

Date: October 6, 2022

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 5(Q)

From: Lourdes M. Gomez, Director *L. Gomez*
Department of Regulatory and Economic Resources

Resolution No. R-903-22

Subject: Designation of Land Located at 19640 Harriet Tubman Highway as a Brownfield Area

Executive Summary

The purpose of this item is to designate the land located at 19640 Harriet Tubman Highway as a brownfield area pursuant to Section 376.80, Florida Statutes. A brownfield area is defined as a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government resolution. The property owner, 19640 WDH, LLC (“WDH”) is applying for the brownfield area designation due to the presence of actual contamination on the Subject Property likely resulting from its historical uses as well as those of the surrounding properties. A brownfield area designation will allow WDH to access certain regulatory and economic incentives to mitigate and manage the risk and expense associated with the contamination or the possibility of discovery of additional contamination and the necessary response. When a brownfield area is being proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and may adopt a resolution to designate the brownfield area. In considering a request for designation, a local government must evaluate and apply the criteria set forth in Chapter 376.80 (2)(c), Florida Statutes. Therefore, the attached application and supporting material is being submitted by WDH for consideration of approval.

Recommendation

It is recommended that the Board of County Commissioners (“Board”) designate the land located at 19640 Harriet Tubman Highway (formerly known as West Dixie Highway), Miami, FL 33180, and further specified in Exhibit 2 to the resolution, as a brownfield area to be known as 19640 Green Reuse Area.

According to the proposal submitted by the property owner, 19640 WDH, LLC (“WDH”) proposes to redevelop and rehabilitate one parcel of land located at 19640 Harriet Tubman Highway, Miami, FL 33180, occupying Folio Number 30-2203-005-0040 (the “Subject Property”), as a multifamily residential development. WDH’s proposed development will consist of a single-phase transit-oriented 15-story residential building with 285 residential units, a 430-space parking garage, and residential amenities including an outdoor courtyard, fitness center, clubroom, and pool area. The developer is projecting a total investment of \$100 million and the creation of at least five new permanent jobs. However, the capital investment and the construction outcomes are not guaranteed.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board’s meeting agenda by the Director of the Department of Regulatory and Economic Resources. Pursuant to section 376.80(1)(c)4., Florida Statutes, this matter requires two quasi-judicial public hearings before the Board, and the public hearings must be announced at a meeting of the Board before the actual public hearings.

Scope

The Subject Property is located in Commission District 4, represented by Commissioner Sally A. Heyman. The proposed area is identified by folio number 30-2203-005-0040.

Delegation of Authority

This item has no delegation of authority.

Fiscal Impact/Funding Source

Approval of this location as a brownfield site would not create a negative fiscal impact to the County.

Track Record/Monitor

Not applicable.

Background

A brownfield site, as defined in Section 376.79(4) of the Florida Statutes, is real property, where the expansion, redevelopment or reuse of the property may be complicated by actual or perceived environmental contamination. A brownfield area is defined as a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government resolution. Brownfields may include all or portions of community development areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. The goal of the brownfield program is to significantly improve the utilization, general condition, and appearance of these sites. Once a property has been designated as a brownfield by a local government, the property may be eligible for certain state-funded incentives.

WDH submitted a proposal, attached to the resolution as Exhibit 1, to designate the Subject Property as a brownfield area pursuant to Section 376.80, Florida Statutes. Under Section 376.80, the County shall designate a proposed site as a brownfield area if, after giving the notice and holding the public hearings required under that statute, the person who submitted the proposal establishes at the public hearing to adopt the resolution, that all five of the factors set forth in Section 376.80(2)(c) are satisfied.

The Department of Regulatory and Economic Resources (RER), Planning Division, has reviewed the proposal and is recommending that the Board designate the Subject Property as a brownfield area for the following reasons: The Subject Property qualifies as a “brownfield site” under the definition set forth in Section 376.79(4), Florida Statutes because the redevelopment or reuse of the Subject Property may be complicated by the presence of actual environmental contamination in the form of arsenic in soils potentially resulting from the historic use of the Subject Property and surrounding properties. WDH has plans to develop this site into a transit-oriented 15-story residential building with 285 residential units, a 430-space parking garage, and residential amenities including an outdoor courtyard, fitness center, clubroom, and pool area.

Section 376.80(2)(c), Florida Statutes, sets forth the following criteria WDH must establish for the County to designate the Subject Property as a brownfield. RER believes that WDH proposal satisfies these criteria:

- (1) “A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.”

WDH owns the Subject Property, the Warranty Deed is attached to the application, and is requesting the Brownfield Area designation. As the owner of the property, WDH plans to enter into a Brownfield Site Rehabilitation Agreement to complete site rehabilitation and redevelopment of the brownfield site.

- (2) “The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.”

WDH satisfies this criterion in that the Project will result in significant economic productivity of the area. The budget for rehabilitation and redevelopment is approximately \$100 million, which will be spent in part on local labor, contractors, consultants, construction materials, furnishings, infrastructure improvements, and impact fees. The Project is anticipated to create up to 6 permanent, full-time equivalent (“FTE”) positions not associated with the implementation of the rehabilitation agreement and not associated with redevelopment project demolition or construction activities, which will exceed the statutory job creation requirement. This includes permanent jobs that will facilitate operation of the development itself. Such job creation will result in the payment of significant payroll taxes and salaries, thereby benefitting the local economy and increasing the economic productivity of the area. Accordingly, WDH meets this second criterion.

- (3) “The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.”

WDH satisfies this criterion in that the Subject Property is being developed in accordance with the OJUS Urban Area District requirements at Article XXXIII(O) of the Miami-Dade County (the “County”) Code, the 2030-2040 Future Land Use Plan map, and the County Comprehensive Development Master Plan. Specifically, the Subject Property is zoned OJUS Urban Area District and lies within the Core, Center, and Edge Subdistrict boundaries, which permits a maximum density of 125 units per acre inside buildings not exceeding 15 stories. A Workforce Housing Development Program density bonus can be applied to urban center lots for a maximum bonus of 25 percent if a maximum of 10% of the proposed units are set aside for workforce housing. The Miami-Dade County Department of Regulatory and Economic Resources has determined that the Subject Property can construct up to 286 residential units. See Attachment A.

- (4) “Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.”

WDH posted notice of the proposed designation with two signs at the Subject Property and published notice of the proposed designation in the Miami Herald newspaper and the local community bulletin. Additionally, a virtual community meeting was held on May 16, 2022, to give neighbors and nearby residents the opportunity to provide comments and suggestions about rehabilitation efforts. No

community members attended this meeting and no community members requested additional information before or after the meeting date.

- (5) “The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.”

The total capital budget of approximately \$100 million for the Project is to be fully funded through a combination of debt financing, equity, and the financial resources of WDH’s affiliates and principals. One of WDH’s principals, Pinnacle Communities, LLC (“Pinnacle”), has an extensive history in constructing and managing multifamily luxury, affordable and workforce housing communities. Pinnacle has an impressive portfolio of over 10,000 multifamily units, including many in South Florida. Additionally, WDH and its principal will be completing the project with Ram Realty Partners V, LP (“Ram”). Ram has a history of renovating, developing, and managing multifamily, retail and mixed-used real estate and boasts a portfolio of 11,900 units in the Southeastern United States. The success of previous projects, the magnitude of the capital previously raised, the quality of the development previously achieved, and the resources of its principal provide reasonable assurances that WDH has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan. It therefore satisfies the fifth criterion.

For the reasons above, RER is recommending that the Board designate the Subject Property as a brownfield area.

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



May 27, 2022

RECOMMENDATION SUMMARY		
Commission District	4	
Applicant	19640 West Dixie Highway, LLC	
Request	Brownfield Area Designation of parcel with Folio 30-2203-005-0040 pursuant to Chapter 376.80(2)(c), Florida Statutes	
Location	19640 Harriet Tubman Highway, Miami-Dade County, Florida 33180	
Property Size	±2.25 acres	
Existing Zoning	Ojus Urban Area District (OUAD)	
Existing Land Use	Vacant, Non-protected, Privately owned	
2030-2040 CDMP Land Use Designation	“Business and Office” and “Low-Medium Density Residential” and within a Metropolitan Urban Center	
Applicable CDMP provision(s)	Urban Center interpretive text and Land Use Element Policy LU-9F requiring development to be in accordance with the adopted urban center development regulations for the Ojus Urban Area District	
Comprehensive Plan Consistency	Consistent with Land Use Plan map, interpretative text, goals, objectives, and policies of the Comprehensive Development Master Plan	
NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Urban Center Future Land Use Designation
North	Ojus Urban Area District (OUAD) Vacant, Non-protected, Privately owned	Ojus Urban Area District Mixed Use Corridor (MC)
South	Ojus Urban Area District (OUAD) Multi-Family High Density	Ojus Urban Area District Mixed Use Corridor (MC)
East	None, FEC Railroad Corridor	Transportation (ROW, Rail, etc.)
West	Ojus Urban Area District (OUAD) Single Family Medium Density	Ojus Urban Area District Residential – Edge 6-2

Background:

19640 West Dixie Highway (WDH), LLC filed an application for Brownfield Designation of a single parcel with Folio 30-2203-005-0040, located at 19640 Harriet Tubman Highway. WDH proposes to redevelop the subject parcel with a transit-oriented 15-story, 285-unit multifamily residential building. Pursuant to Chapter 376.80 (2)(c)(3) of the Florida Statutes, when designation of a brownfield area is proposed by persons other than a governmental entity, redevelopment of the proposed brownfield site must be consistent with the local comprehensive plan and a permissible land use under the applicable local land development regulations.

Staff Analysis:

The subject parcel is designated as "Business and Office" and "Low-Medium Density Residential" and is within a Metropolitan Urban Center on the Adopted 2030-2040 Land Use Plan (LUP) map, and zoned Ojus Urban Area District. The Ojus urban center is one of several urban centers designated on the LUP map planned to be developed over time into multi-use districts characterized by high quality urban design. The CDMP promotes urban centers to be developed as high intensity mixed used and transit oriented developments given their locations in places where mass transit, roadways, and highways are highly accessible. The area within the boundaries of the Ojus Urban Area District is divided into three Sub-districts: Core, Center and Edge. The highest density and intensity within an urban center are allocated to the Core Sub-district and the densities and intensities gradually decrease from the Center Sub-district to the Edge Sub-district. The subject parcel is within all three subdistricts, with the easternmost approximately 0.61 acres west of Harriet Tubman Highway and the FEC Railway Corridor within the Core Subdistrict and designated as the highest intensity MC (Mixed Use Corridor). The westernmost approximately 0.50 acres are within the Edge Subdistrict and designated R (Residential-Edge) and the remaining approximately 1.14 acres are within the Center Subdistrict and designated as MC (Mixed Use Corridor).

Based on the foregoing, this Department finds that the WDH, LLC project as proposed would generally be consistent with the goals, objectives, and policies of the CDMP.



Jerry Bell, AICP, Assistant Director for Planning
Planning Division
Miami-Dade County
Department of Regulatory and Economic Resources

JB:GR:CD



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(Q)

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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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(Q)
10-6-22

RESOLUTION NO. _____ R-903-22

RESOLUTION TAKING ACTION, AFTER PUBLIC HEARING, ON PROPOSAL OF 19640 WDH, LLC TO DESIGNATE REAL PROPERTY LOCATED AT 19640 HARRIET TUBMAN HIGHWAY, MIAMI-DADE COUNTY, FLORIDA 33180, ALSO IDENTIFIED BY FOLIO NUMBER 30-2203-005-0040, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, WHICH SHALL BE KNOWN AS THE 19640 GREEN REUSE AREA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, brownfield sites are defined under section 376.79(4), Florida Statutes, as “real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination”; and

WHEREAS, sections 376.77–376.85, Florida Statutes, hereinafter referred to as the “Brownfields Redevelopment Act,” provide that local governments may designate brownfield areas, which are defined in part as “a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution,” for the purpose of encouraging economic development and environmental remediation; and

WHEREAS, this Board has reviewed the proposal submitted by 19640 WDH, LLC, attached hereto as Exhibit 1, to designate real property located at 19640 Harriet Tubman Highway, Miami-Dade County, Florida 33180, also identified by Folio Number 30-2203-005-0040 and further identified in Exhibit 2 (the “subject property”), as a brownfield area to be known as the “19640 Green Reuse Area”; and

WHEREAS, this Board finds that the subject property qualifies as a brownfield site within the meaning of section 376.79(4), Florida Statutes; and

WHEREAS, this Board has considered the factors set forth in section 376.80(2)(c), Florida Statutes, which 19640 WDH, LLC must establish for this Board to designate the subject property as a brownfield site, and finds that 19640 WDH, LLC has established all of those factors; and

WHEREAS, this Board has complied with the notice, public hearing, and other requirements set forth in section 376.80, Florida Statutes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The recitals and findings set forth above are true and are hereby incorporated by reference.

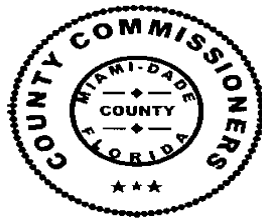
Section 2. This Board accepts the proposal submitted by 19640 WDH, LLC and designates the real property identified in Exhibit 2, attached hereto and incorporated herein by reference, as a brownfield area under the Brownfields Redevelopment Act. This brownfield area shall be known as the “19640 Green Reuse Area.” This designation shall not render Miami-Dade County liable for the costs of site rehabilitation or source removal, as those terms are defined in section 376.79, Florida Statutes, or for any other costs.

Section 3. This Board directs the County Mayor or County Mayor’s designee, within 30 days of the adoption of this resolution, to transmit a certified copy of this resolution to the Florida Department of Environmental Protection and to maintain a certified copy of this resolution on file with the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, as the local pollution control program.

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

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	absent		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Kionne L. McGhee	aye
Jean Monestime	aye	Raquel A. Regalado	aye
Rebeca Sosa	aye	Sen. Javier D. Souto	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of October, 2022. 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl

EXHIBIT 1

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A. *Brownfields, Transactions, Due Diligence, Development, Permitting, Cleanups & Compliance*

2100 Ponce de Leon Boulevard, Suite 710
Coral Gables, Florida 33134
Telephone: (305) 777-1680
www.goldsteinenvlaw.com

Michael R. Goldstein, Esq.
Direct Dial: (305) 777-1682
Email: mgoldstein@goldsteinenvlaw.com

April 8, 2022

Via Email

Ms. Freenette William, Business Development Specialist
Department of Regulatory & Economic Resources
Planning Research & Economic Analysis Section
111 NW 1st Street – 12th Floor
Miami, FL, 33130

Re: Request for Designation of the Property Located at 19640 West Dixie Highway, Miami, FL 33180 as a Brownfield Area Pursuant to §376.80(2)(c), Florida Statutes

Dear Ms. Williams:

On behalf of 19640 WDH, LLC (“WDH”), we are pleased to submit the enclosed Application for Brownfield Area Designation and supporting materials concerning the parcel located at 19640 West Dixie Highway, Miami, Florida 33180, Folio Number 30-2203-005-0040 (the “Subject Property”), as a Brownfield Area pursuant to Chapter 376.80(2)(c), Florida Statutes.¹ WDH is redeveloping the Subject Property with a transit-oriented 15-story, 285-unit multifamily residential building with a 430-space parking garage, outdoor courtyard, fitness center, clubroom, pool area and much-needed workforce housing. The completed development will have an estimated cost of approximately \$100 million. A legal description and property card depicting the Subject Property’s location are enclosed at Exhibit B.

WDH is applying for the Brownfield Area Designation due to the presence of actual contamination on the Subject Property likely resulting from its historical uses as well as those of the surrounding properties. This has required that WDH incur significant time and expense to further

¹ A copy of the Miami-Dade County (the “County”) Application for Brownfield Designation is enclosed at Exhibit A.

Ms. Freenette William, Business Development Specialist
April 8, 2022
Page 2

evaluate the environmental risk associated with redevelopment. The designation has thus become a key part of this ambitious project's ultimate viability by enabling WDH to access certain regulatory and economic incentives to mitigate and manage the risk and expense associated with the contamination or the possibility of discovery of additional contamination and the necessary response.

In considering a request for designation, a local government must evaluate and apply the criteria set forth in Chapter 376.80(2)(c), Florida Statutes. As reflected in the Statement of Eligibility incorporated herein at Exhibit C, WDH meets such statutory criteria. Accordingly, based on the foregoing, we respectfully request that staff recommend approval. Of course, as you evaluate the application and supporting materials, please feel free to contact us with any questions or should further information be required. Thank you.

Very truly yours,

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.

Michael Goldstein

Michael R. Goldstein
/mrg

Enclosures

cc: 19640 WDH, LLC

Exhibit A



**MIAMI DADE COUNTY BROWNFIELD REDEVELOPMENT PROGRAM
APPLICATION FOR BROWNFIELD DESIGNATION**

Please complete this form to initiate the Brownfield designation process. It is important to complete all applicable sections and attach all necessary information. If you have any questions concerning completion of this Application or wish to schedule a Pre-Application Meeting, please call (305) 375-1254 and ask for a Brownfield Representative.

I. PROPERTY INFORMATION

Property Address 19640 West Dixie Highway

Property Name 19640 WDH

City Miami State FL Zip Code 33180

Property Size (acres/square feet) 97,985 SF

Parcel Number(s) N/A

Folio Number 30-2203-005-0040

Zoning OUAD: OJUS Urban Area District

DERM File Number HWR-1224

FDEP File Number N/A

Name of Applicant's Interest in Property

☒ Owner
☐ Tenant
☐ Under Contract
☐ Option to Purchase/Lease
☐ Letter of Intent
☐ Other (If so, please describe briefly: _____)

Is property subject to an enforcement action under the Comprehensive Environmental Compensation or Liability Act, the Resource Conservation and Recovery Act, or Chapter 376 or 403, Florida Statutes?

No.

If so, please provide a brief description of the material facts and circumstances associated with such action(s).

N/A

If the project consists of an assemblage, please include all property information for each additional parcel as an attachment, including legal descriptions.

Describe all outstanding property taxes due on the property.

N/A

Describe all liens on the property.

N/A

II. PROJECT DESCRIPTION

Briefly describe the project and the anticipated redevelopment plan.

The 19640 WDH project is a single phase residential development with 285 units and a 430 space parking garage.

Briefly describe the environmental conditions and issues associated with the project.

The Applicant identified arsenic in soil above soil cleanup target levels and arsenic in groundwater above groundwater cleanup target levels on the property. Please see the Eligibility Statement enclosed at Exhibit C for additional information.

Briefly describe any anticipated plans for assessment and remediation of the environmental conditions associated with the property.

Soil and groundwater assessment will continue to fully delineate contaminants in support of future remediation, which may include managing and encapsulating soil in support of a conditional closure.

Will your project require a change in zoning and /or the County's Comprehensive Plan? If so, please provide a brief description of the material facts and circumstances associated with such change(s).

No.

Please attach a statement demonstrating that the project currently qualifies for designation as a Brownfield Area under the Florida Brownfield Redevelopment Act (or will qualify prior to the date the item is brought before the County Commission). Note that reasonable assurances must be provided by the Applicant that sufficient financial resources are available to implement and complete a rehabilitation agreement and redevelopment plan. Accordingly, your statement must outline the financial resources that are available in this regard.

If you intend to apply for the Brownfield Job Refund Bonus or the Brownfield Economic Development Initiative (Revolving Loan Fund), please indicate so by attaching a statement that discusses why you believe your project qualifies. Note: A separate application process exists for these programs.

Please attach any non confidential environmental assessment documentation associated with the project, including Phase I and Phase II Reports, Site Assessment Reports, and Remedial Action Plans.

III. APPLICANT INFORMATION

Name 19640 WDH, LLC

Address 9400 South Dadeland Boulevard, Suite 100

City Miami State FL Zip Code 33156

Phone (305) 640-5300 Fax N/A E-Mail bbrumund@goldsteinenvlaw.com

Ownership Interest
in Property Owner

Legal Status of the Applicant:

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
 X Limited Liability Company _____ Limited Partnership
_____ Florida Corporation
_____ Out-of-State Corporation State of Incorporation _____

Name of current Property owner if different from Applicant N/A

Address _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____ E-Mail _____

Legal Status of the Current Property Owner (s): Same as Property Owner.

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
_____ Limited Liability Company _____ Limited Partnership
_____ Florida Corporation
_____ Out-of-State Corporation State of Incorporation _____

If the current property owner is not the applicant, please attach an affidavit from the current owner that it does not object to designation of the Property as a Brownfield Area under the Florida Brownfield Redevelopment Act.

IV. SERVICES TO BE PROVIDED

Have you requested a Brownfield Meeting prior to completing this application? X Yes
 No

In order to better assist you, please check the type of designation you are requesting and the type of assistance/incentives (check all that apply) you are seeking through this designation:

Type of Designation: _____ Several parcels X Single parcel

Type of Assistance/Incentives requested:

- ☒ Regulatory Assistance (aid for meeting government agency permitting requirements)
- ☐ Technical Assistance (aid in obtaining grants, loans, etc.)
- ☐ Grants (gap financing for Brownfield remediation)
- ☐ Loan (remediation loan funds)
- ☒ Tax Credits/Exemptions due to Brownfield Area Designation
- ☐ Job Creation Tax Refund due to Brownfield Area Designation

Other (please describe):

Return completed form and attachments to:

**Office of Economic Development and International Trade
111 NW 1st Street – 19th Floor
Miami, FL 33128
305 375-1254**

<http://www.miamidade.gov/oedit/>

V. CERTIFICATION

The contents of this application shall be considered public records held by Miami Dade County and upon submittal becomes the property of Miami Dade County. The undersigned affirms that the information contained in this application is true and accurate.

Applicant's Signature:  Date: 4/8/2022

Print / Type Name: KAREN D. GELLER / JENNIFER S. STILL

FOR OFFICIAL USE ONLY

Applicant Received by: _____ Date: _____

Application Completeness Reviewed by: _____

_____ Application Complete _____ Application Incomplete

Specify reason(s) below:

Applicant Contacted on: _____

Applicant Phone Number: _____

Applicant E-mail: _____

Date corrected information received to complete application (if applicable):

Signature of Reviewer: _____ Date: _____

As of 12/11/09

Exhibit B

LEGAL DESCRIPTION:

The South 200 feet of the North 410 feet of Tract "A" of SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2, OF L. TOMS' SUBDIVISION, according to the Plat thereof as recorded in Plat Book 42, Page 56, of the Public Records of Miami - Dade County, Florida.

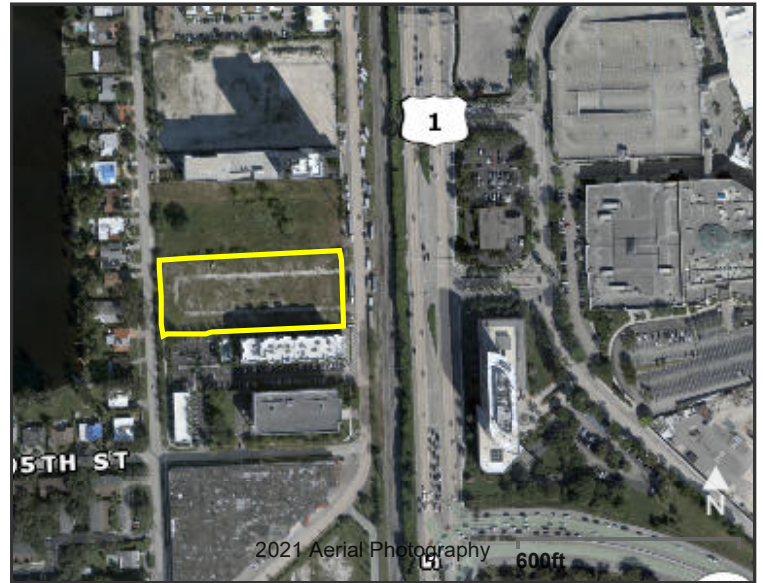


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 2/4/2022

Property Information	
Folio:	30-2203-005-0040
Property Address:	19640 W DIXIE HWY Miami, FL 33180-2271
Owner	19640 WDH LLC
Mailing Address	9400 SOUTH DADELAND BLVD 100 MIAMI, FL 33156 USA
PA Primary Zone	6574 UC CORE - MIXED USE CORR/IND (MCI) 12 MAX HT
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	95,832 Sq.Ft
Year Built	0



Assessment Information			
Year	2021	2020	2019
Land Value	\$5,749,920	\$5,749,920	\$5,749,920
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$5,749,920	\$5,749,920	\$5,749,920
Assessed Value	\$5,749,920	\$5,749,920	\$5,749,920

Benefits Information				
Benefit	Type	2021	2020	2019
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
3 52 42 2.20 AC SECOND REV PLAT L TOMS PB 42-56 S200FT OF N410FT TRACT A LOT SIZE 95832 SQUARE FEET OR 12481-0601 0485 4

Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,749,920	\$5,749,920	\$5,749,920
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,749,920	\$5,749,920	\$5,749,920
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$5,749,920	\$5,749,920	\$5,749,920

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/12/2022	\$15,400,000	32968-1046	Qual by exam of deed
07/01/2016	\$8,500,000	30144-3331	Qual by exam of deed

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Exhibit C

Brownfield Area Designation Eligibility Statement

19640 WDH Green Reuse Area
19640 West Dixie Highway, Miami, FL 33180
Folio Number 30-2203-005-0040

19640 WDH, LLC (“WDH”) proposes to redevelop and rehabilitate one parcel of land located at 19640 West Dixie Highway, Miami, FL 33180, occupying Folio Number 30-2203-005-0040 (the “Subject Property”), as a multifamily residential development. WDH’s proposed development will consist of a single, 15-story residential building with 285 residential units, a 430-space parking garage, and residential amenities including an outdoor courtyard, fitness center, clubroom, and pool area (the “Project”). As demonstrated herein, the Project meets all five of the applicable brownfield area designation criteria set forth at Section 376.80(2)(c), Florida Statutes.¹ In addition, the Subject Property meets the definition of a “brownfield site” pursuant to Section 376.79(4), Florida Statutes.

I. Subject Property Satisfies the Statutory Criteria for Designation

1. Agreement to Redevelop the Brownfield Site. As the first requirement for designation, Florida Statutes § 376.80(2)(c)(1) provides that “[a] person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.”

WDH satisfies this criterion in that it owns the Subject Property and has agreed to redevelop and rehabilitate it.² Accordingly, WDH meets this first criterion.

2. Economic Productivity. As the second requirement for designation, Florida Statutes § 376.80(2)(c)(2) provides that “[t]he rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the rehabilitation agreement or an agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement shall not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.”

WDH satisfies this criterion in that the Project will result in significant economic productivity of the area. The budget for rehabilitation and redevelopment is approximately \$100 million, which will be spent in part on local labor, contractors, consultants, construction materials, furnishings, infrastructure improvements, and impact fees. This work will support approximately 700 temporary construction jobs over the period of development. The construction workers will spend a percentage of their salaries with local merchants who, in turn, will reinvest locally in their respective businesses, as well as the businesses of other local merchants.

Additionally, the recognized literature regarding the local benefits produced by the development of multifamily developments shows that this type of development substantially contributes to the economic productivity of an area in the form of increased property taxes, stimulation of the local economy by residents, and transformation of vacant land into economically productive communities. For example, in The National Association of Home Builders’ (“NAHB”) landmark study, The Economic Impact of Home Building in a Typical State,³ NAHB published models that estimate the local economic benefits of single-family developments and

¹ A copy of § 376.80, Florida Statutes, can be found at Attachment A to this Eligibility Statement.

² The deed for the Subject Property can be found at Attachment B to this Eligibility Statement.

³ A complete copy of the NAHB report may be accessed here: <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics/economic-impact/economic-impact-local-area-2015.pdf>.

multifamily developments. These models capture the effect of the construction activity itself, the positive economic ripple effect that occurs when income earned from construction activity is spent and recycled in the local economy, and the ongoing beneficial impacts that result from the new apartments becoming occupied by residents. On a quantitative basis, the results are even more impressive. According to the NAHB report, the estimated one-year impacts of building 100 multifamily residential rental apartments include the following:

- *\$11.7 million in local income*
- *161 local jobs*

According to the report, these one-year impacts include both the direct and indirect impact of the construction activity itself, and the impact of local residents who earn money from the construction activity spending part of it within the local area's economy. Moreover, on a recurring basis, the economic impacts of building 100 residential rental apartments include the following:

- *\$2.6 million in local income*
- *44 local jobs*

Extrapolating the NAHB model data to the redevelopment planned for the Subject Property, the year of construction and annual recurring impacts based on 285 residential units would be as follows:

Economic Productivity for the WDH Development – Year of Construction

\$33.3 million in local income
459 local jobs

Economic Productivity for the WDH Development – Annually Recurring

\$7.4 million in local income
125 local jobs

In addition to the significant economic productivity to be generated by the Project's residential component alone, the Project is anticipated to create up to 6 permanent, full-time equivalent ("FTE") positions not associated with the implementation of the rehabilitation agreement and not associated with redevelopment project demolition or construction activities, which will exceed the statutory job creation requirement. This includes permanent jobs that will facilitate operation of the development itself. Such job creation will result in the payment of significant payroll taxes and salaries, thereby benefitting the local economy and increasing the economic productivity of the area. Accordingly, WDH meets this second criterion.

3. Consistency with Local Comprehensive Plan and Permittable Use under Local Land Development Regulations. As the third requirement for designation, Florida Statutes § 376.80(2)(c)(3) provides that "[t]he redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permittable use under the applicable local land development regulations."

WDH satisfies this criterion in that the Subject Property is being developed in accordance with the OJUS Urban Area District requirements at Article XXXIII(O) of the Miami-Dade County (the "County") Code, the 2030-2040 Future Land Use Plan map, and the County Comprehensive Development Master Plan. Specifically, the Subject Property is zoned OJUS Urban Area District and lies within the Core, Center, and Edge Subdistrict boundaries, which permits a maximum density of 125 units per acre inside buildings not exceeding 15 stories. A Workforce Housing Development Program density bonus can be applied to urban center lots for a maximum bonus of 25% if a maximum of 10% of the proposed units are set aside for workforce housing. The Miami-Dade County Department of Regulatory and Economic Resources has determined that the Subject Property can construct up to 286 residential units.⁴

⁴ A copy of the zoning verification response from the County's Department of Regulatory and Economic Resources, dated March 18, 2022, is enclosed at Attachment C to this Eligibility Statement.

This Project will provide the required workforce housing to acquire the density bonus. Therefore, the planned development with a 15-story building containing 285 units is within the amount permissible for the Subject Property. Accordingly, WDH meets this third criterion.

4. Public Notice and Comment. Florida Statutes § 376.80(2)(c)(4) stipulates that "[n]otice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated, and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subsection must be posted in the affected area." Additional notice requirements pertaining to applicants other than a governmental entity can be found at Florida Statutes § 376.80(1)(c)(4)(b) and consist of publication in a newspaper of general circulation in the area, publication in ethnic newspapers or local community bulletins, and announcement at a scheduled meeting of the local governing body before the actual public hearing.

WDH satisfies all applicable notice and opportunity to comment requirements established by Florida Statutes §376.80(2)(c)(4) and § 376.80(1)(c)(4)(b) as follows:

- (i) a virtual community meeting for purposes of affording interested parties the opportunity to provide comments and suggestions about the potential designation will be held, at a date to be announced;*
- (ii) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting will be posted at the Subject Property;*
- (iii) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting will be published in the Miami Herald; and*
- (iv) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting will be published in a local community bulletin.*

All notices will contain substantially the following narrative:

Representatives for 19640 WDH, LLC will hold a virtual community meeting on April 27, 2022, from 5:30 p.m. to 7:00 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of one parcel of land located at 19640 West Dixie Highway, Miami, FL 33180, and identified by Folio Number 30-2203-005-0040, as a Brownfield Area. The designation is being made pursuant to Section 376.80, Florida Statutes, of Florida's Brownfield Redevelopment Act, and will involve two public hearings before the Miami-Dade County Board of County Commissioners. The virtual community meeting will also address future development and rehabilitation activities planned for the site.

The virtual community meeting, which will also address future development and rehabilitation activities planned for the site, is free and open to all members of the public. Please register at <https://bit.ly/19640WDH> or call (305) 640-5300 before the meeting to receive instructions for accessing the virtual meeting. For additional instructions on how to join, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the meeting date, please contact 19640 WDH, LLC's representatives, Michael R. Goldstein or Brett C. Brumund who can be reached by phone at (305) 640-5300, by email at bbrumund@goldsteinenvlaw.com, and/or U.S. Mail at The Goldstein Environmental Law Firm, P.A., 2100 Ponce de Leon Blvd., Suite 710, Coral Gables, FL 33134.

Proof of publication or posting, as appropriate, will be provided to the County.

5. Reasonable Financial Assurance. As the fifth requirement for designation, Florida Statutes § 376.80(2)(c)(5) provides that "[t]he person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan."

The total capital budget of approximately \$100 million for the Project is to be fully funded through a combination of debt financing, equity, and the financial resources of WDH's affiliates and principals.⁵ One of WDH's principals, Pinnacle Communities, LLC ("Pinnacle"), has an extensive history in constructing and managing multifamily luxury, affordable and workforce housing communities. Pinnacle has an impressive portfolio of over 10,000 multifamily units, including many in South Florida. Additionally, WDH and its principal will be completing the project with Ram Reality Partners V, LP ("Ram"). Ram has a history of renovating, developing, and managing multifamily, retail and mixed-used real estate and boasts a portfolio of 11,900 units in the Southeastern United States. The success of previous projects, the magnitude of the capital previously raised, the quality of the development previously achieved, and the resources of its principal provide reasonable assurances that WDH has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan. It therefore satisfies the fifth criterion.

II. Subject Property Meets the Definition of Brownfield Site

Section 376.79(4), Florida Statutes, defines "brownfield site" to mean ". . . real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination." The facts here clearly reflect that the Subject Property falls within the definition of the term "brownfield site" in that actual contamination is present in soils and groundwater on the Subject Property that will significantly complicate redevelopment. Specifically, site assessment activities on the Subject Property revealed that arsenic concentrations exceed County and state soil cleanup target levels for residential use in the southeastern corner, northeastern corner, and west-northwestern boundary of the Subject Property.⁶ The site assessment also found contaminated groundwater with contaminant concentrations in excess of County and state groundwater cleanup target levels. The arsenic contamination may be attributed to naturally occurring or anthropogenic sources including historical offsite agricultural use, dumping, or migration from the eastern adjoining railroad corridor. Assessment work continues for the subject property and will continue during development.

WDH must now carefully address the presence of the contaminated soil through continued site assessment activities and by eventually undertaking measures that may include removing or encapsulating the contaminated material. WDH must also carefully conduct construction dewatering, which requires extraordinary measures at great costs, to ensure that contaminated groundwater is not drawn towards a clean area, exacerbating the contamination. As such, WDH faces significant additional redevelopment costs that are difficult to quantify at the start of redevelopment and must also work within a strict regulatory framework that exists to ensure contamination is properly and safely managed. To accomplish this, WDH will be required to carefully manage the contamination at all stages of the redevelopment, imposing great legal and financial risk, by incorporating design and construction changes on the Project that would not be required but for the presence of actual contamination.⁷

⁵ See Financial Assurances Letter from the Fund Controller for Ram Realty Partners V, LP at Attachment E.

⁶ A Site Assessment Report describing the environmental conditions at the Subject prepared by environmental consulting firm Gallagher Bassett Services, Inc. ("GBSI") and submitted to Miami-Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management is available at: [https://ecmrer.miamidade.gov/OpenContent/rest/content/content/TECHNICAL%20REPORTS.pdf?id=0902a13492c02d32&contentType\[\]=pdf,txt,*/true](https://ecmrer.miamidade.gov/OpenContent/rest/content/content/TECHNICAL%20REPORTS.pdf?id=0902a13492c02d32&contentType[]=pdf,txt,*/true).

⁷ Onsite soil contamination will also require special handling and very specific regulatory approvals. Soil management during construction activities would be subject to a level of environmental review and scrutiny that would not otherwise apply to a clean site, in addition to considerable extra costs and scheduling delays. These risks and expenses greatly complicate redevelopment of the Subject Property. Due to contaminated groundwater, a significant redevelopment complication involves the way in which construction dewatering is conducted when near or on a contaminant plume, in which case, extraordinary measures (at great cost) must be implemented to ensure that the contaminant plume isn't drawn towards a clean area, which would spread or "exacerbate" contamination.

In sum, the presence of actual contamination imposes a material level of regulatory, construction, and legal liability risk, complicates redevelopment efforts, and requires significant time and money for environmental, engineering, and legal consultants to properly investigate and address. Accordingly, this designation, if granted, will allow WDH to access limited but important state-based economic incentives to help underwrite the unanticipated and unbudgeted costs associated with managing the environmental risk as well as, generally, to put the Project to a more certain financial ground. In this sense, the designation will not only play a critical role in the successful redevelopment of the Subject Property, but also in the larger revitalization efforts for this area of the County.

Based on all the foregoing, the Subject Property clearly falls within the definition of “brownfield site” as set forth in § 376.79(4), Florida Statutes.

III. Conclusion

WDH has demonstrated that the Subject Property meets the definition of a “brownfield site” and that it satisfies the five statutory criteria for designation. Accordingly, designation of the Subject Property as a brownfield area pursuant to § 376.80(2)(c), Florida Statutes, of Florida’s Brownfield Redevelopment Act is appropriate.

Attachment A

Select Year: 2021 ▼ Go

The 2021 Florida Statutes

[Title XXVIII](#)
NATURAL RESOURCES; CONSERVATION,
RECLAMATION, AND USE

[Chapter 376](#)
POLLUTANT DISCHARGE PREVENTION
AND REMOVAL

[View Entire
Chapter](#)

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.

(b) For a brownfield area designation proposed by:

1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).

2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.

(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:

1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of its decision to designate a brownfield area for rehabilitation for the purposes of ss. [376.77-376.86](#). The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of the designation within 30 days after adoption of the resolution.

2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [166.041](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [166.041\(3\)\(c\)2](#). For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [125.66](#), except that the procedures for the public hearings on the proposed resolution shall be in the form established in s. [125.66\(4\)\(b\)](#).

3. Right to be removed from proposed brownfield area.—If a property owner within the area proposed for designation by the local government requests in writing to have his or her property removed from the proposed designation, the local government shall grant the request.

4. Notice and public hearing requirements for designation of a proposed brownfield area outside a redevelopment area or by a nongovernmental entity. Compliance with the following provisions is required before designation of a proposed brownfield area under paragraph (2)(a) or paragraph (2)(c):

a. At least one of the required public hearings shall be conducted as closely as is reasonably practicable to the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns.

b. Notice of a public hearing must be made in a newspaper of general circulation in the area, must be made in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing.

(2)(a) *Local government-proposed brownfield area designation outside specified redevelopment areas.*—If a local government proposes to designate a brownfield area that is outside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area, the local government shall provide notice, adopt the resolution, and conduct public hearings pursuant to paragraph (1)(c). At a public hearing to designate the proposed brownfield area, the local government must consider:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

(b) *Local government-proposed brownfield area designation within specified redevelopment areas.*—Paragraph (a) does not apply to a proposed brownfield area if the local government proposes to designate the brownfield area inside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area and the local government complies with paragraph (1)(c).

(c) *Brownfield area designation proposed by persons other than a governmental entity.*—For designation of a brownfield area that is proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and adopt a resolution to designate the brownfield area pursuant to paragraph (1)(c) if, at the public hearing to adopt the resolution, the person establishes all of the following:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. [420.0004](#) or the creation of recreational areas, conservation areas, or parks.
3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.
5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

(d) *Negotiation of brownfield site rehabilitation agreement.*—The designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the department or approved local pollution control program.

(3) When there is a person responsible for brownfield site rehabilitation, the local government must notify the department of the identity of that person. If the agency or person who will be responsible for the coordination

changes during the approval process specified in subsections (4), (5), and (6), the department or the affected approved local pollution control program must notify the affected local government when the change occurs.

(4) Local governments or persons responsible for rehabilitation and redevelopment of brownfield areas must establish an advisory committee or use an existing advisory committee that has formally expressed its intent to address redevelopment of the specific brownfield area for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. Such advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. The person responsible for brownfield site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement, and provide the committee with a copy of the draft plan for site rehabilitation which addresses elements required by subsection (5). This includes disclosing potential reuse of the property as well as site rehabilitation activities, if any, to be performed. The advisory committee shall review any proposed redevelopment agreements prepared pursuant to paragraph (5)(i) and provide comments, if appropriate, to the board of the local government with jurisdiction over the brownfield area. The advisory committee must receive a copy of the executed brownfield site rehabilitation agreement. When the person responsible for brownfield site rehabilitation submits a site assessment report or the technical document containing the proposed course of action following site assessment to the department or the local pollution control program for review, the person responsible for brownfield site rehabilitation must hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

(5) The person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement with the department or an approved local pollution control program if actual contamination exists at the brownfield site. The brownfield site rehabilitation agreement must include:

(a) A brownfield site rehabilitation schedule, including milestones for completion of site rehabilitation tasks and submittal of technical reports and rehabilitation plans as agreed upon by the parties to the agreement.

(b) A commitment to conduct site rehabilitation activities under the observation of professional engineers or geologists who are registered in accordance with the requirements of chapter 471 or chapter 492, respectively. Submittals provided by the person responsible for brownfield site rehabilitation must be signed and sealed by a professional engineer registered under chapter 471, or a professional geologist registered under chapter 492, certifying that the submittal and associated work comply with the law and rules of the department and those governing the profession. In addition, upon completion of the approved remedial action, the department shall require a professional engineer registered under chapter 471 or a professional geologist registered under chapter 492 to certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the department.

(c) A commitment to conduct site rehabilitation in accordance with department quality assurance rules.

(d) A commitment to conduct site rehabilitation consistent with state, federal, and local laws and consistent with the brownfield site contamination cleanup criteria in s. [376.81](#), including any applicable requirements for risk-based corrective action.

(e) Timeframes for the department's review of technical reports and plans submitted in accordance with the agreement. The department shall make every effort to adhere to established agency goals for reasonable timeframes for review of such documents.

(f) A commitment to secure site access for the department or approved local pollution control program to all brownfield sites within the eligible brownfield area for activities associated with site rehabilitation.

(g) Other provisions that the person responsible for brownfield site rehabilitation and the department agree upon, that are consistent with ss. [376.77-376.86](#), and that will improve or enhance the brownfield site rehabilitation process.

(h) A commitment to consider appropriate pollution prevention measures and to implement those that the person responsible for brownfield site rehabilitation determines are reasonable and cost-effective, taking into

account the ultimate use or uses of the brownfield site. Such measures may include improved inventory or production controls and procedures for preventing loss, spills, and leaks of hazardous waste and materials, and include goals for the reduction of releases of toxic materials.

(i) Certification that the person responsible for brownfield site rehabilitation has consulted with the local government with jurisdiction over the brownfield area about the proposed redevelopment of the brownfield site, that the local government is in agreement with or approves the proposed redevelopment, and that the proposed redevelopment complies with applicable laws and requirements for such redevelopment. Certification shall be accomplished by referencing or providing a legally recorded or officially approved land use or site plan, a development order or approval, a building permit, or a similar official document issued by the local government that reflects the local government's approval of proposed redevelopment of the brownfield site; providing a copy of the local government resolution designating the brownfield area that contains the proposed redevelopment of the brownfield site; or providing a letter from the local government that describes the proposed redevelopment of the brownfield site and expresses the local government's agreement with or approval of the proposed redevelopment.

(6) Any contractor performing site rehabilitation program tasks must demonstrate to the department that the contractor:

- (a) Meets all certification and license requirements imposed by law; and
- (b) Will conduct sample collection and analyses pursuant to department rules.

(7) During the cleanup process, if the department or local program fails to complete review of a technical document within the timeframe specified in the brownfield site rehabilitation agreement, the person responsible for brownfield site rehabilitation may proceed to the next site rehabilitation task. However, the person responsible for brownfield site rehabilitation does so at its own risk and may be required by the department or local program to complete additional work on a previous task. Exceptions to this subsection include requests for "no further action," "monitoring only proposals," and feasibility studies, which must be approved prior to implementation.

(8) If the person responsible for brownfield site rehabilitation fails to comply with the brownfield site rehabilitation agreement, the department shall allow 90 days for the person responsible for brownfield site rehabilitation to return to compliance with the provision at issue or to negotiate a modification to the brownfield site rehabilitation agreement with the department for good cause shown. If an imminent hazard exists, the 90-day grace period shall not apply. If the project is not returned to compliance with the brownfield site rehabilitation agreement and a modification cannot be negotiated, the immunity provisions of s. [376.82](#) are revoked.

(9) The department is specifically authorized and encouraged to enter into delegation agreements with local pollution control programs approved under s. [403.182](#) to administer the brownfield program within their jurisdictions, thereby maximizing the integration of this process with the other local development processes needed to facilitate redevelopment of a brownfield area. When determining whether a delegation pursuant to this subsection of all or part of the brownfield program to a local pollution control program is appropriate, the department shall consider the following. The local pollution control program must:

- (a) Have and maintain the administrative organization, staff, and financial and other resources to effectively and efficiently implement and enforce the statutory requirements of the delegated brownfield program; and
- (b) Provide for the enforcement of the requirements of the delegated brownfield program, and for notice and a right to challenge governmental action, by appropriate administrative and judicial process, which shall be specified in the delegation.

The local pollution control program shall not be delegated authority to take action on or to make decisions regarding any brownfield site on land owned by the local government. Any delegation agreement entered into pursuant to this subsection shall contain such terms and conditions necessary to ensure the effective and efficient administration and enforcement of the statutory requirements of the brownfield program as established by the act and the relevant rules and other criteria of the department.

(10) Local governments are encouraged to use the full range of economic and tax incentives available to facilitate and promote the rehabilitation of brownfield areas, to help eliminate the public health and

environmental hazards, and to promote the creation of jobs and economic development in these previously run-down, blighted, and underutilized areas.

(11)(a) The Legislature finds and declares that:

1. Brownfield site rehabilitation and redevelopment can improve the overall health of a community and the quality of life for communities, including for individuals living in such communities.
2. The community health benefits of brownfield site rehabilitation and redevelopment should be better measured in order to achieve the legislative intent as expressed in s. 376.78.
3. There is a need in this state to define and better measure the community health benefits of brownfield site rehabilitation and redevelopment.
4. Funding sources should be established to support efforts by the state and local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, to evaluate the community health benefits of brownfield site rehabilitation and redevelopment.

(b) Local governments may and are encouraged to evaluate the community health benefits and effects of brownfield site rehabilitation and redevelopment in connection with brownfield areas located within their jurisdictions. Factors that may be evaluated and monitored before and after brownfield site rehabilitation and redevelopment include, but are not limited to:

1. Health status, disease distribution, and quality of life measures regarding populations living in or around brownfield sites that have been rehabilitated and redeveloped.
2. Access to primary and other health care or health services for persons living in or around brownfield sites that have been rehabilitated and redeveloped.
3. Any new or increased access to open, green, park, or other recreational spaces that provide recreational opportunities for individuals living in or around brownfield sites that have been rehabilitated and redeveloped.
4. Other factors described in rules adopted by the Department of Environmental Protection or the Department of Health, as applicable.

(c) The Department of Health may and is encouraged to assist local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, in evaluating the community health benefits of brownfield site rehabilitation and redevelopment.

(12) A local government that designates a brownfield area pursuant to this section is not required to use the term “brownfield area” within the name of the brownfield area designated by the local government.

History.—s. 4, ch. 97-277; s. 3, ch. 98-75; s. 11, ch. 2000-317; s. 2, ch. 2004-40; s. 44, ch. 2005-2; s. 7, ch. 2006-291; s. 5, ch. 2008-239; s. 2, ch. 2014-114.

Attachment B

This Instrument Prepared by:

Christopher D. Castro
Next Legal PLLC
1395 Brickell Avenue
Suite 950
Miami, FL 33131

After Recording Return to:

Robert Cheng
Shutts & Bowen LLP
200 South Biscayne Blvd.,
Ste. 4100, Miami, FL 33131

Parcel No.: 30-2203-005-0040

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this 12th day of January, 2022, by CK PRIVE GROUP 196, LLC, a Florida limited liability company, with a mailing address of 20161 NE 16th Place, Miami, FL 33179 ("Grantor"), to 19640 WDH, LLC, a Florida limited liability company, with a mailing address of 9400 South Dadeland Blvd., Suite 100, Miami, FL 33156 ("Grantee"). Whenever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration to Grantor in hand paid, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain and sell to Grantee and Grantee's heirs, successors and assigns forever, all of Grantor's right, title and interest in and to the land situated in Miami-Dade County, Florida, more particularly described on Exhibit A, attached hereto and made a part hereof.

TOGETHER WITH all improvements thereon and all rights, interests, tenements, hereditaments, easements and other appurtenances thereto belonging or in anywise appertaining;

SUBJECT TO: A. taxes and assessments for the year 2022 and all subsequent years; B. all laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; and C. all other conditions, restrictions, covenants, limitations and easements of record, if any, but this reference shall not operate to reimpose same.

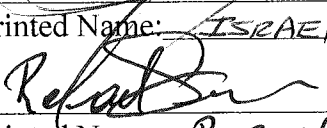
TO HAVE AND TO HOLD the same in fee simple unto the said Grantee, and the successors and assigns of the said Grantee, forever.

AND the said Grantor hereby covenants with the said Grantee that the said Grantor is lawfully seized of said land in fee simple; that the said Grantor has good right and lawful authority to sell and convey the land to the said Grantee; and that the said Grantor hereby fully warrants the title to the land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but none other.

[Signature to Special Warranty Deed on following page]

IN WITNESS WHEREOF, the Grantor has caused the execution of this instrument as of the day and year first above written.

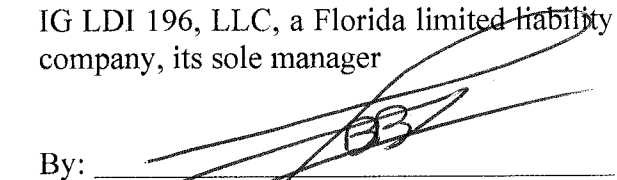
WITNESSES:


Printed Name: ISRAEL KAMHAZI

Printed Name: Rafael Torres

GRANTOR:

CK PRIVE GROUP 196, LLC, a Florida limited liability company

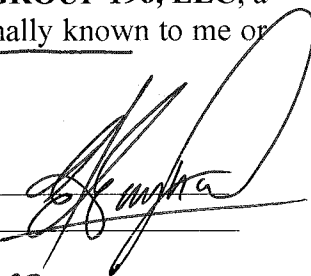
By: IG LDI 196, LLC, a Florida limited liability company, its sole manager

By: 
Name: Bruno Bloch
Title: Manager

STATE OF FLORIDA)
) SS:
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 11 day of January, 2022 by Bruno Bloch, as manager of IG LDI 196, LLC, a Florida limited liability company, the sole manager of **CK PRIVE GROUP 196, LLC**, a Florida limited liability company, on behalf of such company. He is personally known to me or has produced personally known as identification.

[NOTARIAL SEAL]

Notary: Eric Kamhaz 
Print Name: _____
Notary Public, State of Florida
Commission No.: GG 930488
My commission expires: 11/11/2023

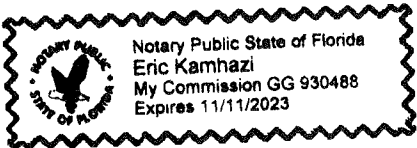


EXHIBIT A

LEGAL DESCRIPTION

The South 200 feet of the North 410 feet of Tract "A" of SECOND REVISED PLAT OF AMENDED PLAT OF ALL OF BLOCKS 1 AND 2, OF L. TOMS' SUBDIVISION, according to the Plat thereof as recorded in Plat Book 42, Page 56, of the Public Records of Miami - Dade County, Florida.

Attachment C



March 28, 2022

Edward Martos, Esq.
Weiss Serota Helfman Cole & Bierman
2525 Ponce de Leon Blvd., Suite 700
Coral Gables, FL 33134

RE: Folio: 30-2203-005-0040
Case # J2021000704 - REVISED

Dear Mr. Martos:

This zoning verification response addresses your questions listed in the submitted letter of intent regarding a property referenced by folio number 30-2203-005-0040, including confirmation regarding the property's zoning district, permitted intensity and density, method of calculating density, the underlying land use designation as provided by the adopted 2030-2040 Future Land Use Plan map and County Comprehensive Development Master Plan (CDMP) urban center text as noted in a previous Department letter. Confirmation regarding the developable number of units as presented in Pre-Application meeting documents Z2021P00267 and eligibility for additional units under the Workforce Housing Development Program will also be addressed by this letter.

Please be advised that the information regarding the property's zoning district, permitted density and intensity, density calculation, Future Land Use Plan Map designation and CDMP urban center text provisions indicated in the Department's letter dated April 23, 2021, is still applicable. No action resulting in changes to the property's zoning allowances have been made to this property as of the date of this letter. The property is zoned Ojus Urban Area District (OUAD) and lies within the Core, Center, and Edge Subdistrict boundaries. A maximum of 125 units per acre is permitted in the Core Subdistrict inside buildings not exceeding 15 stories, a maximum of 90 units per acre are permitted in the Center inside buildings having a minimum of 2 stories and a maximum of 12 stories, and 18 units per acre is allowed in the Edge Subdistrict inside buildings no greater than 4 stories. When calculating the net density for the subject property, ½ of the adjoining NE 26th Avenue right-of-way and the fully dedicated adjoining West Dixie right-of-way as shown in the Survey dated 2-22-2022 and submitted documentation are included in the total property's area. Density averaging is also allowed provided the Ojus Urban Area building transition standards are complied with. Be further advised that the Workforce Housing Development Program density bonuses can be applied to urban center lots provided a minimum number of units are set aside for workforce housing. In this regard, a maximum density bonus of 25% is permitted if a minimum of 10% of the proposed units are set aside for workforce as defined in Sec. 33-284.82 of the urban center regulations.

The Department arrived at a total of 286 residential units by utilizing information provided by the County's GIS map measuring tools, Survey provided with this verification request and applying the 25% workforce housing development program bonus. Be advised that the memo provided by the Zoning Division and presented at the pre-application meeting did not confirm the number of allowed units but focused on technical conformance with urban center regulations for a development proposed on the subject property. The ultimate number of units constructed will depend on urban center regulations, such as open space, parking requirements, and setbacks, among others, as well as required regulations from agencies responsible for the site plan review.

Enclosed are the applicable Zoning Code sections pertaining to your zoning district designation. In addition, enclosed (if applicable) are any zoning Resolutions or Declaration of Restrictions (covenants) that pertain to your property and may affect the development of your site. Please be advised that there may be additional restrictions that are not shown in this letter that may be found in the public records of Miami-

Dade County. Based on our available records, the following attached documents apply to your property and may affect future development of the site.

- Zoning Code Article XXXIII(O) - Ojus Urban Area District
- Article XXXIII(K) – Standard Urban Center District Regulations
- Chapter 18A – Miami-Dade County Landscape Ordinance
- Zoning Code Article XXXIII(O) - Ojus Urban Area District
- Resolution Z-3-07 – Rezoning to Ojus Urban Area District
- Resolution No. 3-ZAB-25-66
- Resolution No. 9849
- Resolution No. 3060

Please be advised that this letter does not verify building code compliance and does not certify conformance/nonconformance of existing uses or structures. Building permit issuance will be subject to compliance with all code requirements and concurrency approval. This letter is based on the Miami-Dade County Zoning Code in effect on the date of this letter. This determination shall not or may not be applicable in the event a land development regulation at the municipal, state, or federal level is amended in a manner that conflicts with or supersedes the regulations upon which this letter is based.

For information regarding zoning and building code violations, please contact the office of Neighborhood Compliance at (786) 315-2552. Should you need additional zoning information, please contact this office at (305) 375-1806.

Sincerely,



Amina N. Newsome
Senior Division Chief
Development Services Division
Department of Regulatory and Economic Resources

AN:gb

Attachment D

Project Costs	
<u>Land Costs:</u>	\$15,400,000
<u>Soft Costs:</u>	
CLOSING COSTS	\$259,444
LEGAL	\$545,000
DESIGN CONSULTANTS	\$3,079,901
PERMIT & IMPACT FEES	\$4,421,081
TAX, INSURANCE & ADMIN	\$1,539,020
FINANCING FEES	\$874,409
CONSTRUCTION PERIOD INTEREST	\$4,159,270
LEASEUP DEFICIT	\$399,561
LEASING AND MARKETING	\$620,372
FFE	\$780,000
DEVELOPMENT FEE	\$3,640,482
SOFT COST CONTINGENCY	\$500,342
Subtotal Soft Costs	\$20,818,882
<u>Hard Costs:</u>	
HARD COST CONSTRUCTION	\$84,261,725
TENANT IMPROVEMENT	\$0
LANDLORD IMPROVEMENTS	\$0
RAM PROJECT MANAGER	\$296,187
HARD COST CONTINGENCY	\$4,213,086
Subtotal Hard Costs	\$88,770,998
<u>Total Gross Development Cost</u>	\$124,989,880

Sources and Uses	
Loan Proceeds:	\$74,993,928
Equity Proceeds:	\$49,995,952
Total:	\$124,989,880
<u>Project Summary</u>	
- 285 Units (Average Unit Size: 921 SF)	
- 430 space Parking Garage	
- Amenities: Outdoor courtyard and pool area, ground floor fitness center and clubroom.	
- Single residential building to be developed in one phase around the parking deck.	
- Varied Residential Building Height: 4, 8, and 15 Stories.	
- Varied Parking Deck Height: 5 and 7 levels.	
<u>Estimated Project Schedule</u>	
- Secure Final Building Permits: November 2022	
- Construction Start: December 2022	
- Sitework Completion: February 2023	
- Final Building Completion: October 2024	

Attachment E



**On behalf of:
19640 WDH, LLC**

March 30, 2022

Re: Brownfields Application – Financial Assurance
Property Owner: 19640 WDH, LLC, a Florida limited liability company (“Property Owner”)
Property Address: 19640 West Dixie Highway, Aventura, FL (“Brownfield Site”)

To Whom This May Concern:

I am the Fund Controller for Ram Realty Partners V LP, a Delaware limited partnership (“Ram V”), an affiliate of the Property Owner. The purpose of this letter is to provide reasonable assurance, consistent with Section § 376.80(2)(c)(5), Florida Statutes, that the Property Owner has sufficient financial resources to implement the rehabilitation and redevelopment of the Brownfield Site.

This will confirm that Ram V, through an affiliate, owns fifty percent (50%) of the ownership interests in the Property Owner. The Property Owner, through Ram V and the remaining fifty percent (50%) partner, has undrawn equity approximating \$34,000,000.00, an experienced team of development professionals with extensive experience and a strong track record in securing financing for large-scale redevelopment projects, and long-standing relationships with potential lenders and financial institutions. Based on the assurances provided herein, the Property Owner and its affiliates have sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the Brownfield Site.

Sincerely,

A handwritten signature in blue ink that reads "Laura Marquez".

Laura Marquez
Fund Controller

Disclosure of Interest

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

1. APPLICANT (S) NAME AND ADDRESS:

APPLICANT A: *19640 WDH, LLC; 4801 PGA Boulevard, Palm Beach Gardens, FL 33418*

APPLICANT B:

APPLICANT C:

APPLICANT D:

APPLICANT E:

APPLICANT F:

APPLICANT G:

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

- 2. PROPERTY DESCRIPTION:** Provide the following information for all properties in the application area and indicate those properties in which the applicant has an interest. Complete information must be provided for each parcel.

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
<i>A</i>	<i>19640 WDH, LLC</i>	<i>30-2203-005-0040</i>	<i>2.2</i>

3. For each applicant, check the appropriate column to indicate the NATURE OF THE APPLICANT'S INTEREST in the property identified in Section 2 above.

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER(Attach Explanation)
A	X			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

- a. If the applicant is an **INDIVIDUAL** (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- b. If the applicant is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: 19640 WDH, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
See attached org. chart	

- c. If the applicant is a **TRUSTEE**, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEES NAME: _____

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF
INTEREST

N/A

- d. If the applicant is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (s) trust (s) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
INTEREST

N/A

- | <u>NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|-------------------------|-------------------------------|
| N/A | |
| | |
| | |
- Date of Contract:

N/A	

- | <u>INDIVIDUAL'S NAME AND ADDRESS</u> | <u>PERCENTAGE OF INTEREST</u> |
|--------------------------------------|-------------------------------|
| N/A | |

- b. If the owner is a **CORPORATION**, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: _____

	<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<i>N/A</i>		

- c. If the owner is a **TRUSTEE**, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S NAME: _____

	<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<i>N/A</i>		

- d. If the owner is a **PARTNERSHIP or LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
N/A	

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

Date of Contract: _____

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

N/A

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

ENTITIES REGULARLY TRADED ON AN ESTABLISHED SECURITIES, PENSION FUNDS OR PENSION TRUSTS OF MORE THAN FIVE THOUSAND (5,000) OWNERSHIP INTERESTS

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

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

Applicant's Signature and Printed Name
(Complete one signature page per applicant)

Signature



Printed Name Karen D. Geller, VP / James W. Stine, VP

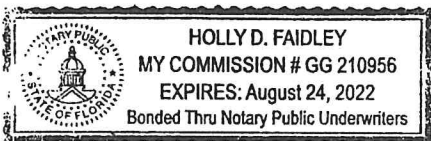
State of Florida
County of Palm Beach

Sworn to (or affirmed) and subscribed before me by means of *(how the individual appeared check one): (how the individual appeared check one):*

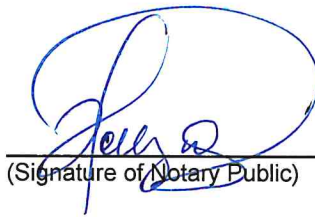
☒ physical presence ☐ online notarization this 4th day of May, 2022.
(date) (month)(year)

by Karen D. Geller and James W. Stine, Vice Presidents, respectively, of 19640 WDH, LLC
(name of individual swearing or affirming)

Individual identified by: ☒ personal knowledge ☐ satisfactory evidence _____
(type)



(affix Florida Notary Seal above)



(Signature of Notary Public)

Holly D Faidley

(typed, printed, or stamped name of Notary Public)

My Commission Expires: Aug 24, 2022

Project: AVENTURA (MF Apts)

OWNER:

19640 WDH, LLC, a Florida limited liability company
[Authorized signers: Keith L. Cummings, President (individually) or any two: James W. Stine, Jennifer S. Stull and Karen D. Geller (Vice President)]

Sole Member:

19640 WDH HOLDINGS, LLC, a Florida limited liability company

Managing Member:

[50%]

RRPV Aventura LLLP, a Florida limited liability partnership

Ram Realty V REIT, a Maryland real estate investment trust as Limited Partner (99%)

RRPV Aventura GP LLC, a Florida limited liability company as General Partner (1%)

Ram Realty Associates V LLC, a Delaware limited liability company, as Manager of RRPV Aventura GP LLC

Ram Realty Partners V LP, a Delaware limited partnership
(100% sole common shareholder of Ram Realty V REIT)
(no one individual owns more than 1.30% of Ram Realty Partners V LP)

<u>Ram Realty Associates V LLC,</u> a Delaware limited liability company, as General Partner	
The Keith L. Cummings Revocable Trust u/t/a dated April 12, 2001, as amended on May 12, 2015	97.00%
James W. Stine Revocable Trust Agreement dated 8/9/2016	1.00%
Karen D. Geller	1.00%
Jennifer Stull	1.00%

Member:

[50%]

PC 19640, LLC, a Florida limited liability company

PC GP Holdings, LLC, a Florida limited liability company as sole member

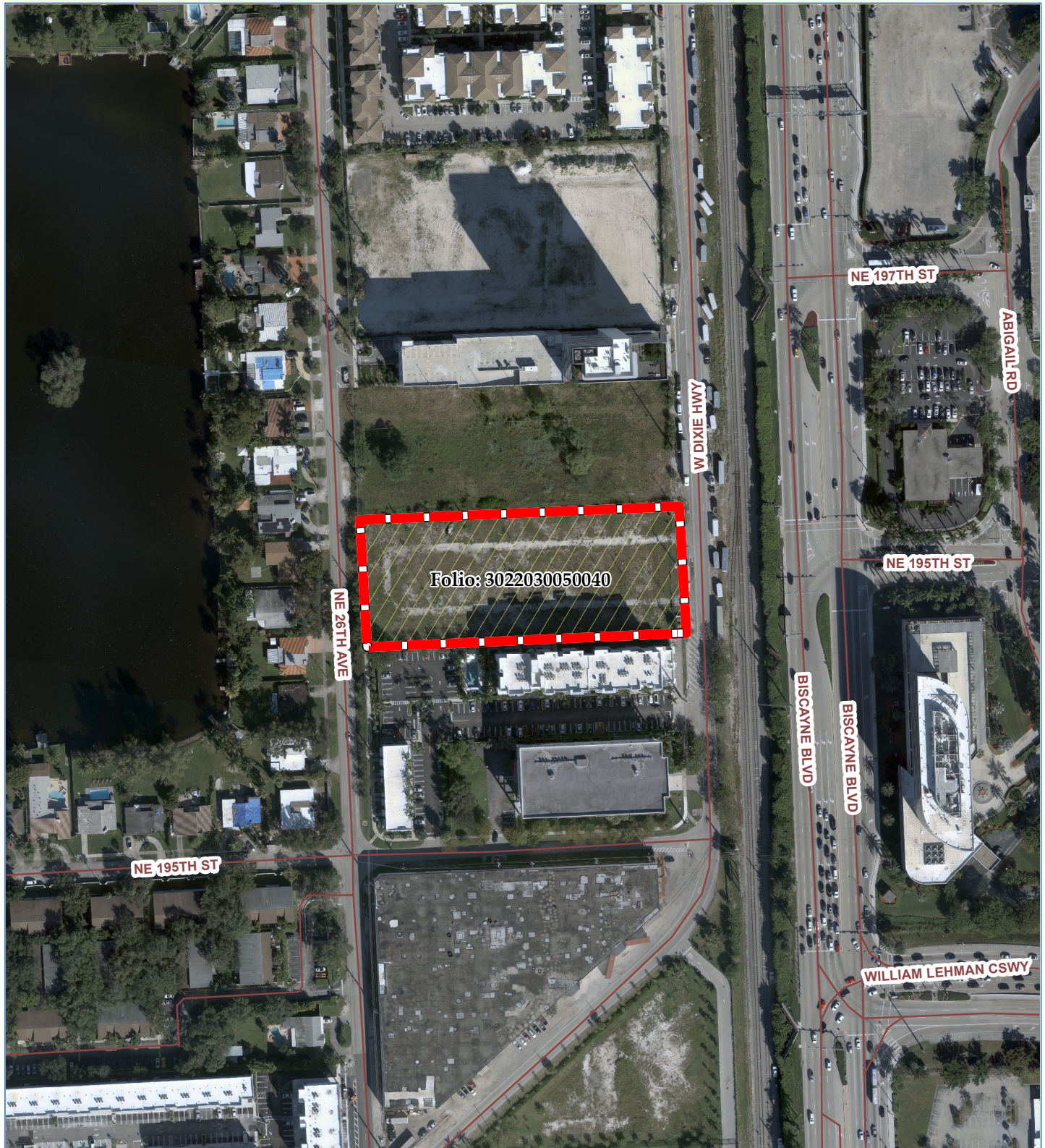
Louis Wolfson III
Mitchell M. Friedman
David O. Deutch

EXHIBIT 2

19640 WDH, LLC.

Brownfield Application Site

Miami-Dade County, Florida



Legend

- Brownfield Application Site
- Streets



0 165 330

57

57



Department of Regulatory and Economic Resources (RER)
Planning Research and Economic Analysis Section
May 2022