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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 5(G)

Date: January 21, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution approving the Plat of WALMART NORTHSIDE

Resolution No. R-09-15

Recommendation

The following plat is hereby submitted for consideration by the Board of County Commissioners for approval. This plat is bounded on the north by NW 79 Street, on the east by NW 32 Avenue, on the south by the Florida East Coast Railway, and on the west approximately 1050 feet east of NW 36 Avenue. The Miami-Dade County Plat Committee, comprised of representatives from the Florida Department of Transportation, the Florida Department of Health, the Miami-Dade County School Board and Miami-Dade County Departments of Fire Rescue, Parks, Recreation and Open Spaces, Regulatory and Economic Resources (RER), Public Works and Waste Management, and Water and Sewer, recommends approval and recording of this plat.

Scope

This plat is located in Commission District 2, which is represented by Commission Chairman Jean Monestime.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately $5900.00 per year for the annual maintenance cost of additional roadway construction along NW 79 Street and NW 32 Avenue, respectively, once the roads are constructed adjacent to the project, which will be funded through PWWM General Fund allocation.

Track Record/Monitor

The Development Services Division of RER administers the processing of plats and waivers of plat, and the person responsible for this function is Raul A. Pino, P. L. S.

Background

WALMART NORTHSIDE (T-23275)

- Located in Section 9, Township 53 South, Range 41 East
- Zoning: BU-2
- Proposed Usage: Shopping center and lift station site
- Number of parcels: 2
- This plat meets concurrency

Plat Restrictions

- That the Avenue and Street, as illustrated on the plat, together with all existing and future planting, trees, shrubbery and fire hydrants thereon, are hereby dedicated to the perpetual

use of the public for proper purposes, reserving to the dedicators, their successors and assigns the reversion or reversions thereof, whenever discontinued by law.

- That individual wells shall not be permitted within this subdivision, except for swimming pools, sprinkler systems and/or air conditioners.
- That the use of septic tanks will not be permitted within this subdivision, unless approved for temporary use, in accordance with County and State regulations.
- That all new electric and communication lines, except transmission lines, within this subdivision, shall be installed underground.
- That the utility easements, depicted by dashed lines on the plat, are hereby reserved for the installation and maintenance of public utilities.

Developer's Obligation

- Mobilization, paving, milling, resurfacing, sidewalks, curb and gutter, valley gutter, drainage, street name signs, traffic control signs, striping and monumentation. Bonded under bond number 7907 in the amount of $695,263.00.

Jack Osterholt, Deputy Mayor

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

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

SUBJECT: Agenda Item No. 5(G)

Please note any items checked.

_____ **"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**

✓ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 5(G)

1-21-15

RESOLUTION NO. R-09-15

RESOLUTION APPROVING THE PLAT OF WALMART NORTHSIDE, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 53 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 79 STREET, ON THE EAST BY NW 32 AVENUE, ON THE SOUTH BY THE FLORIDA EAST COAST RAILWAY, AND ON THE WEST APPROXIMATELY 1050 FEET EAST OF NW 36 AVENUE)

WHEREAS, Wal-Mart Stores East, LP, a Delaware limited partnership, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as WALMART NORTHSIDE, the same being a subdivision of a portion of land lying and being in the Southwest 1/4 of Section 9, Township 53 South, Range 41 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations and that the requirements of the zoning existing on this land at the time this Resolution is approved shall be enforced whether or not the various parcels on this plat conform to those requirements.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Esteban L. Bovo, Jr.** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**aye**
Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**absent**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**absent**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

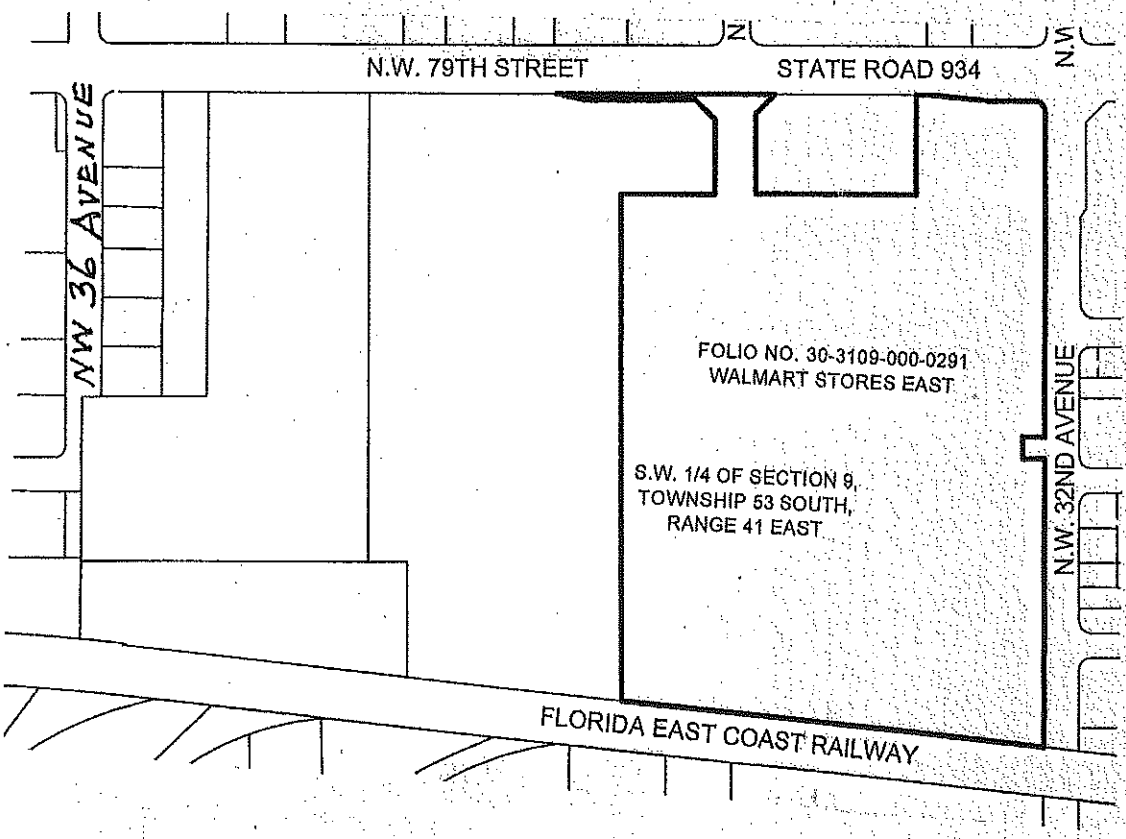
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse

WALMART NORTHSIDE (T-23275)

SEC. 9, TWP. 53 S, RGE. 41 E