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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(C)

Resolution No. R-280-09

Date: March 17, 2009

To: Honorable Chairman Dennis C. Moss
And Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Governmental Facilities Hearing Application
GF08-04 DHS Emergency Housing Center North

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution endorsing the erection of an 8 foot high fence at a DHS Emergency Housing Center located at 2301 NW 54 Street, in compliance with Section 33-303 of the Code of Miami-Dade County. This item was prepared by the Department of Planning and Zoning at the request of the Miami-Dade Human Services Department and is recommended for approval.

LOCATION:	2301 NW 54 Street
COMMISSION DISTRICT:	3
COMMISSION DISTRICT IMPACTED:	3
FOLIO NUMBER:	30-3115-040-0800
SIZE:	1.3 acres
BACKGROUND:	The property was developed in 1972 and is used as a shelter for families. The facility houses homeless families who are displaced or on the verge of being displaced from permanent housing. During placement clients receive case management services aimed at restoring self sufficiency.
ZONING:	RU-3M, Minimum Apartment House District
JUSTIFICATION:	There has been an increase in criminal activity in the area and reported vandalism and other incidents at the facility. It is believed that a higher fence will deter criminal activity in and around the facility. The objective is to ensure the safety of the women and children residing within the shelter.

FACILITY DESCRIPTION:	The 1.3-acre parcel contains an existing Emergency Housing Center, which is surrounded by an existing 6' fence. The building consists of 10 – two bedroom single family apartments, 1 – Residential Manager apartment, playground area, maintenance shed and a management office. The property is secured by an unarmed security guard from 7:00 PM to 7:00 AM. The service is provided by Alliance Security and supervised by General Services Administration Security.
DEVELOPMENT:	Development will commence once approvals are in place.
FUNDING:	Funding for this project has been allocated through the Office of Community and Economic Development under the physical improvement category through the Community Development Block Grant funding.
SITE REVIEW COMMITTEE:	The committee's task is to review projects subject to 33-303 of the Code of Miami-Dade County with regard to the public need for the proposed facility, its impact upon the surrounding community, and other similar considerations. The committee reviewed this project on September 17, 2008.
PUBLIC HEARING:	Section 33-303 of the Code of Miami-Dade County provides that, prior to the construction or operation of a facility in the unincorporated areas of Miami-Dade County, a favorable public hearing before the Board of County Commissioners (BCC) is required. The BCC may only authorize use, construction and operation of such facilities after considering, among other factors, the public need for the facility, the type of function involved, existing land use patterns in that area and the nature of the impact of the facility on surrounding property. The attached report from the Miami-Dade County Site Review Committee addresses these factors.
MONITOR:	Gilberto Blanco, Principal Planner
DELEGATED AUTHORITY:	This resolution authorizes the erection of an 8 foot high fence at an Emergency Housing Center.

Assistant County Manager

Memorandum

MIAMI-DADE COUNTY

Date: March 17, 2009

To: George M. Burgess
County Manager

From: Miami-Dade County Site Review Committee

Subject: Governmental Facilities Hearing Application
GF08-04 Emergency Housing Center North

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution for the erection of an 8' high fence at the Emergency Housing North facility, in compliance with Section 33-303 of the Code of Miami-Dade County. This item was prepared by the Department of Planning and Zoning at the request of the Miami-Dade Department of Human Services and is recommended for approval. The Miami-Dade Site Review Committee's task is to review projects subject to Section 33-303 of the Code of Miami-Dade County with regard to the public need for the facility, its impact upon the surrounding community, and other similar considerations. All committee members recommend approval of the erection of an 8' high fence at the Emergency Housing North facility.

BACKGROUND

The subject property consists of a group of platted lots (Lots 1 - 3 and Lots 23 – 39 of Block 5 known as Highridge Park, Plat Book 17 page 5) with an area of approximately 1.3 acres. In 1972, pursuant to Resolution #Z-208-72, the Board of County Commissioners granted the approval of a district boundary change from BU-3, Liberal Business District, and RU-3B, Bungalow Court District, to RU-3M, Minimum Apartment House District, for the subject property.

PROJECT DESCRIPTION

The 1.3-acre parcel contains an existing Emergency Housing Center, which is presently surrounded by an existing 6' high picket fence, which the applicant is requesting to replace with a proposed 8' high fence which, will provide additional security to the facility. The survey submitted by the applicant depicts the main structure on the southerly portion of the subject property. The survey also depicts a parking lot consisting of 19 parking spaces located to the north of the existing building. The parking lot is buffered by a 24.55' wide greenbelt running parallel to NW 54 Terrace and an 18' to 30' wide greenbelt running parallel to NW 23 Avenue. The main building is setback 40' from the side street (south) property line and setback varying from 29.81' to 30.23' from the front (east) property line and is well spaced from the side street (north) property line and the rear (west) property line. The applicant is requesting to replace an existing 6' high picket fence which has been deteriorated by the elements with a proposed 8' high fence in order to provide more security to staff and the residents of this facility.

COMPREHENSIVE DEVELOPMENT MASTER PLAN

The Emergency Housing facility is located on the north side of NW 54 Street and is adjacent to several social service providers, including the Mildred and Claude Pepper Tower (senior citizen residential building) to the south, the Joseph Caleb Center to the east, and the James E. Scott Community Association to the west. The facility is designated **"Low-Medium Density Residential"** on the Adopted 2015-2025 Land Use Plan map. The "Low-Medium Density Residential" designation is generally characterized by single-family homes, townhouses and low-rise apartments at densities from 6 to 13 dwelling units per gross acre. The CDMP states that neighborhood or community serving institutional uses may be approved in all urban land use categories. Therefore, the Emergency Housing facility and its request for an 8' high fence is **consistent** with the Comprehensive Development Master Plan.

EXISTING LAND USE PATTERN

ZONING	LAND USE PLAN DESIGNATION
Subject Property:	
RU-3M, Emergency Housing Center	Low-Medium Density Residential 6 to 13 dua
NORTH: RU-1, Single-Family Residential	Low-Medium Density Residential 6 to 13 dua
SOUTH: RU-4, Multi-family apartments	Medium Density Residential 13 to 25 dua
EAST: BU-2, Governmental Facility	Low-Medium Density Residential 6 to 13 dua
WEST: BU-3, Commercial	Low-Medium Density Residential 6 to 13 dua

IMPACT OF FACILITY ON SURROUNDING LAND USE

Since the proposed fence will be located well within the boundaries of the subject property, the visual impact on surrounding areas will be minor.

STAFF RECOMMENDATIONS

The **Department of Planning and Zoning** has reviewed this application and recommends approval.

The **Public Works Department – Right of Way Division** has reviewed the application and provides the following comment:

- A 15' dedication along NW 54 Street is needed.

The **Public Works Department – Highway Engineering Division** has reviewed the application and provides the following comments:

- PWD has no proposed roadway project adjacent to the subject site in the 2009 Transportation Improvement Program (TIP), nor in the 2030 Long Range Transportation Plan (LRTP).

- Hialeah Drive/NW 54 Street (SR 944), from SR 25/US 27/Okeechobee Road to SR 5/US 1/Biscayne Boulevard, is part of the State Highway System. Please contact Ali Al-Said, P.E., Florida Department of Transportation (FDOT), at (305) 470-5367, for information regarding permitting requirements.

- A PWD permit will be required for this project. Please contact the PWD Permit Section, (305) 375-2142, for more information.

Should you have any questions, please contact Javier Heredia, P.E., Section Head, Highway Planning, at (305) 375-1901.

The **Fire Rescue Department** has reviewed the application and has no objections to the installation of the 8 foot fence around the property. Entry fence must include a Knox Lock Box, unless the gate will be guarded 24 hours.

The **Miami-Dade Water & Sewer Department (M-DWASD)** comments and recommendations for the site review are as follows:

Water
Connect to an of the existing eight (8) inch water main in NW 23 Avenue N/O NW 54 Street and extend the same northerly in NW 23 Avenue to NW 55 Street, interconnecting to an existing six (6) inch water main at that location. If the Fire Department requires a new fire hydrant in NW 55 Street, thence an eight (8) inch water main extension would be required in said road. Any water main extension within the property shall be eight (8) in minimum in diameter. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) P.O.C. (s)

Sewer
Connect to any of the existing eight (8) inch gravity sewers in NW 54 Street, NW 23 Avenue and/or NW 55 Street.

General Notes
The size of the required water mains will depend upon the subject property's approved zoning, being twelve (12) inch minimum in diameter required for high density residential, commercial, business, industrial, hospitals, public buildings, etc. and eight (8) inch minimum in diameter required for low and medium density residential zonings. Please note that the aforementioned zonings are Miami-Dade County or equivalent, based on total amount of units per acre.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in the Settlement Agreement between the Florida Department of Environmental Protection ("DEP") and the County dated July 27, 1993, the First Amendment to Settlement

Agreement between DEP and the County dated December 21, 1995, the First Partial Consent Decree and the Second and Final Partial Consent Decree entered in the United States of America Environmental

Protection Agency vs. Metropolitan Dade County (Case Number 93-1109 CIV-MORENO), as currently in effect or as modified in the future, and all other current, subsequent or future agreements, court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, State of Florida and/or any other governmental entity, and all other current, subsequent or future enforcement and regulatory actions and proceedings.

The **Office of ADA Coordination** has reviewed the subject application and provides the following comments:

1. The Office of ADA has no objection for the installation of an 8 foot high fence at this facility. Operable mechanisms at access gates are to be installed at a maximum height of 48 inches from finished surface.

2. Show any other points of entry to facility, connection to existing accessible route and existing sidewalk.

The **General Services Administration Design and Construction Division** has reviewed the subject applications and has no objections to the project.

The **Department of Environmental Resources Management (DERM)** has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 if the Code of Miami-Dade County, Florida (the Code). Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

DERM has no pertinent comments regarding this application since the request does not entail any environmental concern.

Concurrency Review Summary

DERM has conducted a concurrency review for this application and 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. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent order applications concerning the subject property.

This memorandum shall constitute DERM's written approval, as required by the Code.

MIAMI-DADE COUNTY SITE REVIEW COMMITTEE

APPLICATION GF08-04

DHS EMERGENCY HOUSING CENTER NORTH

Esther Calas, Director
Public Works Department

for Marc C. La Ferrier, AICP, Director
Department of Planning and Zoning

Mirtha Paez
Capital Improvement and Planning
Fire Rescue Department

Jose Gonzalez, P.E., Assistant Director
Department of Environmental
Resource Management

for Phillip Torres, P.E., Chief
Plans Review Section
Water and Sewer Department

Wendi J. Norris, Director
General Services Administration

MEMORANDUM
(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: March 17, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 5(C)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Mayor's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

✓ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(C)
3-17-09

RESOLUTION NO. **R-280-09**

RESOLUTION APPROVING THE ERECTION OF AN EIGHT FOOT HIGH FENCE, AT THE EMERGENCY HOUSING NORTH FACILITY LOCATED AT 2301 NW 54 STREET, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference, and has conducted a public hearing in compliance with the provisions of Section 33-303 of the Code of Miami-Dade County, Florida,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE, COUNTY, FLORIDA, that this Board hereby finds that the general plan for the erection of an eight foot high fence at the Emergency Housing North Facility located at 2301 NW 54 Street, more specifically described as follows:

SEE ATTACHED EXHIBIT A

is necessary to provide for and protect the public health, safety and welfare of the citizens residents of Miami-Dade County, Florida and in so finding, has considered, among other factors, the type of function involved, the public need therefore, the land use pattern in the area, and the nature of the impact on the surrounding property.

The foregoing resolution was offered by Commissioner Audrey M. Edmonson, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman aye

Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of March, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: Kay Sullivan
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. CHC

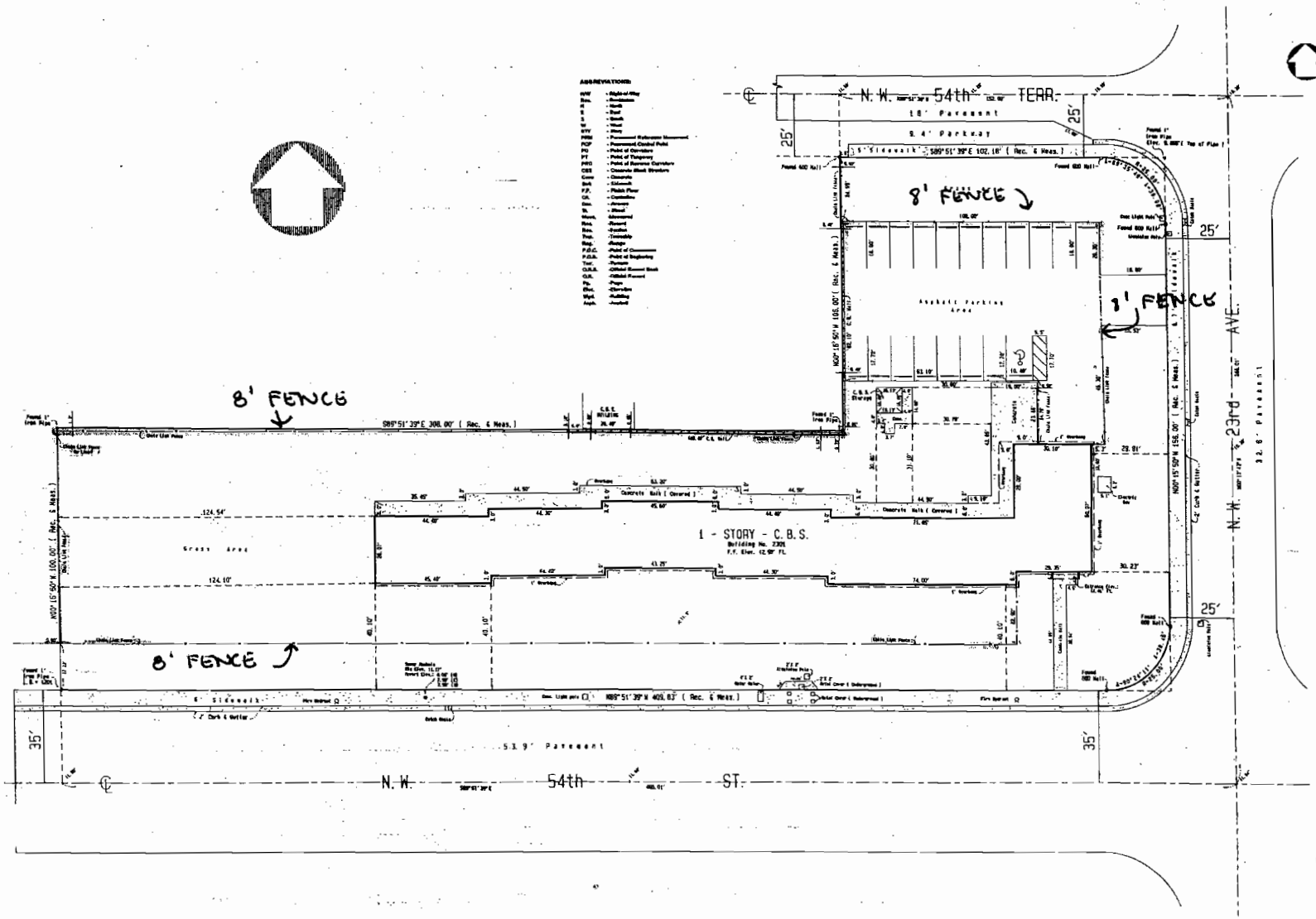
Craig H. Coller

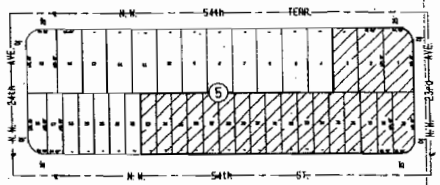
EXHIBIT "A"

MIAMI-DADE COUNTY HUMAN SERVICES

Legal Description

HIGHRIDGE PARK PB 17-5 LOTS 1-2-3 AND 23 THROUGH 39 BLOCK 5 LOT SIZE IRREGULAR MODEL CITIES EMERGENCY SERVICE CENTER





LOCATION MAP

SCALE: 1" = 100'

LEGAL DESCRIPTION

Lots 1, 2, 3 and 23 through 39, Block 5, HIGHRIDGE PARK, according to the plat thereof, as recorded in Plat Book 17, at Page 5, of the Public Records, of Dade County, Florida.

SURVEYOR'S NOTES

1) The above captioned Property was surveyed and described based on the above Legal Description furnished by client.
2) This Certification is only for the Lands as described, it is not a certification of title, Zoning, Easements, or Freedom of Encumbrances. ABSTRACT NOT REVIEWED.
3) Ownership is subject to Opinion of Title.
4) Type of Survey: BOUNDARY
5) There may be additional Restrictions not shown on this survey that may be found in the Public Records of this County. Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
6) Location and Identification of Utilities and or adjacent to the property were not secured as such information was not requested.
7) Unless otherwise noted, this Firm has not attempted to locate Footings and/or Foundations (underground).
8) This PLAN OF SURVEY, has been prepared for the exclusive use of the entities named hereon. The Certificate does not extend to any unnamed party.
9) The subject property is located within a Flood Hazard Area as defined by the Federal Insurance Administration, Community Panel No. 120635-0180 Suffix "J" Flood Zone "X".
10) Bearings shown hereon are based on : Centerline of N.W. 54th St. being S.89°51'39"W.
11) 0.07 indicates existing Elevations.
12) Elevations are based on National Geodetic Vertical Datum.
13) Bench Mark: (Used) B.M. No. N-495 ..... Elevation: 10.33' feet
Location: N.W. 27th Avenue and N.W. 54th Street.

CERTIFIED TO:

MODEL CITIES EMERGENCY SERVICE CENTER
2301 N.W. 54th Street
Dade County, Florida.

~~Existing fence~~

(Proposed fencing will remain on existing fence line).

REVISIONS	
REMARKS	J.N.

PLAN OF SURVEY

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY: That the "BOUNDARY SURVEY", represents the herein described property and it was completed under my supervision and/or direction, to the best of my knowledge and belief and it also meets the Minimum Technical Standards, set forth by the Florida Board of Land Surveyors, in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

NOTE: REPRODUCTION OF THIS DRAWING NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL

MARIO PRATS JR. & ASSOCIATES, INC.
LAND SURVEYORS - LAND PLANNERS
300 S.W. 107th Avenue - Suite No. 214
Miami, Florida 33174
(305) 551-6000

By
Mario Prats Jr.
Professional Land Surveyor No. 3332

Date: 05/14/96	Scale: 1" = 20'
J.N.: 8486-825	Sheet No.: 1 of 1