, February 6, 2019

REVISION	DATE	BY