

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

PH: Z23-087

January 24, 2024

Item No. 3D

Recommendation Summary	
Commission District	3
Applicants	ÉI Special Situations, LLC
Summary of Requests	The applicant is seeking to allow a district boundary change from RU-2, Two-Family Residential District, to MCD, Mixed-Use Corridor District.
Location	1231 NE 115 Street, Miami-Dade County, Florida
Property Size	0.97 Gross acre
Existing Zoning	RU-2, Two-Family Residential District
Existing Land Use	Vacant
2030-2040 CDMP Land Use Designation	Medium Density Residential (13-25 du/a) (see attached zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with the LUP map, and the interpretative text and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311, District Boundary Change (see attached Zoning Recommendation Addendum)
Recommendation	Approval

BOARD OF COUNTY COMMISSIONERS' JURISDICTION:

This Board has jurisdiction over this application pursuant to Section 20-42(e), which states "If a Community Council, in its capacity as a Community Zoning Appeals Board, does not have sufficient elected or appointed members in office to constitute a quorum at the time an application for zoning action is ready to be noticed for public hearing before that Community Council, such application shall be noticed and scheduled for public hearing directly before the Board of County Commissioners on the next available zoning agenda."

PROCEDURAL HISTORY:

This item would have been scheduled for the January 3, 2024 meeting of the Community Zoning Appeals Board 7 ("CZAB 7"), but CZAB 7 did not have enough members in office to constitute a quorum at the time this application was ready to be noticed for public hearing.

REQUEST:

DISTRICT BOUNDARY CHANGE from RU-2 (Duplex District) to MCD (Mixed-Use Corridor District).

PROJECT DESCRIPTION:

The applicant seeks to rezone a vacant 0.97-acre parcel from RU-2, Two-Family Residential, to MCD, Mixed-Use Corridor District.

In 2016, pursuant to Resolution R-523-16, the Board of County Commissioners (BCC) endorsed the SMART Plan, which established six (6) rapid transit corridors, among which was the Northeast Corridor. The limits of the Northeast Corridor are identified as being from Downtown Miami to the

City of Aventura along the existing FEC rail corridor. Subsequently, pursuant to Ordinance No. 18-8, the BCC created the Miami-Dade County Transportation Infrastructure Improvement District (TIID). The TIID includes all properties located wholly, or within a ½ mile of the Northeast Corridor. In 2019, pursuant to Ordinance No. 19-7, the Comprehensive Development Master Plan (CDMP) was amended to allow vertical and horizontal mixed-use development along the Mixed-Use and Rapid Transit Activity Corridors, which includes the SMART Corridors. On Feb 19, 2020 the BCC adopted Ordinance 20-20 creating the mixed-use corridor district to implement the CDMP Mixed use development policies. Accordingly, the applicant now seeks to rezone the subject property to MCD, to permit the future development of the property as permitted by the CDMP SMART Plan Regulations.

<u>NEIGHBORHOOD CHARACTERISTICS</u>		
Zoning and Existing Use		Land Use Designation
Subject Property	RU-2; vacant	Low Density Residential (2.5 - 6 duu)
North	RU-2; duplexes	Low Density Residential (2.5 - 6 duu)
South	MCD; multi-family residences	Low Density Residential (2.5 - 6 duu)
East	RU-2; vacant and single-family residence	Low Density Residential (2.5 - 6 duu)
West	RU-2; multi-family residences	Low Density Residential (2.5 - 6 duu)

NEIGHBORHOOD COMPATIBILITY:

The 0.97-acre subject property is a vacant parcel located at 1231 NE 115 Street. The north and south boundaries of the parcel are located approximately 0.07 mile and 0.11 mile respectively from the FEC Railway and lying within both the ¼ buffer area of the Northeast Corridor of the SMART Plan. Staff notes that the properties abutting to the north are comprised of duplex residences while properties abutting to the west and adjacent to the south (across NE 115 Street) properties are multi-family residences. The two abutting properties to the east are vacant on one of them and single-family residence on the other one.

SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to rezone the property and allow for the development of the property in accordance with the SMART Plan zoning regulations. Further, based on the memoranda from the departments that reviewed the application, staff opines that approval of this application will increase the density in the area and associated traffic impacts as detailed in the traffic memorandum.

COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

Staff notes that the subject parcel is designated as **Low Density Residential** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP). The Low Density Residential designation allows a range in density of 2.5 to 6 dwelling units per gross acre and is characterized by townhouses and low-rise and medium-rise apartments. The 0.97-net acre parcel is located within the 1/4-mile buffer area of the Northeast SMART Plan Corridor, the aforementioned FEC rail corridor, one of the six rapid transit corridors identified as part of the Strategic Miami Area Rapid Transit (SMART) Plan. On January 24, 2019, the BCC adopted Ordinance No. 19-7 approving CDMP policies to establish transit supportive densities and intensities for mixed-use projects located along the SMART Plan Corridors. The SMART Plan Corridor provisions that were adopted are part of the Land Use Element's interpretive text for

mixed use developments, and they provide that vertical mixed-use projects within a half mile of this corridor are eligible to be developed at certain intensities provided that the entire development fits within the building envelope established by the Floor Area Ratio (FAR) of up to 2.0 and a maximum density of 60 units per acre for properties located within the 1/4 mile buffer area.

The applicant seeks to rezone the RU-2 zoned parcel to MCD to allow for future development on the site as permitted in the SMART Plan policies contained in the CDMP. Approval of the application will allow the applicant to develop the 0.97-net acre parcel with a vertical or horizontal mixed-use multifamily development with a maximum of 58 residential units and a maximum Floor Area of 85,377.6 sq. ft., which would be consistent with the SMART Plan policies found in the CDMP. The actual densities or intensities of development approachable on the site may be significantly lower than the maximum allowed, in order to conform to an overriding Plan policy or to ensure compatibility of the proposed development with the surrounding land uses. As such, approval of the requested district boundary change would be consistent with the CDMP LUP map and the Land Use Element interpretative text for Mixed Use Developments.

ZONING ANALYSIS:

The subject parcel consists of approximately 0.97-net acre and is located at 1231 NE 115 Street. The properties abutting to the north are comprised of duplex residences while properties abutting to the west and adjacent to the south (across NE 115 Street) properties are multi-family residences. The abutting properties to the east are vacant and single-family residence. The applicant is seeking to rezone the subject property from RU-2 to MCD. As previously noted, the subject property is located within the Northeast Corridor of the Miami-Dade Strategic Miami Area Rapid Transit (SMART) Corridor, the FEC rail corridor. The proposed rezoning to MCD would allow for a vertical mixed-use development. The requested rezoning would allow the applicant to develop the property with a maximum density of 58 residential units and a maximum FAR of 85,377.6sq. ft. As previously noted, the proposed application to rezone the parcel would be consistent with the SMART Plan policies found in the CDMP.

Further, when the request is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of this request would not have an unfavorable impact on the environment, the natural resources, or the economy of the County. Staff notes that the approval of the request to rezone the property will be consistent with the Low Density Residential designation of the parcel on the CDMP Land Use Plan Map, and the Land Use Element interpretative text for Mixed-Use Development. The maximum height permitted under the MCD District is 6 stories and is consistent and compatible with the neighborhood which buildings range between 1-8 stories.

Furthermore, the design standards for the MCD would promote compatibility with the adjacent neighborhood as the MCD provides for buildings and their landscapes to be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable, interesting and appealing. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In addition, the site plan applications for development approval within the MCD require Administrative Site Plan review (ASPR), which pursuant to Section 33-284.88 of the Code, ensure the congruity of the proposed development and its compatibility with the surrounding area. Therefore, staff opines that approval of this request would be compatible with the surrounding area.

Staff also notes that approval of the request for rezoning will not have a significant impact on the surrounding roadways or transportation facilities based on the recommendations and information contained in memorandum from the Platting and Traffic Review Section of the Department of

Regulatory and Economic Resources (RER). Their memorandum indicates that the application, if developed consistent with the MCD standards, under the assumption of a mixed-use residential and commercial development, would not generate any additional PM daily peak hour vehicular trips. Platting and Traffic section has no objection to the subject application subject to their standard conditions as specified in the memorandum, dated April 27, 2023, and that this application meets the traffic concurrency criteria for an initial development order. One or more traffic concurrency determinations will subsequently be required at the time of Administrative Site Plan Review ("ASPR") when a site plan is submitted for review and before any development is permitted.

Further, the Division of Environmental Resources Management of RER memorandum indicates in its memorandum dated October 11, 2023, that the application meets all applicable levels of service (LOS) standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. In addition, the other departments reviewing the application, including the Miami-Dade Fire Rescue Department and the Water and Sewer Department, do not object to the application subject to the conditions outlined in their respective memorandums. Based on the aforementioned memoranda, staff opines that approval of the subject request would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction. **As such, staff recommends approval of the application under Section 33-311, District Boundary Change.**

ACCESS, CIRCULATION AND PARKING: N/A

NEIGHBORHOOD SERVICES PROVIDER REVIEW: See attached.

OTHER: Not applicable.

RECOMMENDATION: Approval.

CONDITIONS FOR APPROVAL: None

ES:JB:JR:DE



Eric Silva, AICP, Assistant Director
Development Services Division
Miami-Dade County Department of
Regulatory and Economic Resources

ZONING RECOMMENDATION ADDENDUM

EI Special Situations, LLC

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NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
Division of Environmental Resource Management (RER)	No objection*
Platting and Traffic Review Section (RER)	No objection*
Water and Sewer Department	No objection*
Fire Rescue	No objection
Schools	No objection
• Subject to conditions in their memorandum	

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

Low Density Residential <i>(Page I-30)</i>	<p><i>The residential densities allowed in this category shall range from a minimum of 2.5 to a maximum of 6.0 dwelling units per gross acre. Residential densities of blocks abutting activity nodes as defined in the Guidelines for Urban Form, or of blocks abutting section line roads between nodes, shall be allowed a maximum residential density of 10.0 dwelling units per gross acre. To promote infill development, residential development exceeding the maximum density of 6.0 dwelling units per acre is permitted for substandard lots that were conveyed or platted prior to August 2nd, 1938. This density category is generally characterized by single family housing, e.g., single family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.</i></p>
Mixed-Use Development <i>Pg. I-44</i>	<p><i>Mixed-use development allows a mix of compatible uses in a high-quality pedestrian-oriented street environment. This form of development includes permitted uses mixed within the same building (vertical) or in separate buildings on the same site or within a 5-minute walk (one-quarter mile) (horizontal). The section of this element, entitled "Urban Centers," addresses mixed-use development occurring within designated urban centers. The purpose of this section is to address the mixed-use projects that are to be located outside of the designated urban centers and outside of areas otherwise addressed by the Rapid Transit Zone Development Standards pursuant to Chapter 33C of the Code of Miami-Dade County.</i></p> <p><i>Horizontal mixed-use development is hereby defined as the horizontal mix of uses, such as single use buildings on the same site or within one-quarter mile. Such uses may only be permitted in accordance with the following:</i></p> <ol style="list-style-type: none"> 1) <i>a single use building is located on a site that contains a mix of uses or multiple sites containing a mix of uses joined through a unity of title; or</i> 2) <i>where the saturation of a single use, including residential or commercial, does not currently or would not be caused to exceed 70% of the total building area within one-quarter mile of the application site.</i> <p><i>Vertical mixed-use development is hereby defined as projects that contain both residential and non-residential components, such as live-work spaces, neighborhood and specialty retail, convenience services, entertainment, other businesses providing for day-to-day living needs, institutional and civic uses, and professional offices. The residential component must be at least 20 percent of the total floor area but no more than 85 percent of the total floor area. Hotels and apartment hotels, governmental offices, civic uses, and schools may be exempt from these mix requirements.</i></p> <p><i>Vertical and horizontal mixed-use development may be allowed within the Urban Development Boundary (UDB), provided that the development is located in:</i></p> <ol style="list-style-type: none"> 1. <i>Corridors with a maximum depth of 660 feet that are located along 'Major Roadways' as identified on the adopted Land Use Plan map and in areas designated Residential Communities (with the exception of Estate Density and Low Density), Business and Office, and Office/Residential; or</i> 2. <i>Corridors designated as mixed-use corridors in an area plan that has been accepted by the Board of County Commissioners; or</i> <p><i>Rapid Transit Activity Corridors which includes the areas within one-half mile of the existing Metrorail corridor and the following proposed SMART Plan corridors: Kendall Drive, Beach Corridor, North Corridor, Northeast Corridor, and the South Dade Transitway Corridor. It also</i></p>

ZONING RECOMMENDATION ADDENDUM

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	<i>includes the area within one mile of the proposed</i>		
<i>East-West SMART Plan Corridor.</i>	<p><i>East-West SMART Plan Corridor.</i></p> <p>Appropriate design standards are essential to ensure that the uses permitted in mixed-use developments are compatible with each other and adjacent properties and contribute to the character of the street and the surrounding community. A specific objective in designing mixed-use developments is that the development should be compatible with any existing, or zoned, or Plan-designated adjoining or adjacent uses. The exact residential density that can be achieved on a particular property will depend upon the intensity permitted, the average size of the residential units, the residential percentage of the project and land development regulations concerning building envelopes, parking and open space. Intensities are generally measured as floor area ratios (FARs), which for a particular property is the square footage of the buildings (not counting parking structures or covered pedestrian walkways that are open to the street), divided by the net land area of the parcel. The maximum intensities and densities shall be the greater of those provided in the table below or the maximum intensities and densities of the underlying land use designation. However, the entire development must fit within the building envelope established by the floor area ratio.</p>		
	<i>Mixed-Use Developments Located Within:</i>	<i>Floor Area Ratio Range</i>	<i>Maximum Residential Density (dwelling units)</i>
	<i>Major Corridors</i>	<i>from 1.0 to 1.5</i>	<i>36</i>
	<i>Mixed-use Corridors identified in an area plan</i>	<i>Up to 2.0</i>	<i>60</i>
	<i>Rapid Transit Activity Corridors</i>		
	<i>Within one-quarter mile</i>	<i>Up to 2.0</i>	<i>60</i>
	<i>Between one-quarter and one-half mile</i>	<i>Up to 1.5</i>	<i>36</i>
	<i>Between one-half and one mile (East-West Corridor)</i>	<i>Up to 1.25</i>	<i>18</i>

PERTINENT ZONING REQUIREMENTS/STANDARDS

<i>Section 33-311 District Boundary Change</i>	<p>(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.</p> <p>(F) Section 33-311 provides that the Board shall take into consideration, among other factors the extent to which:</p> <p>(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;</p> <p>(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;</p>
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ZONING RECOMMENDATION ADDENDUM

El Special Situations, LLC

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- (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.*

Building and Neighborhood Compliance

ENFORCEMENT HISTORY

EL ESPECIAL SITUATIONS, LLC

NE 13 AVE AND NE 115 ST
MIAMI-DADE COUNTY, FLORIDA.

APPLICANT

ADDRESS

PENDING

Z2023000087

DATE

HEARING NUMBER

FOLIO No: 30-2232-015-0400

REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:

May 8, 2023

NEIGHBORHOOD REGULATIONS:

There are no open/closed cases

BUILDING SUPPORT REGULATIONS:

There are no open/closed cases

VIOLATOR:

El Especial Situations, LLC

OUTSTANDING LIENS AND FINES:

There are no outstanding Liens, Fines, or Fees

**MIAMI-DADE
COUNTY**

Memorandum

Date: October 11, 2023

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Lisa M. Spadafina, RER Assistant Director *Lisa Spadafina*
Division of Environmental Resources Management

Subject: Z2023000087-3rd Review
EI Especial Situations, LLC
1231 NE 115th Street
District Boundary Change from RU-2 to MCD
(RU-2) (0.977 Acres)
32-52-42

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 of the Code.

Potable Water Service and Wastewater Disposal

According to DERM records, public water is currently abutting the subject property. This request for a district boundary change from RU-2 to MCD does not include a site plan or proposed development information. Pursuant to the Code, based on the development allowed under the requested district boundary change and an analysis of water and sewer infrastructure in the area, the proposed development is within feasible distance to connect to public sanitary sewers. Therefore, future development shall connect to public water and sanitary sewers in accordance with Code requirements. Public water and sewers are provided by the City of North Miami Water and Sewer Department.

In accordance with section 24-43.4(2)(b)(iii) of the Code the property has submitted a covenant running with the land in favor of Miami-Dade County acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

Please note that the development will need to obtain a sanitary sewer extension permit prior to DERM approval of future development orders. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

Civil drawing for the required sewer main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Water and Wastewater Division of DERM prior to the approval of final development orders.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection, and the U.S. Environmental Protection Agency case 1:12-cv-

24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

Conditions of Approval: None

Stormwater Management

Stormwater shall be retained on site utilizing properly 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.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources, including specimen trees (trees with a trunk diameter at breast height of 18 inches or greater). The subject application was reviewed to determine whether the proposed request is in accordance with the specimen tree protection standards contained in section 24-49.2 of the Code; however, no information regarding these tree resources was submitted with this application. It is noted that the applicant has not submitted a site plan for consideration with the application.

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. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process.

The subject application, which requests a district boundary change from RU-2 to MCD could result in tree removal/relocation activity to specimen trees. Because the subject application does not include a proposed site plan, it cannot be determined at this time whether the applicant's future plans for the property, which are yet to be submitted--would comply with specimen tree standards. DERM approval of the district boundary change shall not be interpreted as DERM approval of removal or relocation of tree resources.

In accordance with section 24-49.9 of the Code, 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 Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: None

Enforcement History

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

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

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum

MIAMI-DADE
COUNTY

Date: April 13, 2023

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 - 1231 NE 115 Street Rezoning
Application No. Z2023000087



The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: 1231 NE 115 Street Rezoning

Location: The proposed project is located at 1231 NE 115th Street, with Folio No. 30-2232-015-0400, in unincorporated Miami-Dade County.

Proposed Development: The Applicant is requesting a District Boundary Change (rezoning) from RU-2 (Two-family Residential District, 7,500 ft² net) to Mixed-Use Corridor District (MCD).

Water: The proposed development is located within the City of North Miami's water service area, but the water is supplied by WASD. North Miami is a water wholesale customer of WASD. Please consult with the Utility Department of the City of North Miami for any infrastructure that they may have in their service area.

A Water Supply Certification (WSC) will be required from WASD for the proposed development. Said Certification will be issued at the time of development when a WASD Ordinance letter is issued. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A, and 18-B of the Miami-Dade County Code, consistent with Policies WS-5E and WS-5F of the CDMP. Also, per Section 8A-381 (c) of the Miami-Dade County Code, effective January 1, 2009, all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit.

For more information about our Water Conservation Program please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Sewer: The proposed development is located within the City of North Miami's sewer 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.

North Miami is a Volume Sewer Customer of WASD. At the time of development, an Ordinance letter will be required from WASD. WASD will be the Utility providing sewer services for treatment and disposal of the wastewater at the North District Wastewater Treatment Plant (WWTP). This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (2) of the CDMP.

Connection to the sanitary sewer system is 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.

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavalid@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Benita Ramirez at (786) 552-8121 or benraml@miamidade.gov.

Memorandum

MIAMI-DADE
COUNTY

Date: April 27, 2023

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: ~~Z2023000087
Name: El Special Situations, LLC
Location: 1231 NE 115 Street
Section 32 Township 53 South Range 41 East~~

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

The land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lot 10, Block 2, Plat Book 45, Page 3.

This application does not generate any additional trips.

Standard Conditions:

- A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that the all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."
- 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: August 14, 2023

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

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

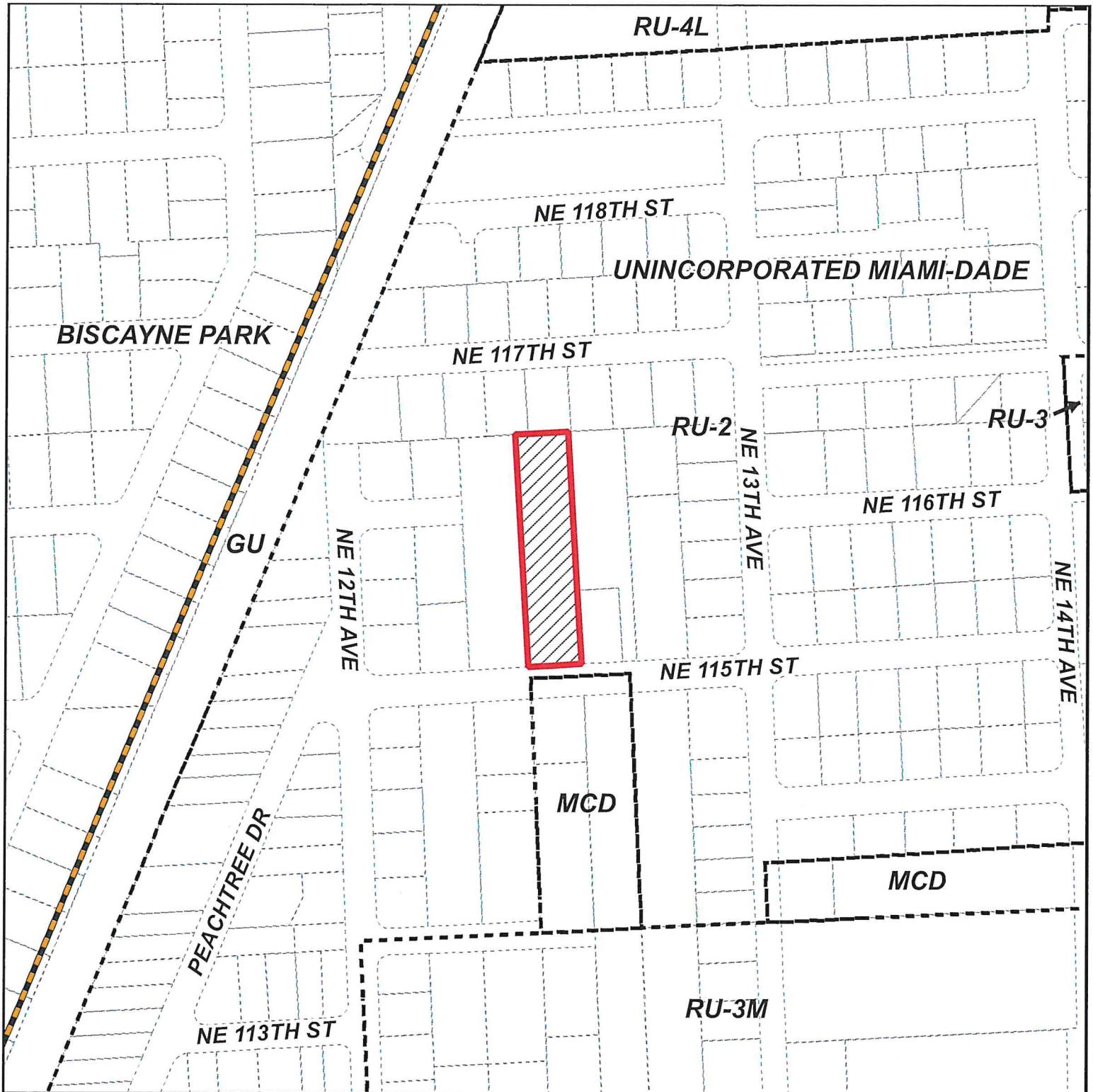
Subject: Z2023000087

The Miami-Dade Fire Rescue Department has **no objection** to request for zoning designation change. Any future site plans will need separate approval.

MDFR's review of this zoning application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building's design must be in compliance with the applicable requirements for the proposed use:

Florida State Statute Chapter 633 (Fire Prevention & Control)
Florida Administrative Code 69A
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))
Applicable adopted NFPA Standards
County Code Chapter 14

For additional information, please contact acuello@miamidade.gov or call 305-775-3357.



**MIAMI-DADE COUNTY
HEARING MAP**

Process Number

Z2023000087

Section: 32 Township: 52 Range: 42

Applicant: EL ESPECIAL SITUATIONS, LLC.

Zoning Board: Board of County Commissioners

Commission District: 3

Drafter ID: EDUARDO CESPEDES

Scale: NTS

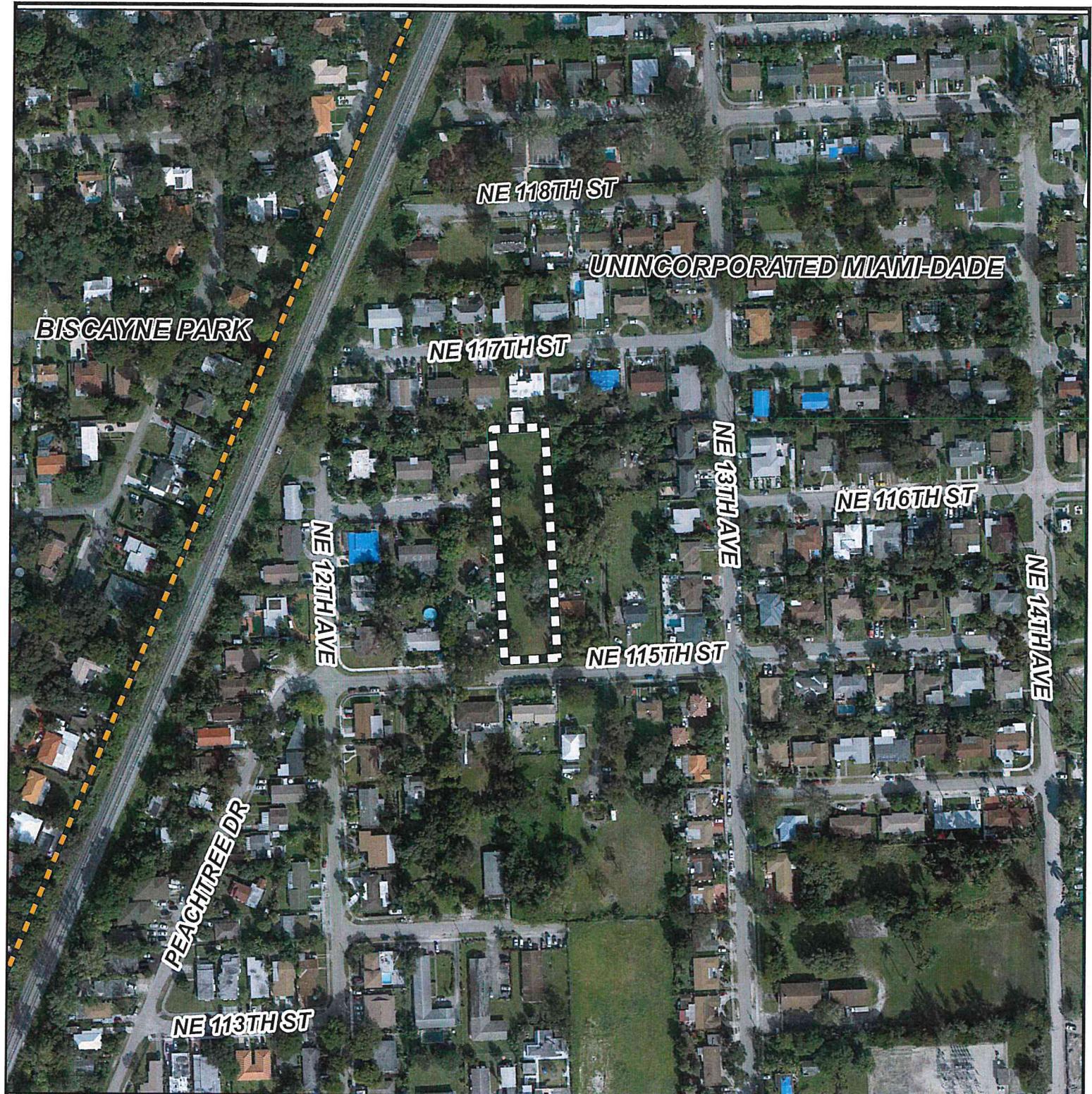


Legend

Subject Property Case

Zoning





MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number

Z2023000087

Section: 32 Township: 52 Range: 42

Applicant: EL ESPECIAL SITUATIONS, LLC.

Zoning Board: Board of County Commissioners

Commission District: 3

Drafter ID: EDUARDO CESPEDES

Scale: NTS

Legend
 Subject Property
 Municipalities



MIAMI-DADE
COUNTY 



MIAMI-DADE COUNTY RADIUS MAP

Process Number

Z2023000087

RADIUS: 2640

Section: 32 Township: 52 Range: 42

Applicant: EL ESPECIAL SITUATIONS, LLC.

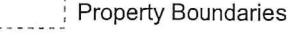
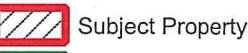
Zoning Board: Board of County Commissioners

Commission District: 3

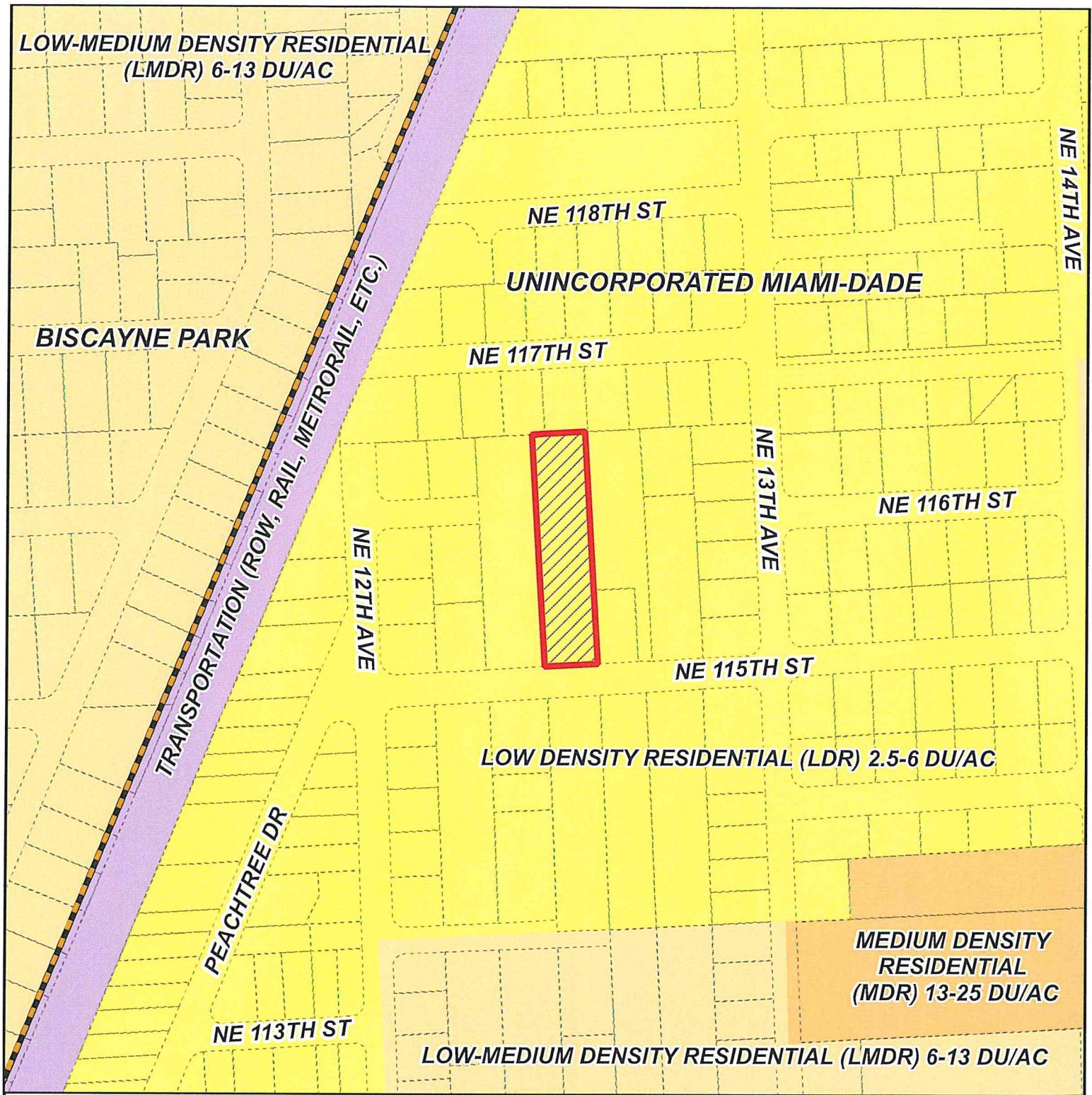
Drafter ID: EDUARDO CESPEDES

Scale: NTS

Legend



The logo for Miami-Dade County, featuring the text "MIAMI-DADE" in white on a blue background and "COUNTY" in white on a green background, all contained within a blue and green shield-like shape.



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2023000087



Legend

Subject Property Case

Section: 32 Township: 52 Range: 42

Applicant: EL ESPECIAL SITUATIONS, LLC.

Zoning Board: Board of County Commissioners

Commission District: 3

Drafter ID: EDUARDO CESPEDES

Scale: NTS



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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and 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: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: TK Special Situations LLC

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>
<u>HDAL Investment LLC</u>	<u>30%</u>
<u>Levitin Family Charitable Trust</u>	<u>62%</u>
<u>Aron Harrel</u>	<u>11%</u>
_____	_____
_____	_____
_____	_____

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 similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (If applicable)	Percentage of Interest

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 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.

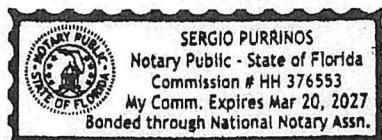
Signature: _____
(Applicant)

Sworn to and subscribed before me this 8TH day of DECEMBER, 2023. Affiant is personally known to me or has produced _____ as identification.

SERGIO PURRINOS

(Notary Public)

My commission expires MARCH 20TH, 2027



*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.