

Memorandum



Date: October 6, 2022

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

Agenda Item No. 5(V)

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

Resolution No. R-908-22

Subject: Resolution Approving the Plat of Modern Towers Filed by MUVHOMES 26, LLC

Recommendation

The following plat is submitted for consideration by the Board of County Commissioners (Board) for approval. This plat for Modern Towers is bounded northwesterly by Harriet Tubman Highway, on the east by SW 139 Avenue, Southeasterly by SW 140 Court, and Southwesterly approximately 300 feet north of SW 258 Terrace.

The Miami-Dade County Plat Committee recommends approval of this plat. The Plat Committee is comprised of representatives from:

- Florida Department of Transportation;
- Florida Department of Health;
- Miami-Dade County School Board; and
- Miami-Dade County Departments of Fire Rescue; Parks, Recreation and Open Spaces; Regulatory and Economic Resources; Transportation and Public Works; and Water and Sewer.

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.

A location sketch is attached to this memorandum as Exhibit A.

Full scale copy of the plat and legal description of the boundaries of the land being subdivided, as well as the plat restrictions contained therein, are on file with the Department of Regulatory and Economic Resources.

Scope

This plat is located in Commission District 9, which is represented by Commissioner Kionne L. McGhee.

Delegation of Authority

There are no delegation requirements with this item.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the county would be approximately \$1,250.00 annually for newly constructed roadway adjacent to the project. These costs would be covered by the Department of Transportation and Public Works’ annual General Fund allocation.

Track Record/Monitor

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

Background

Modern Towers (T-24046)

- Located in Sections 27, Township 56 South, Range 39 East.
- Zoning: NCUC.
- Proposed Usage: 665 Apartments and retail.
- Number of Parcels: One.
- This plat meets concurrency.
- Available public water and sewer lines abut the proposed subdivision. The parcel is required to connect to public water and public sanitary sewers.

Developer’s Obligation

Maintenance paving, maintenance drainage, sidewalk, striping, and monumentation which are bonded under bond number 8310 in the amount of \$83,941.00.



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(V)

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(V)
10-6-22

RESOLUTION NO. _____ R-908-22

RESOLUTION APPROVING THE PLAT OF MODERN TOWERS FILED BY MUVHOMES26, LLC LOCATED IN THE EAST 1/2 OF SECTION 27, TOWNSHIP 56 SOUTH, RANGE 39 EAST (BOUNDED NORTHWESTERLY BY HARRIET TUBMAN HIGHWAY, ON THE EAST BY SW 139 AVENUE, SOUTHEASTERLY BY SW 140 COURT, AND SOUTHWESTERLY APPROXIMATELY 300 FEET NORTH OF SW 258 TERRACE)

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

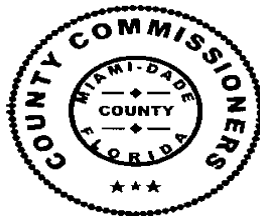
WHEREAS, MUVHomes26, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as “Modern Towers,” the same being a replat of a portion of Tracts “A”, “B”, and “C” of “Wal-Mart at Homestead,” according to the plat thereof, as recorded in Plat Book 141, at Page 7, of the Public Records of Miami-Dade County, Florida, and a subdivision of land lying and being in the East 1/2 of Section 27, Township 56 South, Range 39 East, Miami-Dade County, Florida, and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

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

The foregoing resolution was offered by Commissioner **Jean Monestime**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** 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.

Lauren E. Morse