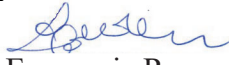


Date: November 15, 2022

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

Agenda Item No. 5(K)

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

Resolution No. R-1094-22

Subject: Designation of Land Located at the Intersection of NW 161st Street and NW 6th
Avenue as a Brownfield Area

Executive Summary

The purpose of this item is to designate the land located at the intersection of NW 161st Street and NW 6th Avenue, Miami, FL 33169 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, Bellamonte at Golden Glades, LLC (“Bellamonte”) is applying for the brownfield area designation due to the presence of actual contamination on the Subject Property likely resulting from its historical uses. A brownfield area designation will allow Bellamonte 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 Bellamonte for consideration of approval.

Recommendation

It is recommended that the Board of County Commissioners (“Board”) designate the land located at the intersection of NW 161st Street and NW 6th Avenue, Miami, FL 33169, occupying by folio number 30-2113-036-0010 and further specified in Exhibit 2 to the resolution, as a brownfield area to be known as Bellamonte at Golden Glades Green Reuse Area.

According to the proposal submitted by the property owner, Bellamonte at Golden Glades, LLC (“Bellamonte”) proposes to redevelop and rehabilitate one parcel of land located at the intersection of NW 161st Street and NW 6th Avenue, Miami, FL 33169, occupying Folio Number 30-2113-036-0010 (the “Subject Property”), as a multifamily residential development consisting of four residential buildings, each with five floors, with 420 residential units inclusive of 84 workforce housing units, a 728-space parking garage, and residential amenities including an outdoor courtyard, club house, pool area, and tot lot (the “Project”). The developer is projecting a total investment of \$78 million and the creation of 20 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 2, represented by Commissioner Jean Monestime. The proposed area is identified by folio number 30-2113-036-0010.

Delegation of Authority

This item has no delegation of authority.

Fiscal Impact/Funding Source

Approval of this location as a brownfield area 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.

Bellamonte 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. Bellamonte’s proposed development will consist of four residential buildings, each with five floors, with 420 residential units inclusive of 84 workforce housing units, a 728-space parking garage, and residential amenities including an outdoor courtyard, club house, pool area, and tot lot.

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

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

- (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 five 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.”

Bellamonte satisfies this criterion in that the Project will result in significant economic productivity of the area. The budget for rehabilitation and redevelopment is approximately \$78 million, which will be spent in part on local labor, contractors, consultants, construction materials, furnishings, infrastructure improvements, and impact fees. 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 20 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, Bellamonte 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.”

Bellamonte satisfies this criterion in that the Subject Property is being developed in accordance with the Planned Area Development District requirements approved by the Miami-Dade County Board of County Commissioners through Resolution No. Z-27-21. Resolution No. Z-27-21 establishes a maximum density of 425 residential units and

maximum height of five stories at the Subject Property. The Project will also be developed substantially in compliance with the Declaration of Restrictions recorded on May 24, 2019, requiring that at least 20% of the Project’s residential units be classified as workforce housing. The Project’s planned 420 residential units, including 84 workforce housing units, in five story buildings places the Project well within the amount permissible for the Subject Property. Accordingly, Bellamonte meets this third criterion.

- (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.”

Bellamonte 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 September 21, 2022, to give neighbors and nearby residents the opportunity to provide comments and suggestions about rehabilitation efforts. Accordingly, Bellamonte meets this fourth criterion.

- (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 \$78 million for the Project is to be fully funded through a combination of debt financing, equity, and the financial resources of Bellamonte’s principal, Resia (formerly AHS Residential). Resia is a vertically integrated real estate company that develops, builds, and manages multi-family rental communities across the United States. With an impressive portfolio of multifamily residential developments, including several within Miami-Dade County, Resia has a proven history of successfully delivering largescale projects like what is planned for the Subject Property. Specifically, 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 Bellamonte has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan. It therefore satisfies the fifth criterion.

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.

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**



September 15, 2022

RECOMMENDATION SUMMARY		
Commission District	2	
Applicant	Bellamonte at Golden Glades, LLC	
Request	Brownfield Area Designation of parcel with Folio 30-2113-036-0010 pursuant to Chapter 376.80(2)(c), Florida Statutes	
Location	NW 161 Street and NW 6 th Avenue, Miami-Dade County, Florida 33169	
Property Size	±7.09 acres	
Existing Zoning	Planned Area Development (PAD)	
Existing Land Use	Vacant, Non-protected, Privately-owned	
2030-2040 CDMP Land Use Designation	Medium-High Density Residential (MHDR) 25-60 du/ac	
Applicable CDMP provision(s)	Permitted uses are for apartment buildings between 25 and 60 units per gross acre.	
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	Future Land Use Designation
North	BU-3, Institutional, Office	Medium-High Density Residential (25-60 du/ac)
South	RU-4, Institutional, Single Family	Medium Density Residential (13-25 du/ac)
East	RU-1 (Single Family), EU-S (Estate Single Family); Institutional, Vacant	Low Density Residential (2.5-6 du/ac)
West	None; Streets, Expressway	Transportation (ROW, Rail, Metrorail, etc.)

Background:

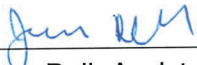
Bellamonte at Golden Glades, LLC ("Bellamonte") filed an application for a Brownfield designation of a single parcel with Folio 30-2113-036-0010, located at NW 161st Street and NW 6th Avenue. Bellamonte proposes to develop the subject parcel with a 420-unit multifamily residential development of four five-story residential buildings, inclusive of 84 workforce housing units, an outdoor courtyard, clubhouse, pool area, tot lot, and a 728-space parking garage. 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 Medium-High Density Residential (MHDR) on the Adopted 2030-2040 Land Use Plan map. Uses permitted uses are apartment buildings ranging in density from 25 to 60 units per acre. The height of the buildings and thus attainment of maximum densities greatly depends on the dimensions of the site, location, available services, parking and compatibility with and impact on surrounding development.

The subject parcel is zoned Planned Area Development District (PAD). The intent of this district is to fulfill the housing needs and provide convenient retail services to residents in various income levels and lifestyles. The development will include a mix of market rate and workforce units.

Based on the foregoing, this Department finds that the Bellamonte project as proposed would generally be consistent with the goals, objectives, and policies of the CDMP and is permissible under the referenced land development regulations.



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

JB:GR:GA



MEMORANDUM

(Revised)

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

DATE: November 15, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(K)

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(K)
11-15-22

RESOLUTION NO. R-1094-22

RESOLUTION TAKING ACTION, AFTER PUBLIC HEARING, ON PROPOSAL OF BELLAMONTE AT GOLDEN GLADES, LLC TO DESIGNATE REAL PROPERTY LOCATED AT THE INTERSECTION OF NW 161ST STREET AND NW 6TH AVENUE, MIAMI-DADE COUNTY, FLORIDA 33169, ALSO IDENTIFIED BY FOLIO NUMBER 30-2113-036-0010, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, WHICH SHALL BE KNOWN AS THE BELLAMONTE AT GOLDEN GLADES 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 Bellamonte at Golden Glades, LLC, attached hereto as exhibit 1, to designate real property located at the intersection of NW 161st Street and NW 6th Avenue, Miami-Dade County, Florida 33169, also identified by Folio Number 30-2113-036-0110 and further identified in exhibit 2 (the “subject property”), as a brownfield area to be known as the “Bellamonte at Golden Glades 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 Bellamonte at Golden Glades, LLC must establish for this Board to designate the subject property as a brownfield area, and finds that Bellamonte at Golden Glades, 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.

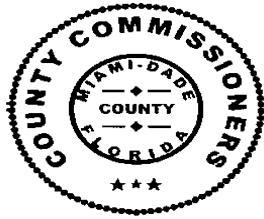
Section 2. This Board accepts the proposal submitted by Bellamonte at Golden Glades, LLC and designates the real property identified in exhibit 2, attached hereto and incorporated herein by reference, as a brownfield area under the Brownfields Redevelopment Act. This brownfield area shall be known as the “Bellamonte at Golden Glades 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 **Oliver G. Gilbert, III** , 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	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	absent
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 15th day of November, 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Brett C. Brumund, Esq.
Direct Dial: (305) 640-5300
Email: bbrumund@goldsteinenvlaw.com

August 25, 2022

Via Email

Ms. Freenette Williams, 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 NW 161st Street and NW 6th Avenue, Miami-Dade County, FL as a Brownfield Area Pursuant to §376.80(2)(c), Florida Statutes

Dear Ms. Williams:

On behalf of Bellamonte at Golden Glades, LLC (“Bellamonte”), we are pleased to submit the enclosed Application for Brownfield Area Designation and supporting materials concerning the parcel located at the intersection of NW 161st Street and NW 6th Avenue, Miami-Dade County, FL, occupying Folio Number 30-2113-036-0010 (the “Subject Property”), as a Brownfield Area pursuant to Chapter 376.80(2)(c), Florida Statutes.¹ Bellamonte is redeveloping the Subject Property with a five story, 420-unit multifamily residential building inclusive of 84 workforce housing units, an outdoor courtyard, club house, pool area, and tot lot. The completed development will have an estimated cost of approximately \$78 million. A legal description and property card depicting the Subject Property’s location are enclosed at Exhibit B.

Bellamonte is applying for the Brownfield Area Designation due to the presence of actual contamination on the Subject Property likely resulting from its historical uses. This has required that Bellamonte incur significant time and expense to further evaluate the environmental risk associated

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
August 25, 2022
Page 2

with redevelopment. The designation has thus become a key part of this ambitious project's ultimate viability by enabling Bellamonte 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, Bellamonte 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.



Brett C. Brumund
/bcb

Enclosures

cc: Bellamonte at Golden Glades, 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)375-2845 and ask for Ms. Freenette Williams.

I. PROPERTY INFORMATION

Property Address NW 161st Street and NW 6th Avenue

Property Name Bellamonte at Golden Glades

City Miami-Dade County State FL Zip Code 33169

Property Size (acres/square feet) 7.09 acres

Parcel Number(s) N/A

Folio Number 30-2113-036-0010

Zoning Planned Area Development

DERM File Number HWR-1125

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.

None.

Describe all liens on the property.

None.

II. PROJECT DESCRIPTION

Briefly describe the project and the anticipated redevelopment plan.

Bellamonte at Golden Glades will feature four, five-story buildings, a modern clubhouse, and amenity spaces.
The development will consist of 420 one-, two-, and three-bedroom residential units.

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

The Applicant identified metals and pesticides in soil and groundwater above applicable Cleanup Target Levels. 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 Bellamonte at Golden Glades, LLC

Address 12895 SW 132nd Street

City Miami State FL Zip Code 33186

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 _____ FL _____ 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 Applicant.

_____ 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:

**Department of Regulatory & Economic Resources
Planning Research & Economic Analysis Section**

111 NW 1st Street – 12th Floor

Miami, FL 33128

305 375-2845

<http://www.miamidade.gov/planning/research.asp>

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: 8/25/2022

Print / Type Name: Ricardo Blas

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:

Tract A, of BEACON SQUARE, according to the Plat thereof, as recorded in Plat Book 165, Page 94, of the Public Records of Miami-Dade County, Florida.

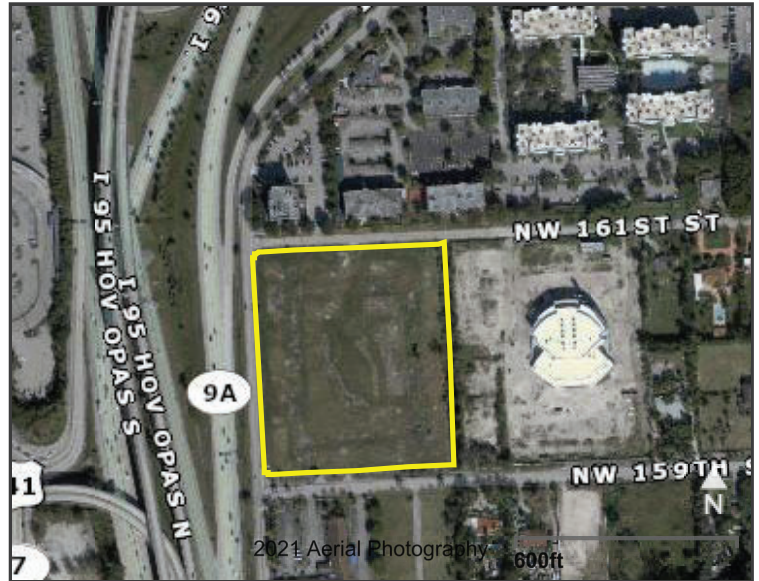


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 7/19/2022

Property Information	
Folio:	30-2113-036-0010
Property Address:	
Owner	BELLAMONTE AT GOLDEN GLADES LLC
Mailing Address	12895 SW 132 ST STE 202 MIAMI, FL 33186 USA
PA Primary Zone	9400 PLANNED AREA DEVELOPMENT
Primary Land Use	1066 VACANT LAND - COMMERCIAL : EXTRA FEA OTHER THAN PARKING
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	309,611 Sq.Ft
Year Built	0



Assessment Information			
Year	2022	2021	2020
Land Value	\$7,121,053	\$2,786,499	\$2,476,888
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$7,121,053	\$2,786,499	\$2,476,888
Assessed Value	\$7,121,053	\$1,971,120	\$1,791,928

Benefits Information				
Benefit	Type	2022	2021	2020
Non-Homestead Cap	Assessment Reduction		\$815,379	\$684,960
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
BEACON SQUARE	
PB 165-094 T-22263	
TR A	
LOT SIZE 309611 SQ FT	
FAU 30 2113 001 0160 THRU 0180 &	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$7,121,053	\$1,971,120	\$1,791,928
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$7,121,053	\$2,786,499	\$2,476,888
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$7,121,053	\$1,971,120	\$1,791,928

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
09/23/2021	\$12,000,000	32765-2923	Qual by exam of deed
07/01/2007	\$0	25777-0550	Sales which are disqualified as a result of examination of the 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:

MDC024

Exhibit C

Brownfield Area Designation Eligibility Statement

Bellamonte at Golden Glades Green Reuse Area NW 161st Street and NW 6th Avenue, Miami-Dade County, FL Folio Number 30-2113-036-0010

Bellamonte at Golden Glades, LLC (“Bellamonte”) proposes to redevelop and rehabilitate one parcel of land located at the intersection of NW 161st Street and NW 6th Avenue, Miami-Dade County, FL, occupying Folio Number 30-2113-036-0010 (the “Subject Property”), as a multifamily residential development. Bellamonte’s proposed development will consist of a four, five-story residential building with 420 residential units inclusive of 84 workforce housing units, a 728-space parking garage, and residential amenities including an outdoor courtyard, club house, pool area, and tot lot (the “Project”).¹ 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.² 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.”

Bellamonte satisfies this criterion in that it owns the Subject Property and has agreed to redevelop and rehabilitate it.³ Accordingly, Bellamonte 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.”

Bellamonte satisfies this criterion in that the Project will result in significant economic productivity of the area. The budget for rehabilitation and redevelopment is approximately \$78 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 250 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

¹ The proposed site plan can be found at Attachment A to this Eligibility Statement.

² A copy of § 376.80, Florida Statutes, can be found at Attachment B to this Eligibility Statement.

³ The deed for the Subject Property can be found at Attachment C to this Eligibility Statement.

in a Typical State,⁴ NAHB published models that estimate the local economic benefits of single-family developments and 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 420 residential units would be as follows:

Economic Productivity for the Bellamonte Development – Year of Construction

\$49.1 million in local income
676 local jobs

Economic Productivity for the Bellamonte Development – Annually Recurring

\$10.9 million in local income
185 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 20 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, Bellamonte 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."

Bellamonte satisfies this criterion in that the Subject Property is being developed in accordance with the Planned Area Development District requirements approved by the Miami-Dade County Board of County Commissioners through Resolution No. Z-27-21.⁵ Resolution No. Z-27-21 establishes a maximum density of 425 residential units and maximum height of five stories at the Subject Property. The Project will also be developed substantially in compliance with the Declaration of Restrictions recorded on May 24,

⁴ 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>.

⁵ See Attachment D for a copy of Resolution No. Z-27-21.

2019, requiring that at least 20% of the Project's residential units be classified as workforce housing.⁶ The Project's planned 420 residential units, including 84 workforce housing units, in five story buildings places the Project well within the amount permissible for the Subject Property. Accordingly, Bellamonte 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.

Bellamonte 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 on August 25, 2022;*
- (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 Bellamonte at Golden Glades, LLC, will hold a virtual community meeting on September 15, 2022, from 5:30 p.m. until not later than 7:00 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions on the potential designation of land located at the intersection of NW 161st Street and NW 6th Avenue, Miami-Dade County, FL 33169, folio number 30-2113-036-0010, as a Green Reuse Area. The designation is being made pursuant to Section 376.80(2)(c), Florida Statutes, of Florida's Brownfields Redevelopment Act and will involve two public hearings before the Miami Dade County Board of County Commissioners, dates to be announced.

The virtual community meeting, which will also address future improvements and rehabilitation activities planned for the park, is free and open to all members of the public. Please register at <https://bit.ly/gelf-161>, call (305) 640-5300, or email bbrumund@goldsteinenvlaw.com before the meeting to receive meeting access instructions. For additional instructions on how to join, or to provide comments and suggestions regarding designation or rehabilitation at any time before or after the meeting date, please contact the Applicant's representative, 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."

⁶ See Attachment E for a copy of the recorded Declaration of Restrictions.

The total capital budget of approximately \$78 million for the Project is to be fully funded through a combination of debt financing, equity, and the financial resources of Bellamonte's principal, Resia (formerly AHS Residential).⁷ Resia is a vertically integrated real estate company that develops, builds, and manages multi-family rental communities across the United States. With an impressive portfolio of multifamily residential developments, including several within Miami-Dade County, Resia has a proven history of successfully delivering largescale projects like what is planned for the Subject Property. Specifically, 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 Bellamonte 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 revealed concentrations of dieldrin and arsenic in soil above applicable cleanup target levels as well as dieldrin and iron in groundwater above cleanup target levels.⁸ The exact source of the contamination is unknown but may be attributable to agricultural use of the Subject Property until at least 1951 as well as use of a portion of the Subject Property as a tree farm between approximately 1991 and 2005. Agricultural use is commonly associated with the application of chemical pesticides and herbicides containing arsenic and dieldrin. These chemicals can accumulate in soil over time and tend to persist until removed or treated.

Bellamonte 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. The presence of contaminated groundwater also generates redevelopment complications such as by requiring special procedures for 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, Bellamonte 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.⁹

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 Bellamonte 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

⁷ See Financial Assurances Letter from Thiago Caixeta, Chief Financial Officer for Resia, at [Attachment F](#).

⁸ An excerpt from the Summary of Soil and Groundwater Sampling prepared by environmental consulting firm Mechling Engineering & Consulting, Inc. and submitted to Miami-Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management on September 23, 2021, is enclosed at [Attachment G](#).

⁹ 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.

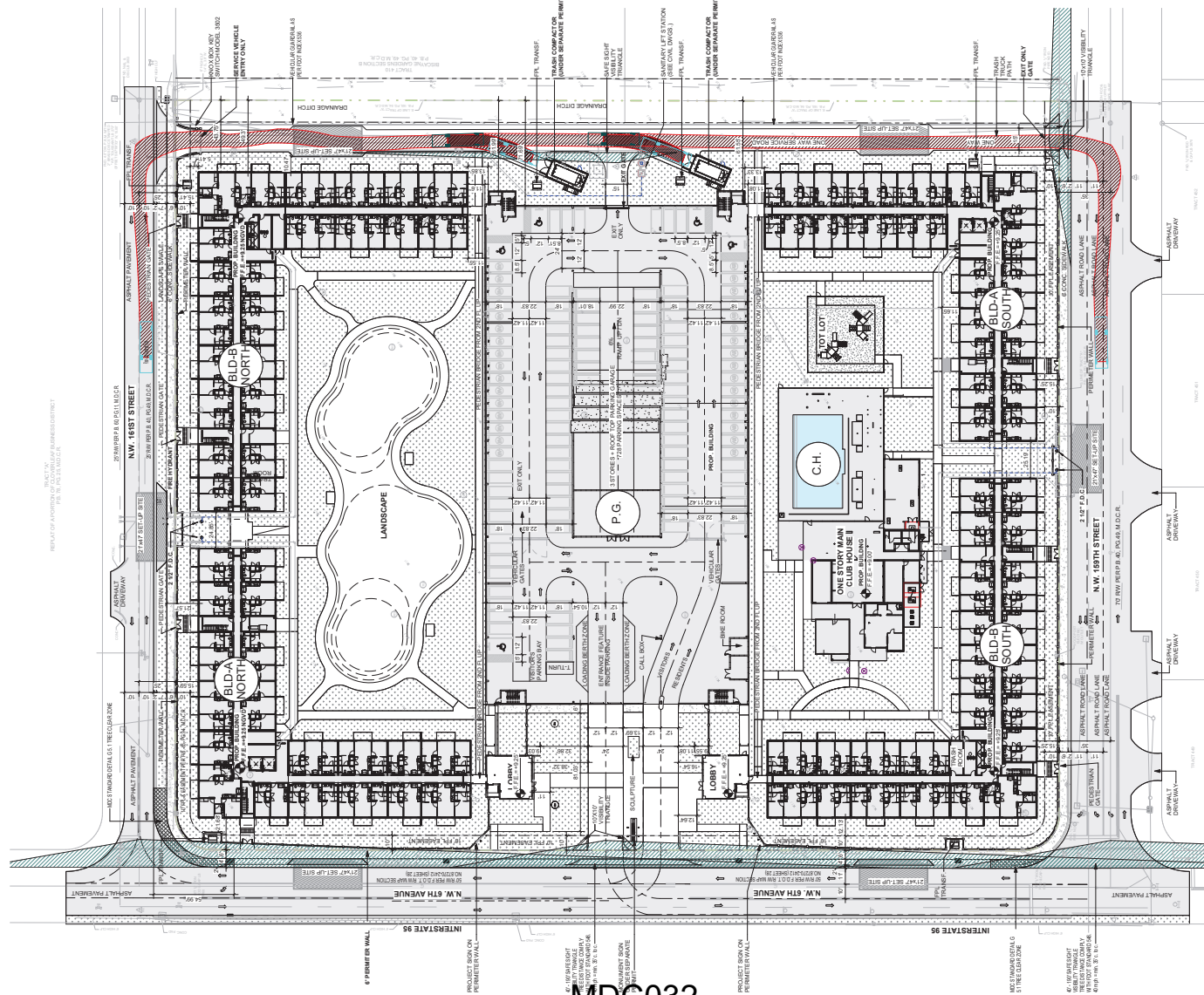
put the Project to a more certain financial ground. In this sense, the designation will not only play a critical role in the successful redevelopment of the Subject Property, but also in the larger revitalization efforts for this area of the County.

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

Bellamonte 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

[illegible][illegible][illegible]

Attachment B

Select Year: 2021 ▼

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

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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 C

This instrument prepared by:
Kerry E. Rosenthal, Esq.
Rosenthal Rosenthal Rasco
20900 N.E. 30th Avenue, Suite 600
Aventura, Florida 33180
(305) 937-0300

Record and return to:
Stearns Weaver Miller, Weissler, et al
150 West Flagler Street, Suite 2200
Miami, FL 33130

Folio No. 30-2113-036-0010

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 23 day of September, 2021, between **BHI MONTEBELLA, LLC, a Delaware limited liability company, by merger and formerly known as BEACON SQUARE REVOCABLE STATUTORY TRUST, a Delaware statutory trust**, Grantor*, whose address is 2980 N.E. 207th Street, Suite 705, Aventura, FL 33180, Grantor* and **BELLAMONTE AT GOLDEN GLADES, LLC, a Florida limited liability company**, Grantee*, whose address is: 12895 S.W. 132nd Street, Suite 202, Miami, FL 33186.

WITNESSETH, that said Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, the Grantee's heirs and assigns forever, the following described land, situate, lying and being in Miami-Dade County, Florida, to-wit:

Tract A, of BEACON SQUARE, according to the Plat thereof, as recorded in Plat Book 165, at Page 94, of the Public Records of Miami-Dade County, Florida.

Together with all of the tenements, hereditaments, appurtenances and all rights to sell, transfer or apply any density bonuses resulting from complying with Miami-Dade County's Workforce Housing Program codified at Chapter 33 Article XIIA of the Code of Miami-Dade County.

SUBJECT TO:

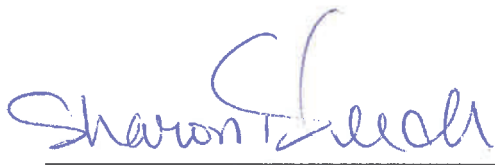
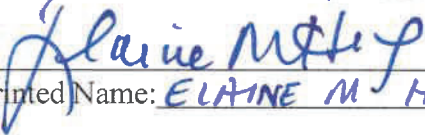
1. Covenant, conditions, restrictions, limitations, easements, reservations, and limitations of record, if any; however this provision shall not serve to reimpose same;
2. All applicable building and zoning regulations and ordinances imposed by applicable governmental authorities;
3. Those certain matters set forth on Schedule 1 attached hereto; and
4. Taxes for the year 2021 and subsequent years.

TO HAVE AND TO HOLD the same unto the Grantee in fee simple. And the said Grantor does hereby covenant with the Grantee that it will defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:


Printed name: SHARON D. LEECH

Printed Name: ELAINE M. HING

BHI MONTEBELLA, LLC,
a Delaware limited liability company,
by merger and formerly known as BEACON
SQUARE REVOCABLE STATUTORY TRUST, a
Delaware statutory trust

By: 
Edward Kopetman a/k/a Ed Kopetman,
its Manager

STATE OF FLORIDA)
 ss
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 22nd day of September, 2021, by means of physical presence, by Edward Kopetman a/k/a Ed Kopetman, as Manager of BHI MONTEBELLA, LLC, a Delaware limited liability company, by merger and formerly known as BEACON SQUARE REVOCABLE STATUTORY TRUST, a Delaware statutory trust. He is ✓ personally known to me or has produced as identification.

My Commission expires:



ELAINE M. HING
Commission # GG 179481
Expires March 19, 2022
Bonded Thru Budget Notary Services


Notary Public

ELAINE M. HING
(Name typed, printed or stamped)

(Serial number, if any)

SCHEDULE 1
TO SPECIAL WARRANTY DEED

1. Matters shown on the Plat of Biscayne Gardens, recorded in Plat Book 40, Page 49, of the Public Records of Miami-Dade County, Florida.
2. Matters shown on the Plat of Beacon Square, recorded in Plat Book 165, Page 94, as affected by Official Records Book 25463, Page 3517; Official Records Book 25463, Page 3518 and Official Records Book 25532, Page 2889, of the Public Records of Miami-Dade County, Florida.
3. Easement for Canal Construction and Maintenance recorded in Deed Book 2960, Page 93, of the Public Records of Miami-Dade County, Florida.
4. Agreed Order Relating to Water Service recorded in Official Records Book 12740, Page 3058, Official Records Book 13177, Page 1683, of the Public Records of Miami-Dade County, Florida.
5. Declaration of Restrictions concerning Monetary School Contribution recorded in Official Records Book 22841, Page 1148, of the Public Records of Miami-Dade County, Florida.
6. Declaration of Restrictions pertaining to Land Use recorded in Official Records Book 23541, Page 1624, of the Public Records of Miami-Dade County, Florida.
7. Utilization of Severable Use Rights recorded in Official Records Book 23696, Page 1256, of the Public Records of Miami-Dade County, Florida.
8. Unity of Title recorded in Official Records Book 23889, Page 495, of the Public Records of Miami-Dade County, Florida.
9. Covenant pertaining to Sewer Service recorded in Official Records Book 23889, Page 508, of the Public Records of Miami-Dade County, Florida.
10. Entrance Feature Maintenance Agreement recorded in Official Records Book 24489, Page 2548, of the Public Records of Miami-Dade County, Florida.
11. Ordinance 06-52 Special Taxing District recorded in Official Records Book 24526, Page 4257, of the Public Records of Miami-Dade County, Florida.
12. Assessment Roll Resolution R-370-06 Special Taxing District recorded in Official Records Book 24935, Page 1981, of the Public Records of Miami-Dade County, Florida.
13. Grant of Perpetual Non-Exclusive Easement recorded in Official Records Book 25518, Page 4362, of the Public Records of Miami-Dade County, Florida.
14. Declaration of Covenant for Special Taxing District recorded in Official Records Book 25555, Page 1379, of the Public Records of Miami-Dade County, Florida.
15. Agreement for Sanitary Sewage Facilities recorded in Official Records Book 25721, Page 4164, of the Public Records of Miami-Dade County, Florida.
16. Declaration of Restrictions recorded May 24, 2019 recorded in Official Records Book 31456, Page 1993, of the Public Records of Miami-Dade County, Florida.
17. Planned Area Development Agreement recorded August 31, 2021, in Official Records Book 32711, Page 920, of the Public Records of Miami-Dade County, Florida.

Attachment D

Approved: _____ Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-27-21

WHEREAS, **BHI MONTEBELLA, LLC**, applied to Community Zoning Appeals Board

8 for the following:

(1) DISTRICT BOUNDARY CHANGE from RU-3M, Minimum Apartment House District, to PAD, Planned Area Development District.

(2) DELETION of a Declaration of Restrictions recorded in Official Records Book 23541 Pages 1624 - 1632.

The purpose of request #2 is to allow the applicant to delete a prior covenant in order to allow the applicant to develop the subject property with a multi-family residential use under the proposed zoning district.

(3) NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required).

(4) NON-USE VARIANCE to permit a total of 5 Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required).

(5) NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of the right-of-way (not permitted).

SUBJECT PROPERTY: Tract "A" of BEACON SQUARE, according to the Plat thereof, as recorded in Plat Book 165, Page 94, of the Public Records of Miami-Dade County, Florida.

LOCATION: Lying east of NW 6 Avenue, between NW 159 Street and NW 161 Street, aka 15900 NW 6 Avenue, Miami-Dade County, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 8 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and upon due and proper consideration having been given to the matter it was the opinion of Community Zoning Appeals Board 8 that the requested DISTRICT BOUNDARY CHANGE from RU-3M,

Minimum Apartment House District, to PAD, Planned Area Development District (Request #1), the requested DELETION of a Declaration of Restrictions recorded in Official Records Book 23541 Pages 1624 - 1632 (Request #2), the requested NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required) (Request #3), the requested NON-USE VARIANCE to permit a total of 5 Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required) (Request #4) and the requested NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of the right-of-way (not permitted) (Request #5) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and said application was denied without prejudice by Resolution No. CZAB8-9-21, and

WHEREAS, BHI MONTEBELLA, LLC, appealed the decision of Community Zoning Appeals Board 8 to the Board of County Commissioners for the following:

- (1) DISTRICT BOUNDARY CHANGE from RU-3M, Minimum Apartment House District, to PAD, Planned Area Development District.
- (2) DELETION of a Declaration of Restrictions recorded in Official Records Book 23541 Pages 1624 - 1632.

The purpose of request #2 is to allow the applicant to delete a prior covenant in order to allow the applicant to develop the subject property with a multi-family residential use under the proposed zoning district.

- (3) NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required).
- (4) NON-USE VARIANCE to permit a total of 5 Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required).
- (5) NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of the right-of-way (not permitted).

SUBJECT PROPERTY: Tract "A" of BEACON SQUARE, according to the Plat thereof, as recorded in Plat Book 165, Page 94, of the Public Records of Miami-Dade County, Florida.

LOCATION: Lying east of NW 6 Avenue, between NW 159 Street and NW 161 Street, aka 15900 NW 6 Avenue, Miami-Dade County, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant requested permission to withdraw the requested NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required) (Request #3) and the requested NON-USE VARIANCE to permit a total of 5 Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required) (Request #4) and at this time the applicant proffered a Planned Area Development Agreement which among other things provided:

1. **Site Plan.** That in the approval of the plan, the same be substantially in accordance with that submitted for Public Hearing entitled "Stellar Golden Glades," as prepared by Dorsky + Yue International, LLC, with one cover sheet and twenty-five sheets dated stamped received May 11 , 2021 , one sheet dated February 9, 2021 , and one sheet dated September 18, 2020, as well as two sheets as prepared by Langan dated December 22, 2020, and with landscaping plans by Witkin Hults Design Group consisting of six sheets dated stamped received May 11 , 2021 for a total of thirty-six sheets, except that the plan shall be modified to limit the number of residential units to 425 and to restrict the maximum building height to 5 stories.
2. **Maximum Density and Height.** The Property shall be limited to a maximum of 425 units and the height of the buildings shall be a maximum of 5 stories.
3. **Biscayne Gardens Civic Association Review.** Prior to submitting a modified plan to the Department of Regulatory and Economic Resources (the "Department"), the Owner shall present its plan to the Biscayne Gardens Civic Association for its review and the Owner shall provide evidence to the Department of the Owner's presentation to the Association.

4. **Workforce Housing Restriction.** The Property shall be developed with 20 percent of its units as Workforce Housing Units, pursuant to the provisions of Article XIIA of Chapter 33 of the Miami-Dade County Code.
5. **Development Schedule.** Development of the Property is projected to commence no later than 24 months following the final approval of the Application. Completion of the project is estimated to be no less than 10 years from the date of commencement.
6. **Additional Quantitative Data.**
 - a. **Total Number of Bedrooms.** The total number of bedrooms on the Property shall not exceed 1,092 bedrooms.
 - b. **Total Building Coverage.** The total coverage of building at ground level for the Property shall not exceed $\pm$ 3.22 acres, or 45 percent of the PAD Property.
 - c. **Open Space.** The area of common open space for the Property shall consist of at least $\pm$ 3.05 acres, or 43 percent of the PAD Property.
 - d. **Total Nonresidential Construction.** The total nonresidential construction shall not exceed 346,338 sq. ft.
 - e. **Private Roads.** The area of those private roadways and parking area shown as private on the Plans shall be no less than $\pm$ 36,355 Acres.
 - f. **Population Projection.** The estimated population projection resulting from the development of the Property is 1,211 people or an average of 2.06 persons per unit.
7. **Types of Dwelling Units.** The Owner agrees that the Property shall be developed with multifamily dwelling units. The dwelling units will range between 525 to 1,000 sq. ft. and one (1) two (2), and three (3) bedroom units.
8. **Accessory Uses.** The Owner agrees that the accessory uses on the Property may include entrance features, guard houses, swimming pool, fitness center, and all other uses related and incidental thereto shall be in substantial compliance with the Plan.
9. **Pedestrian and Vehicular Access.** The Owner agrees to provide permanent and safe access for pedestrian and vehicular traffic within the Property at all times. Access will also be provided to fire, police, health, sanitation, and other public service personnel and vehicles. Furthermore, all streets or access ways within the Property shall be installed by the Owner, including, but not limited to, sidewalks, drainage facilities, water, sewers, and fire hydrants, subject to the approval of the appropriate departments of Miami-Dade County
10. **Entrance Features.** The Owner agrees that all entrance features depicted on the Plans may require the submittal of a separate entrance feature application(s) in accordance with Article VI, Division 4, Chapter 33, of the Code of Miami-Dade County.

11. **Water and Sewer Provider.** The Property shall be connected to public water and sewer via a public utility.
12. **Residential Parking.** All parking for the Property shall be provided on-site. If any off-site parking is required, the Owner shall be responsible for paying any applicable parking permit fees.
13. **Environmental Mitigation.** In the event environmental mitigation is required on the Property, any said mitigation shall be completed at the Owner's expense. This obligation shall not apply to future individual lot or unit owners.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, after reviewing the record and decision of the Miami-Dade County Zoning Appeals Board 8 and after having given an opportunity for interested parties to be heard, it is the opinion of the Board of County Commissioners, Miami-Dade County, Florida, that the grounds and reasons alleged by the appellant specified in the appeal were sufficient to merit a reversal of the ruling made by the Community Zoning Appeals Board in Resolution No. CZAB8-9-21 and that the appeal should be approved and the decision of Community Zoning Appeals Board 8 should be overruled, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested DISTRICT BOUNDARY CHANGE from RU-3M, Minimum Apartment House District, to PAD, Planned Area Development District (Request #1) would be consistent with the Comprehensive Development Master Plan and would be compatible with the neighbourhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the request to withdraw the requested NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required) (Request #3) and the requested NON-USE VARIANCE to permit a total of 5

Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required) (Request #4) should be granted, and that the proffered Planned Area Development Agreement should be accepted, and

WHEREAS, the requested DELETION of a Declaration of Restrictions recorded in Official Records Book 23541 Pages 1624 - 1632 (Request #2) and the requested NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of the right-of-way (not permitted) (Request #5), would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

WHEREAS, a motion to grant the appeal as amended and overrule the decision of Community Zoning Appeals Board 8, to approve the application (Requests #1, #2 and #5), to grant the withdrawal of Requests #3 and #4, and to accept the proffered Planned Area Development Agreement was offered by Commissioner Jean Monestime, seconded by Commissioner Eileen Higgins and upon a poll of the members present the vote was as follows:

Danielle Cohen Higgins	aye	Joe A. Martinez	aye
Sen. Rene Garcia	aye	Kionne L. McGhee	absent
Oliver G. Gilbert, III	aye	Jean Monestime	aye
Keon Hardemon	absent	Raquel A. Regalado	aye
Sally A. Heyman	aye	Rebeca Sosa	absent
Eileen Higgins	aye	Sen. Javier D. Souto	absent

Jose "Pepe" Diaz nay

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners, Miami-Dade County, Florida, that the appeal be and the same is hereby approved as amended and the decision of Community Zoning Appeals Board 8 is overruled.

BE IT FURTHER RESOLVED, that Resolution No. CZAB8-9-21 is hereby null and void.

BE IT FURTHER RESOLVED that the requested DISTRICT BOUNDARY CHANGE from RU-3M, Minimum Apartment House District, to PAD, Planned Area Development District (Request #1) be and the same is hereby approved, subject to the proffered PAD Agreement, and said property is hereby zoned accordingly.

BE IT FURTHER RESOLVED that the requested DELETION of a Declaration of Restrictions recorded in Official Records Book 23541 Pages 1624 - 1632 (Request #2) and the requested NON-USE VARIANCE to permit off-street parking and driveways to be located within 25' of the right-of-way (not permitted) (Request #5) be and the same are hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for Public Hearing entitled "Stellar Golden Glades," as prepared by Dorsky + Yue International, LLC, with one cover sheet and twenty-five sheets dated stamped received May 11 , 2021 , one sheet dated February 9, 2021 , and one sheet dated September 18, 2020, as well as two sheets as prepared by Langan dated December 22, 2020, and with landscaping plans by Witkin Hults Design Group consisting of six sheets dated stamped received May 11 , 2021 for a total of thirty-six sheets, except that the plan shall be modified to limit the number of residential units to 425 and to restrict the maximum building height to 5 stories.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicants submit to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
5. That the applicant revise the previously submitted PAD agreement in accordance with the foregoing proffered terms, limiting the number of units to 425, restricting the height to a maximum of 5 stories, specifying that if any off-site parking is required, the Owner shall be responsible for paying any applicable parking permit

fees, and revising Paragraph 10 - Water and Sewer Provider to provide, "The property shall be connected to public water and sewer via a public utility," and submit the revised PAD agreement in legally sufficient and recordable form to the Department.

6. That the applicant shall submit a revised plan in accordance with the foregoing conditions to the Department for an Administrative Site Plan Review (ASPR) prior to applying for a building permit
7. That prior to submitting revised plans to the Department, the applicant shall meet with and provide the revised plans to the Biscayne Gardens Civic Association for their review, and provide evidence of the meeting and submission to the Department.
8. That the applicant complies with all applicable conditions and requirements from the Department of Transportation and Public Works (DTPW) as indicated in the memorandum dated February 25, 2021.

BE IT FURTHER RESOLVED, that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, that the request to withdraw the requested NON-USE VARIANCE to permit a total of 886 parking spaces (1008 parking spaces required) (Request #3) and the requested NON-USE VARIANCE to permit a total of 5 Electrical Vehicle Supply Equipment (EVSE) parking spaces (101 EVSE parking spaces required) (Request #4) be and the same are hereby approved and said Requests are hereby withdrawn without prejudice.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 21st day of July, 2021, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

cl

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida

MELISSA ADAMES

By _____
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 10TH DAY OF AUGUST, 2021.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Claudia Luna, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-27-21 adopted by said Board of County Commissioners at its meeting held on the 21st day of July, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 10th day of August, 2021.



Claudia Luna, Deputy Clerk (160446)
Miami-Dade County Department of Regulatory and Economic
Resources

SEAL



MDC053



Department of Regulatory and Economic Resources

Development Services Division
111 NW 1st Street • Suite 1110
Miami, Florida 33128-1902
T 305-375-2640
www.miamidade.gov/economy

August 10, 2021

BHI Montebella, LLC
c/o Pedro Gassant
701 Brickell Avenue, Suite 3300
Miami, Florida 33131

Re: Hearing No. 20-043
Location: Lying east of NW 6 Avenue, between NW 159 Street and NW 161 Street, aka 15900 NW 6 Avenue, Miami-Dade County, Florida

Dear Applicant:

Enclosed herewith is Resolution No. Z-27-21, adopted by the Board of County Commissioners which approved your appeal and reversed the decision of Community Zoning Appeals Board 8 on the above described property. Specifically, the Board approved the request for a District Boundary Change to PAD (Planned Area Development District), approved the Requests #2 and #5, and approved the withdrawal of Requests #3 and #4 without prejudice. Please note the conditions under which said approval was granted, since failure to comply with stipulated conditions, if any, will result in the issuance of civil violation notices requiring payment of daily fines.

If stipulated in the resolution that building permits and/or use, occupancy or completion certifies will be required, please note that permits must be obtained and final inspection approvals received for construction work done or required prior to issuance of the applicable certifies(s) pursuant to Section 33-8 of the Zoning Code. Payment of certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates may be subject to annual renewal by this Department. Application for required permits and/or certificates related to use, occupancy or completion should be made with this Department as appropriate. At time of permit application you must provide a copy of this resolution.

The Board's decision may be appealed by an aggrieved party to Circuit Court with in 30 days of the date of transmittal of the resolution to the Clerk of the County Commission. The transmittal date is **August 10, 2021**. In the event an appeal is filed, any building permit sought shall be at the risk of the party seeking said permit. Copies of any court filings concerning this matter should be served upon both my office and:

Geri Bonzon- Keenan,
County Attorney
111 N.W. 1st Street, Suite 2811
Miami, Florida 33128-1993

The County Attorney is not permitted to accept official service of process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claudia Luna".

Claudia Luna
Deputy Clerk
Enclosure

MDC054

Attachment E



CFN 20190323723
OR BK 31456 Pgs 1993-1999 (7Pgs)
RECORDED 05/24/2019 11:38:46
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This instrument was prepared by:

Name: William W. Riley, Jr., Esq.
Address: GreenspoonMarder LLP
Brickell World Plaza
600 Brickell Avenue, Suite 3600
Miami, Florida 33131

(Space reserved for Clerk)

DECLARATION OF RESTRICTIONS

WHEREAS, the undersigned BHI Montebella, LLC, a Delaware limited liability company (hereinafter referred to as the "Owner") holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property", which is supported by the Opinion of Title; and

WHEREAS, the Owner has applied for an amendment to the Miami-Dade County Comprehensive Development Master Plan (the "CDMP") in the October 2018 amendment cycle and said amendment is identified as Application No. 2 (the "Application"); and

WHEREAS, the Application seeks to re-designate the Property from "Low-Medium Density Residential" to "Medium-High Density Residential" on the Miami-Dade County Comprehensive Development Master Plan adopted Land Use Plan ("LUP") map.

NOW, THEREFORE, in order to assure Miami-Dade County that the representations made by the owner during consideration of the Application will be abided by, the Owner freely, voluntarily, and without duress makes the following Declaration of Restrictions covering and running with the Property.

Use Restriction. A minimum of twenty percent (20%) of the residential units developed on the Property shall be classified as workforce housing units and shall be developed onsite in accordance with Chapter 33, Article XIIIA of the Miami-Dade County Code of Ordinances and Miami-Dade County Implementing Order No. IO 3-60.

Sustainable Development Restriction. Development of the Property shall secure LEED or other green building certification through the incorporation of a variety of sustainable building design concepts.



Project Design. Development of the Property shall, at a minimum, incorporate the following design principles:

1. Buildings shall have abundant windows and doors at street level and incorporate a variety of architectural features and treatments on all facades such as, but not limited to: balconies; a variety of materials such as stone, metal, stucco, wood, scored stucco, concrete, brick and manufactured products resembling natural materials; modulation and articulation of building surfaces. Large expanses of opaque or blank building walls shall be avoided.

2. Expansive sidewalks with a minimum width of six feet shall abut each adjoining publicly dedicated right-of-way to encourage pedestrian activities and the use of bicycles.

3. Uniform street furniture and lighting standards shall be provided throughout the Property.

4. The development program shall include one or more outdoor playgrounds.

5. The development program shall include a climate controlled bicycle storage room capable of accommodating at least one-bicycle for every ten residential units built.

6. Development of the Property shall incorporate a freestanding artistic sculpture that is visible for the adjoining public right-of-way(s).

Covenant Running with the Land. This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. The Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

Term. This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.



Modification, Amendment, Release. This Declaration of Restrictions may be modified, amended or released as to the land herein described, or any portion thereof, by a written instrument executed by the then owner(s) of the Property, provided that the same is also approved by the Board of County Commissioners of Miami-Dade County, Florida. Any such modification, amendment or release shall be subject to the provisions governing amendments to Comprehensive Plans, as set forth in Chapter 163, Part II, Florida Statutes or successor legislation that may, from time to time, govern amendments to Comprehensive Plans (hereinafter "Chapter 163"). Such modification, amendment or release shall also be subject to the provisions governing amendments to the CDMP as set forth in Section 2-116.1 of the Code of Miami-Dade County, or successor regulations governing modifications to the CDMP. In the event that the Property is incorporated within a new municipality or annexed into an existing municipality, and the successor municipality amends, modifies, or declines to adopt the provisions of Section 2-116.1 of the Miami-Dade County Code, then modifications, amendments or releases of this Declaration shall be subject to Chapter 163 and the provisions of such ordinances as may be adopted by such successor municipality for the adoption of amendments to its comprehensive plan; or, in the event that the successor municipality does not adopt such ordinances, subject to Chapter 163 and by the provisions for the adoption of zoning district boundary changes. It is provided, however, that in the event that the successor municipality approves a modification or deletion of this Declaration of Restrictions, such modification or deletion shall not be effective until approved by the Board of County Commissioners, in accordance with applicable procedures. Should this Declaration be so modified, amended, or released, the Director of the Department of Regulatory and Economic Resources or the executive officer of a successor department, or, in the absence of such Director or executive officer, by his or her assistant in charge of the office in his/her absence, shall execute a written instrument effectuating and acknowledging such modification, amendment, or release.

Enforcement. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.



County Inspections. As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

Authorization for Miami-Dade County (or successor municipality) to Withhold Permits and Inspections. In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County (or successor municipality) is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

Election of Remedies. All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

Presumption of Compliance. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County (or successor municipality), and inspections made and approval of occupancy given by the County (or successor municipality), then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.

Severability. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion.

Recordation and Effective Date. This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application by the Board of County Commissioners. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of



the Department of Regulatory and Economic Resources or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

Acceptance of Declaration. The Owner acknowledges that acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners retains its full power and authority to deny each such application in whole or in part and decline to accept any conveyance.

Owner. The term Owner shall include all heirs, assigns, and successors in interest.

[Execution Pages Follow]



WITNESSES

Valerie Pio
Signature

Valerie Pio
Print Name

Laura Metendez
Signature

Laura Metendez
Print Name

BHI MONTEBELLA, LLC,
a Delaware limited liability company

By [Signature]

Print Name: ED KOPETMAN

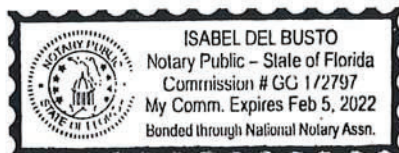
Title: MANAGER

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

The foregoing instrument was acknowledged before me by
_____ He/she is ~~personally known to me~~ or has
produced _____ as identification.

Witness my signature and official seal this 10 day of April,
2018 in the County, and State aforesaid.

Isabel Del Busto
Notary Public - State of Florida



Isabel Del Busto
Print Name

My Commission No.: 21 / 2022



EXHIBIT "A"

LEGAL DESCRIPTION

Tract A, of Beacon Square, according to the Plat thereof, as recorded in Plat Book 165, at Page 94, of the Public Records of Miami-Dade County, Florida.

Folio No.: 30-2113-036-0010

STATE OF FLORIDA, COUNTY OF DADE
HEREBY CERTIFY that this is a true copy of the
original filed in this office on
MAY 2 2019 A.D. 20
WITNESSE my hand and Official Seal
HARVEY H. HARRIS, CLERK, of Dade County Court
SHAKIERRA BRAZIL #162588



OPINION OF TITLE

To: **Miami-Dade County**

With the understanding that this Opinion of Title is furnished to Miami-Dade County, as inducement for acceptance of a Declaration of Restrictions pursuant to Application No. 2 of the Miami-Dade County Comprehensive Development Master Plan October 2018 Cycle, it is hereby certified that I have examined Attorney's Title Fund Services, LLC Title Search Report, Fund File No. 706265, with an Effective and Certified Search Date of April 30, 2019, covering the period from the BEGINNING to April 30, 2019 at the hour of 11:00 p.m. (the "Title Evidence"), inclusive of the property described on **Exhibit A** hereto. I know of no reason that this Title Evidence is inaccurate or incomplete.

I am of the opinion, based on my review of the Title Evidence that on the last mentioned date, the fee simple title to the above-described real property was vested in:

BHI Montebella LLC, a Delaware limited liability company, by merger and formally known as Beacon Square Revocable Statutory Trust, a Delaware statutory trust

Ed Kopetman, Jaime Lederman and Alberto Peisach, as Managers of BHI MONTABELLA HOLDINGS, LLC, a Florida limited liability company, Manager of BHI MONTABELLA, LLC, a Delaware limited liability company, each have individual authority to sign on behalf of the limited liability company.

Subject to the following encumbrances, liens and other exceptions (if "none" please indicate):

1. RECORDED MORTGAGES:

a. NONE.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:

a. Claim of Lien against Beacon Square Revocable Statutory Trust, a Delaware statutory trust by Miami-Dade County as recorded in O.R. Book 29988, Page 1157; O.R. Book 30519, Page 3235; O.R. Book 30693, Page 3713; O.R. Book 30869, Page 3721, Public Records of Miami-Dade County, Florida.

3. GENERAL EXCEPTIONS:

a. All taxes and assessments for the year 2019 and subsequent years.

- b. Rights of persons other than the above owners who are in possession.
- c. Facts that would be disclosed upon accurate survey.
- d. Any unrecorded labor, mechanics' or materialmens' liens.
- e. Zoning and other restrictions imposed by governmental authority.
- f. Taxes or special assessments which are not shown as existing liens in the public records.
- g. Any lien provided by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

4. SPECIAL EXCEPTIONS:

- a. All matters contained on the Plat of Biscayne Gardens, Section B, as recorded in Plat Book 40, Page 49, Public Records of Miami-Dade County, Florida.
- b. Easement for Canal Construction and Maintenance recorded in Deed Book 2960, Page 93, Public Records of Miami-Dade County, Florida.
- c. Agreed Order Relating to Water Service recorded in O.R. Book 12740, Page 3058, O.R. Book 13177, Page 1683, Public Records of Miami-Dade County, Florida.
- d. Declaration of Restrictions concerning Monetary School Contribution recorded in O.R. Book 22841, Page 1148, Public Records of Miami-Dade County, Florida.
- e. Declaration of Restrictions pertaining to Zoning Comprehensive Plan recorded in O.R. Book 22990, Page 4788, Public Records of Miami-Dade County, Florida.
- f. Declaration of Restrictions pertaining to Land Use recorded in O.R. Book 23541, Page 1624, Public Records of Miami-Dade County, Florida.
- g. Utilization of Severable Use Rights recorded in O.R. Book 23696, Page 1256, Public Records of Miami-Dade County, Florida.
- h. Unity of Title recorded in O.R. Book 23889, Page 495, Public Records of Miami-Dade County, Florida.
- i. Covenant pertaining to Sewer Service recorded in O.R. Book 23889, Page 508, Public Records of Miami-Dade County, Florida.
- j. Agreement for Sanitary Sewage Facilities recorded in O.R. Book 23889, Page 754, Public Records of Miami-Dade County, Florida.

- k. Entrance Feature Maintenance Agreement recorded in O.R. Book 24489, Page 2548, Public Records of Miami-Dade County, Florida.
- l. Ordinance 06-52 Special Taxing District recorded in O.R. Book 24526, Page 4257, Public Records of Miami-Dade County, Florida.
- m. Assessment Roll Resolution R-370-06 Special Taxing District recorded in O.R. Book 24935, Page 1981, Public Records of Miami-Dade County, Florida.
- n. Agreement for Sanitary Sewage Facilities recorded in O.R. Book 25127, Page 2807, Public Records of Miami-Dade County, Florida.
- o. Grant of Perpetual Non-Exclusive Easement recorded in O.R. Book 25518, Page 4362, Public Records of Miami-Dade County, Florida.
- p. Declaration of Covenant for Special Taxing District recorded in O.R. Book 25555, Page 1379, Public Records of Miami-Dade County, Florida.
- q. Agreement for Sanitary Sewage Facilities recorded in O.R. Book 25721, Page 4164, Public Records of Miami-Dade County, Florida.
- r. All matters contained on the Plat of Beacon Square, as recorded in Plat Book 165, Page 94, Public Records of Miami-Dade County, Florida.

I HEREBY CERTIFY that I have reviewed all of the aforementioned encumbrances and exceptions and that none of them hinder or affect the recording or enforcement of the Declaration of Restrictions.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the Covenant a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
None	None	N/A

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
70625	Attorney's Title Fund Services, LLC	20	Beginning to March 14, 2019

I HEREBY CERTIFY that the legal description contained in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned, further certify that I am an attorney at law duly admitted to practice in the State of Florida and am a member in good standing of the Florida Bar.

Respectfully submitted this 30 day of April, 2019.



Manuel L. Crespo
Florida Bar No. 892653
Address: 600 Brickell Avenue
Suite 3600
Miami, FL 33131

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

The foregoing instrument was acknowledged before me this 30 day of April, 2019 by _____, who is personally known to me or has produced _____ as identification and did not take oath.



Print Name: Isabel Del Busto
Notary Public, State of FL
Commission No. GG172797
My Commission Expires: 02/05/2022

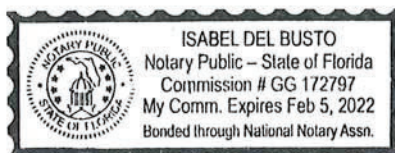


EXHIBIT "A"

LEGAL DESCRIPTION

Tract A, Beacon Square, according to the map or plat thereof as recorded in Plat Book 165,
Page 94, Public Records of Miami-Dade County, Florida.

Attachment F



August 18, 2022

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

Re: **Brownfield Designation for NW 161st St. & NW 6th Avenue, Miami, FL
(Folio: 30-2113-036-0010)**

Dear Ms. Freenette Williams,

Bellamonte at Golden Glades, LLC, a Florida limited liability company (the "Applicant"), is a wholly-owned subsidiary of Golden Glades JV, LLC, a Florida limited liability company ("Golden Glades JV"). 86.38% of the membership interests in Golden Glades JV are owned by Resia Investments, LLC, a Florida limited liability company, which in turn, is wholly owned by AHS Residential, LLC d/b/a Resia ("AHS Residential"). The Applicant is the sole owner of the above referenced site. The subject site is impacted by agricultural contamination, and as such, a Brownfield Application is being submitted as part of the rehabilitation and redevelopment plan.

This letter is to provide assurances that the Applicant has sufficient financial resources available to complete the redevelopment plan as well as any required site rehabilitation, currently estimated at \$15 million. Below is a summary of AHS Residential's balance sheet as of June 30th, 2022, reviewed by Grant Thornton (CPA):

Cash (unrestricted):	\$ 196,839,474
Assets Held for Sale:	\$ 91,501,576
Total Assets:	\$ 801,009,534
Net Worth:	\$ 584,410,468

In addition to current liquidity, assets and strong net worth, AHS Residential maintains a \$25 million working capital line of credit from City National Bank of Florida.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Thiago Caixeta".
5235647890CB457...

Thiago Caixeta
Chief Financial Officer
AHS Residential, LLC d/b/a Resia

Enclosed: AHS Residential, LLC d/b/a Resia June 30, 2022 Balance Sheet

12895 SW 132nd Street
Miami, Florida 33186
T (305) 255-5527
liveresia.com

MDC069

Attachment G

Mechling Engineering & Consulting, Inc.

1714 Belmonte Avenue
Jacksonville, Florida 32207

phone 904.346.5468
fax 800.705.1968

September 20, 2021

Mr. Joao Drummond
AHS Residential
12895 SW 132nd Street, Suite 202
Miami, Florida 33186



RE: Summary of Soil and Groundwater Sampling
Golden Glades Site
Northwest 161st Street and Northwest 6th Avenue
Miami, Florida

Dear Mr. Drummond:

Mechling Engineering & Consulting, Inc. is pleased to provide this summary of soil and groundwater sampling completed at the Golden Glades site (Site) in August 2021. As requested, the scope of work was developed to evaluate potential impacts related to alleged use of the northeast portion of the site as a plant nursery. We were provided with results of limited soil and groundwater sample analyses by the current owner and considered those results when selecting our sample locations. The scope of soil and groundwater sampling and results of sample analyses are provided below. The Site location is shown on *Figure 1*.

Soil Sampling Summary

As described in our July proposal, our primary concern with respect to soil was the potential for pesticides and arsenic to be present within 20 feet (ft) of the property boundaries at concentrations exceeding the Residential Direct Exposure or leachability Soil Cleanup Target Levels (SCTLs). Data made available by the property owner indicated that no constituents were detected in soil or groundwater samples at concentrations above the Residential SCTLs, but that dieldrin was detected in several site composite samples at concentrations exceeding the Leachability SCTLs. Miami-Dade County Division of Environmental Resources Management (DERM) requires that soil with constituents exceeding the Leachability SCTLs within 20 ft of site boundaries must be removed and replaced with clean fill. It can be managed onsite in conjunction with engineering and/or institutional (deed restriction) controls. The available soil sample analytical data was not sufficiently comprehensive to comply with requirements of a Site Assessment Report (SAR).

The maximum composite area accepted by DERM is 1 acre; therefore, we established two composite areas within 20 ft of the property boundaries, with Area 1 comprising the east and south Site boundaries and Area 2 comprising the north and west boundaries (see *Figure 2*). Samples were collected on August 10, 2021, from 10 discrete soil boring locations within each composite area by Mechling Engineering personnel. At each location, samples were collected from 0-6 inches, 6-24 inches, and 24-48 inches below ground surface (bgs). The ten samples from each depth interval were composited by the laboratory and analyzed for the constituents of concern (COCs) listed in the August 2021 DERM Site Assessment Guidance for Former Agricultural Sites in Miami-Dade County (Guidance). Although the Guidance states that composite samples can consist of samples from as few as eight boring locations (8-point composites), we elected to use 10-point composite samples because a minimum of 10 samples is required for statistical analysis of

results in the event that the discrete samples must be analyzed. This is advisable for constituents that exceed the SCTLs in any composite sample.

In total, six composite soil samples were analyzed for the COCs: three depth intervals in two composite areas. Results were similar to previous composite sample analyses with respect to dieldrin, which did not exceed the Residential SCTL, but was detected in three of the six composite samples at concentrations exceeding the Leachability SCTL, with one result being qualified (*Table 1*). However, dieldrin concentrations were below the Leachability SCTL in both composite samples from 24-48 inches. Thus, only the upper 2 ft of soil will have to be moved from within 20 ft of the property boundary and replaced with clean fill. The surficial composite sample (0-6 inches) from Area 1 contained arsenic at a concentration (5.7 milligram per kilogram (mg/kg)) exceeding the Miami-Dade County Minimum Variance Unbiased Estimate (MVUE) background for that area of Miami-Dade County (3.5 mg/kg) in the 0–6-inch interval. Based on this result, the ten 0–6-inch discrete samples from Area 1 were subsequently analyzed for arsenic. Only one sample (A1 SB13 0-6) contained arsenic at a concentration (8.3 mg/kg) exceeding the MVUE background (*Table 1*). We will prepare a statistical analysis of the 10 discrete sample results to determine whether the one sample is statistically significant. If so, then the soil represented by this discrete sample will have to either be disposed of offsite at a permitted landfill or relocated onsite beneath engineering controls. Either way, this soil cannot remain within 20 ft of the property boundary or within any areas dedicated to Miami-Dade County as right-of-way.

Groundwater Sampling Summary

After DERM revised their Guidance the week prior to our sampling activities, we modified our proposed well locations. We installed 16 monitoring wells, ten along the property boundaries (MW-1 through MW-10) and six in the interior of the property (MW-11 through MW-16). This meets the minimum density of 1 well per acre for drainage plan approval. Well locations are shown on *Figure 3*. Wells were developed by the driller until a clear discharge was observed. Development water was containerized into dedicated 55-gallon drums staged near each well. Mechling Engineering personnel collected groundwater samples on August 11, 2021. Samples were analyzed for COCs listed in the revised DERM Guidance. All COCs were either below laboratory method detection limits (MDLs) or were reported at concentrations below the applicable Groundwater Cleanup Target Levels (GCTLs), except for dieldrin and iron. Groundwater from all 16 wells was very low in dissolved oxygen and exhibited negative oxidation-reduction potential (ORP), suggesting anaerobic subsurface conditions. These conditions allow for higher concentrations of naturally occurring iron to occur in groundwater. Furthermore, groundwater from several of the wells was turbid, despite aggressive development by the driller, and the use of low-flow purging methods during sampling. In three instances where the final turbidity at the time of sample collection was high, field-filtered samples were also collected to evaluate the amount of truly dissolved iron in groundwater.

Samples from three monitoring wells (MW-7, MW-8, and MW-15) contained dieldrin at concentrations exceeding the GCTL (0.002 ug/L). Concentrations were 0.055 ug/L, 0.15 ug/L, and 0.70 ug/L, respectively (*Table 2*). Wells MW-7 and MW-8 are located near the center of the eastern property boundary and MW-15 is just west of the center of the Site. Qualified concentrations with values higher than the GCTL were reported in samples from MW-1, MW-9, MW-12, MW-14, and MW-15. The laboratory qualification indicates that the reported concentration was between the MDL and the practical quantitation limit (PQL). In such cases, the applicable sample specific GCTL defaults to the PQL, therefore, technically dieldrin does not exceed the GCTL in these five samples.

Groundwater samples from six monitoring wells (MW-5, MW-6, MW-9, MW-10, MW-12, MW-14) contained iron at concentrations that exceeded the MVUE background concentration for iron (706 ug/L). We collected field filtered samples from three wells where final sample turbidity was high and in all three cases, the iron concentration in the filtered sample was one to two orders of magnitude lower than the corresponding unfiltered sample, and all were below the MVUE concentration (*Table 2*).

Considering both dieldrin and iron concentrations in groundwater samples, the area of the site best suited for installation of storm water exfiltration trenches is along the western property boundary (Figure 5), where no constituents were reported at concentrations exceeding applicable regulatory standards.

Conclusions and Recommendations

Based on the results of our investigation and considering data from previous investigations, we conclude the following:

1. The upper 2 ft of soil from within 20 ft of the entire property boundary will have to be relocated to the interior of the Site and replaced with at least 2 ft of clean fill to final grade.
2. Soil from the boundaries can be managed onsite along with engineering controls (pavement, concrete, or 2 ft of clean fill). Soil from the upper 6 inches represented by discrete sample A1 SB13 0-6 (due to elevated arsenic in the sample) might have to be managed separately to document that it was placed beneath engineering controls. This is pending results of our statistical analysis.
3. Groundwater from dewatering activities might have to be treated to remove dieldrin and iron before discharge. It is possible that the combined effluent from a dewatering system will not produce effluent with dieldrin concentrations exceeding the discharge criteria; however, aeration and filtration will likely be required to remove iron. A relatively inexpensive contingent activated carbon treatment system would remove the residual dieldrin after iron removal, if needed.
4. A complete SAR will be required by DERM. We believe we have sufficient data to prepare a Soil Management Plan (SMP) and accompanying Dust Control Plan (DCP) and contaminant Health and Safety Plan (HASP) for submission to DERM.
5. Any further sampling required to complete the SAR can be conducted concurrently with Site development once the SMP/DCP/HASP and drainage plan are approved.

Based on these conclusions, and assuming AHS moves ahead with acquisition of the property, we recommend an initial teleconference with DERM to explain the status of the site and discuss additional sampling that might be required to complete the SAR. We recommend making the SMP and groundwater assessment in support of drainage top priorities to avoid potential construction delays.

Closure

We appreciate the opportunity to continue working with you on this and other projects. If you have any questions, or if we can serve you in any other way, please contact Jim Oliveros at 904-377-8166 or joliveros@mechlingeng.com.

Sincerely,

Mechling Engineering & Consulting, Inc.



Jim Oliveros, P.G.
Principal



Mark Mechling, P.E.
Principal

cc: Joe Ullo, Esquire – Stearns Weaver

Attachment: Table 1 – Summary of Soil Laboratory Analytical Results
Table 2 – Summary of Groundwater Laboratory Analytical Results
Figure 1 – Site Vicinity/Topographic Map
Figure 2 – Soil Analytical Results Map
Figure 3 – Groundwater Analytical Results Map
Appendix – Laboratory Reports

TABLES

Table 1

Summary of Soil Laboratory Analytical Results

Golden Glades Site, Northwest 161st Street and Northwest 6th Avenue, Miami, Florida

Sample ID	As (mg/kg)	As MVUE (mg/kg)	Dieldrin (mg/kg)	Dieldrin SCTLs	
				DE Res (mg/kg)	Leach (mg/kg)
A1 COMP 0-6	5.7	3.5	0.0037 I	0.06	0.002
A1 COMP 6-24	2.1	2.1	0.041		
A1 COMP 24-48	2.3	2.3	0.00050 I		
A2 COMP 0-6	1.8	3.5	0.00016 U		
A2 COMP 6-24	1.1	2.1	0.0061		
A2 COMP 24-48	0.72	2.3	0.000081		
A1 SB11 0-6	0.44 I	3.5	NA		
A1 SB12 0-6	2.7	3.5	NA		
A1 SB13 0-6	8.3	3.5	NA		
A1 SB14 0-6	1.5	3.5	NA		
A1 SB15 0-6	1.5	3.5	NA		
A1 SB16 0-6	0.52 I	3.5	NA		
A1 SB17 0-6	1.7	3.5	NA		
A1 SB18 0-6	2.1	3.5	NA		
A1 SB19 0-6	2.2	3.5	NA		
A1 SB20 0-6	1.0	3.5	NA		

Notes:

- 1) All results and regulatory limits are reported in milligrams per kilogram (mg/kg)
- 2) Bolded entries indicate an exceedance
- 3) NA = not analyzed
- 4) MVUE = Minimum Variance Unbiased Estimate (North of SW 88th Street)
- 5) DE Res = Residential Direct Exposure Soil Cleanup Target Level
- 6) Leach = Leachability Based on Groundwater Criteria

Table 2
Summary of Groundwater Laboratory Analytical Results
Golden Glades Site, Northwest 161st Street and Northwest 6th Avenue, Miami, Florida

Well	Dieldrin (ug/L)	Total Fe (ug/L)	Filtered Fe (ug/L)	alpha-BHC (ug/L)	4,4'-DDD (ug/L)	4,4'-DDE (ug/L)
GCTL (ug/L)	0.002	300	300	0.006	0.1	0.1
MVUE (ug/L)	-	706	706	-	-	-
MW-1	0.0047I	26.9I	NA	0.0020U	0.0026U	0.0048U
MW-2	0.0019U	177	NA	0.0020U	0.0026U	0.0048U
MW-3	0.0019U	355	NA	0.0020U	0.0026U	0.0048U
MW-4	0.0019U	503	NA	0.0020U	0.0026U	0.0048U
MW-5	NA	1,440	NA	NA	NA	NA
MW-6	0.0019U	1,210	NA	0.0020U	0.0026U	0.0048U
MW-7	0.055	38.4I	NA	0.0023I	0.0026U	0.0048U
MW-8	0.15	87.9	NA	0.0020U	0.0026U	0.0048U
MW-9	0.0024I	3,420	110	0.0020U	0.0026U	0.0048U
MW-10	0.0019U	1,800	NA	0.0020U	0.0026U	0.0048U
MW-11	0.0019U	88.3	NA	0.0020U	0.0026U	0.0048U
MW-12	0.0054I	824	38.3I	0.0020U	0.0026U	0.0048U
MW-13	0.0020U	228	NA	0.0021U	0.0027U	0.0049U
MW-14	0.0067I	2,660	314	0.0020U	0.0026U	0.0048U
MW-15	0.70	25.0U	NA	0.0020U	0.0026U	0.0048U
MW-16	0.0067I	NA	NA	0.0020U	0.012	0.042

Notes:

- 1) All results and regulatory limits are reported in micrograms per liter (ug/L)
- 2) Bolded entries indicate an exceedance
- 3) NA = not analyzed
- 4) GCTL = Groundwater Cleanup Target Level
- 5) MVUE = Minimum Variance Unbiased Estimate

FIGURES

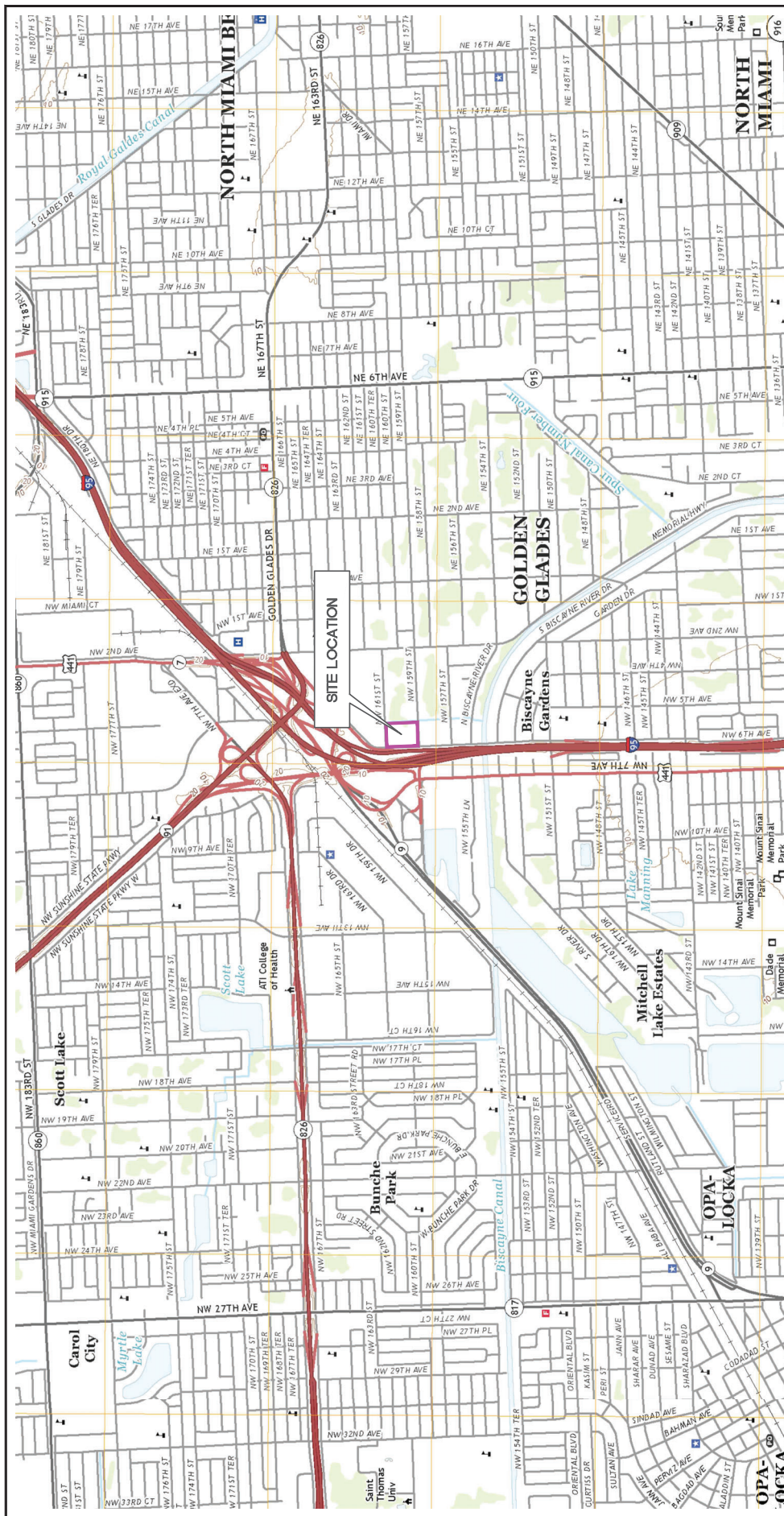


Image Cite: U.S. Geological Survey, Mosaic of 1:24,000-Scale Quadrangles, North Miami, FL (2018) and Opa-Locka, FL (2018).



QUADRANGLE LOCATION



0 2000'

FIGURE 1

Mechling Engineering & Consulting, Inc. Engineering Business Registry No. 27999 1714 Helmonte Avenue - Jacksonville, FL 32207 - (904) 346-5468	SITE VICINITY / TOPOGRAPHIC MAP GOLDEN GLADES 590 NW 159TH STREET MIAMI, FLORIDA 33169
Drawn By: EE Checked By: NE Scale: 1" = 2000' Date: 8/22/21	File: FIG 1 SITE VICINITY / TOPOGRAPHIC MAP

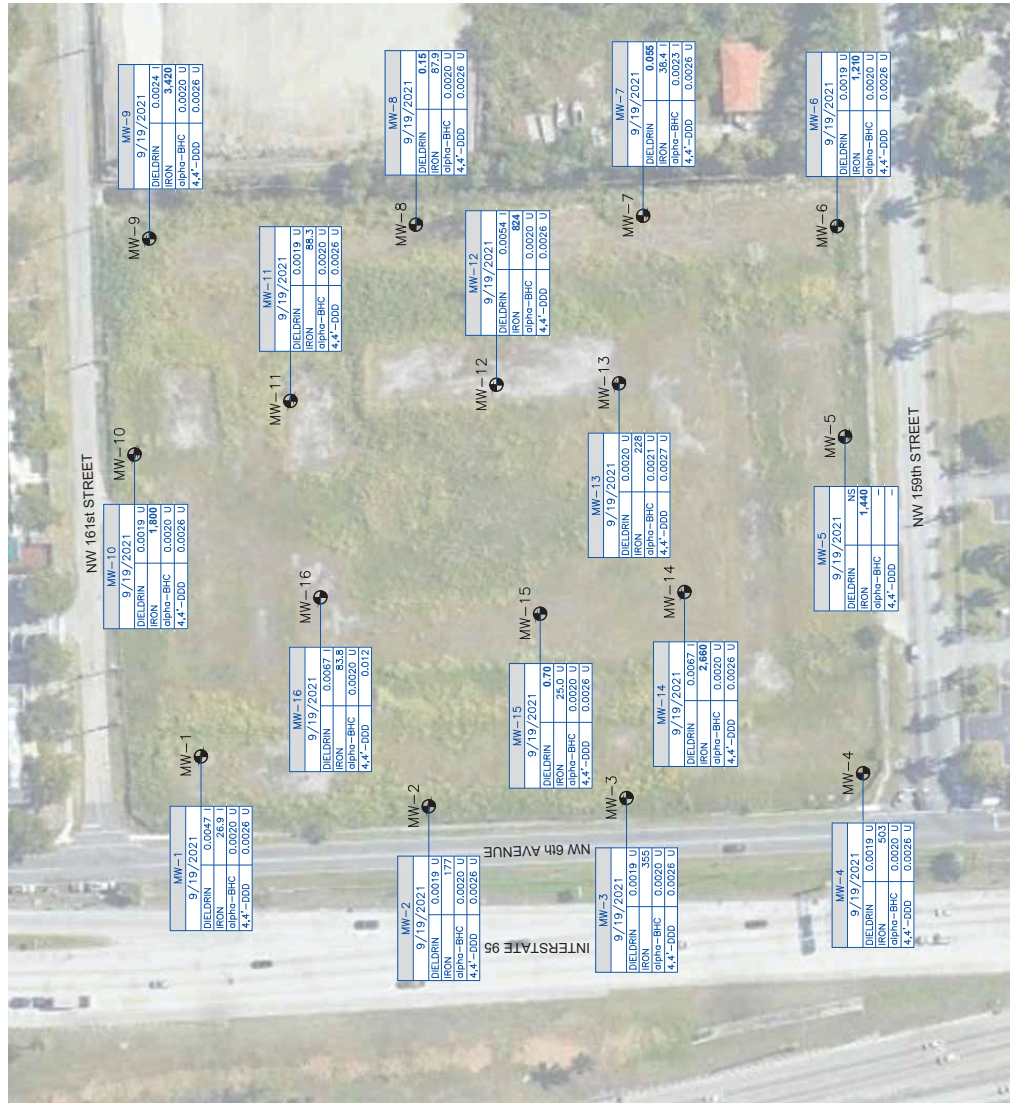
LEGEND / ABBREVIATIONS

● = MONITORING WELL LOCATION

ANALYTE TABLE EXPLANATION

MW-1		9/19/2021	0.002	706	0.006	0.1
		DIETDRN				
		IRON				
		alpha-BHC				
		4,4'-DDD				

WELL DESIGNATION
SAMPLE DATE
PARAMETER UNITS
AND LIMITS



**Mechling Engineering
& Consulting, Inc.**
Engineering Business Registry No. 27999
1714 Helmonte Avenue - Jacksonville, FL 32207 - (904) 346-5468

FIGURE 3

GROUNDWATER ANALYTICAL RESULTS MAP

**GOLDEN GLADES
590 NW 159TH STREET
MIAMI, FLORIDA 33169**

Date: 9/19/21 Scale: 1" = 100' File: FIG 3 GROUNDWATER ANALYTICAL RESULTS MAP

Drawn By: EE Checked By: JO

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: Bellamonte at Golden Glades, LLC, a Florida limited liability company

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
A	Bellamonte at Golden Glades, LLC, a Florida limited liability company	30-2113-036-0010	7.107

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>

- b. If the applicant is a **CORPORATION**¹, 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: Bellamonte at Golden Glades, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>	<u>ADDRESS</u>
Golden Glades JV, LLC	100% of Bellamonte at Golden Glades, LLC	12895 SW 132ND ST MIAMI, FL 33186
Resia Investments, LLC ²	86.38% of Golden Glades JV, LLC	12895 SW 132ND ST MIAMI, FL 33186
Golden Glades Partners, LLC ³	13.62% of Golden Glades JV, LLC	2601 S. Bayshore Dr. Ste 1200 Miami, FL 33133

- 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

¹ **NOTE: APPLICANT IS A LIMITED LIABILITY COMPANY. HOWEVER, NO SECTION IS PROVIDED FOR THIS CATEGORY OF ENTITY HEREIN.**

² Please see attached organizational chart for upstream ownership of principal owners.

³ Please see attached organizational chart for upstream ownership of principal owners.

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: _____

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
---------------------------------------	-------------------------------

_____	_____
_____	_____
_____	_____
_____	_____

- 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: _____

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------------------	-------------------------------

_____	_____
_____	_____
_____	_____

- e. If the applicant 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 AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
-------------------------	-------------------------------

Date of Contract: _____

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

5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner 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>
--------------------------------------	-------------------------------

- 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>
_____	_____
_____	_____
_____	_____
_____	_____

- 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>
_____	_____
_____	_____
_____	_____
_____	_____

- 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: _____

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF
OWNERSHIP

- 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].

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENTAGE OF
INTEREST

Date of Contract:

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

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.

Bellamonte at Golden Glades, LLC, a Florida limited liability company
(Complete one signature page per applicant)

Signature _____

Printed Name Carlos E. Gonzalez

State of Florida

County of Miami-Dade

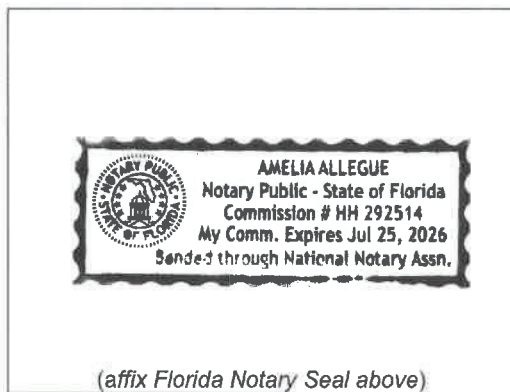
Sworn to (or affirmed) and subscribed before me by means of *(how the individual appeared check one): (how the individual appeared check one):*

☒ physical presence ☐ online notarization this 16 day of September, 2022.
(date) (month)(year)

by Carlos E. Gonzalez
(name of individual swearing or affirming)

as Authorized Representative of Bellamonte at Golden Glades, LLC, a Florida limited liability company
(type of authority, e.g., Officer, Attorney-in Fact)(Name of party on behalf of whom executed)

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

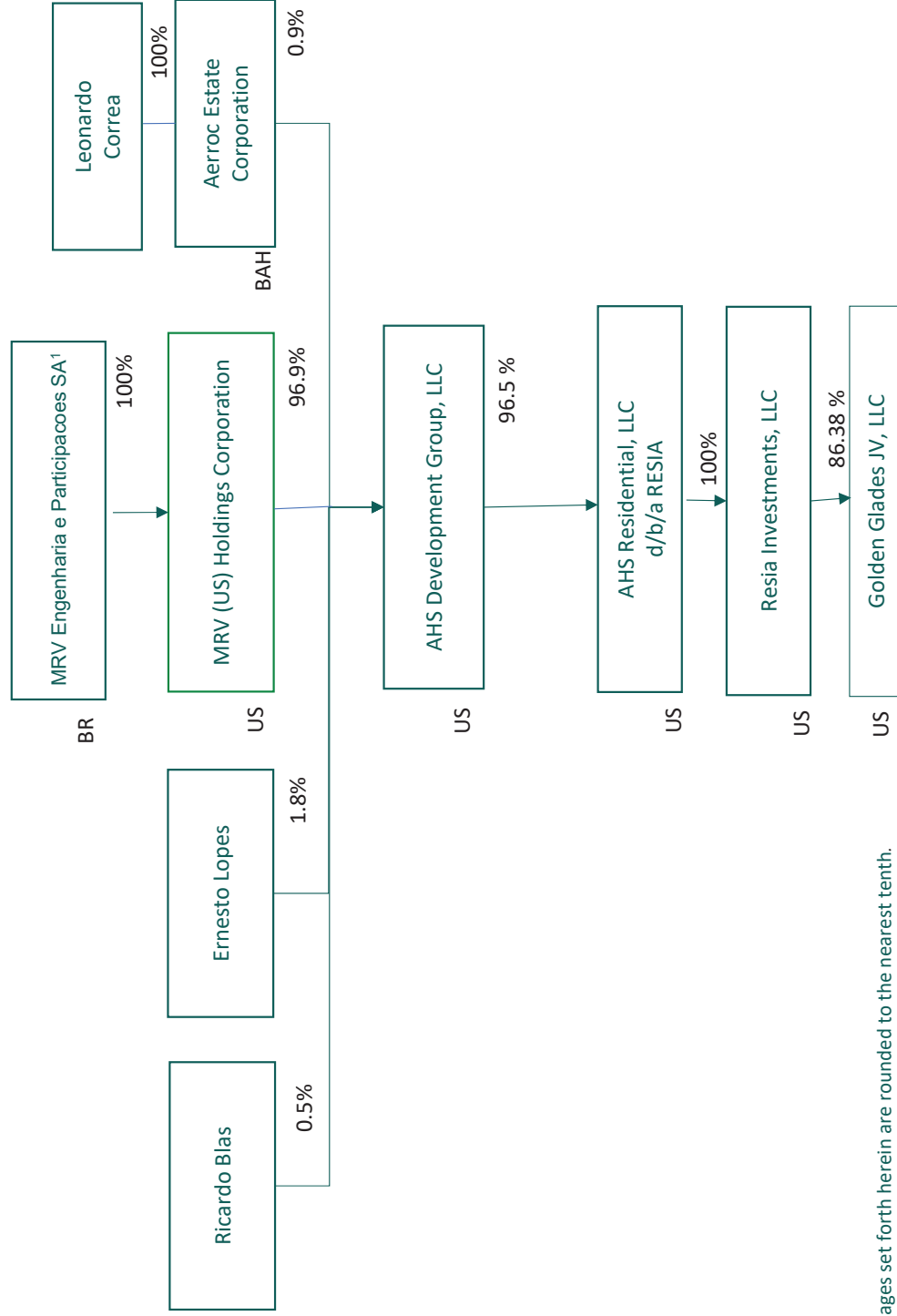


(Signature of Notary Public)

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

My Commission Expires: 07/25/2026

Organizational Chart:
Golden Glades JV, LLC - Resia

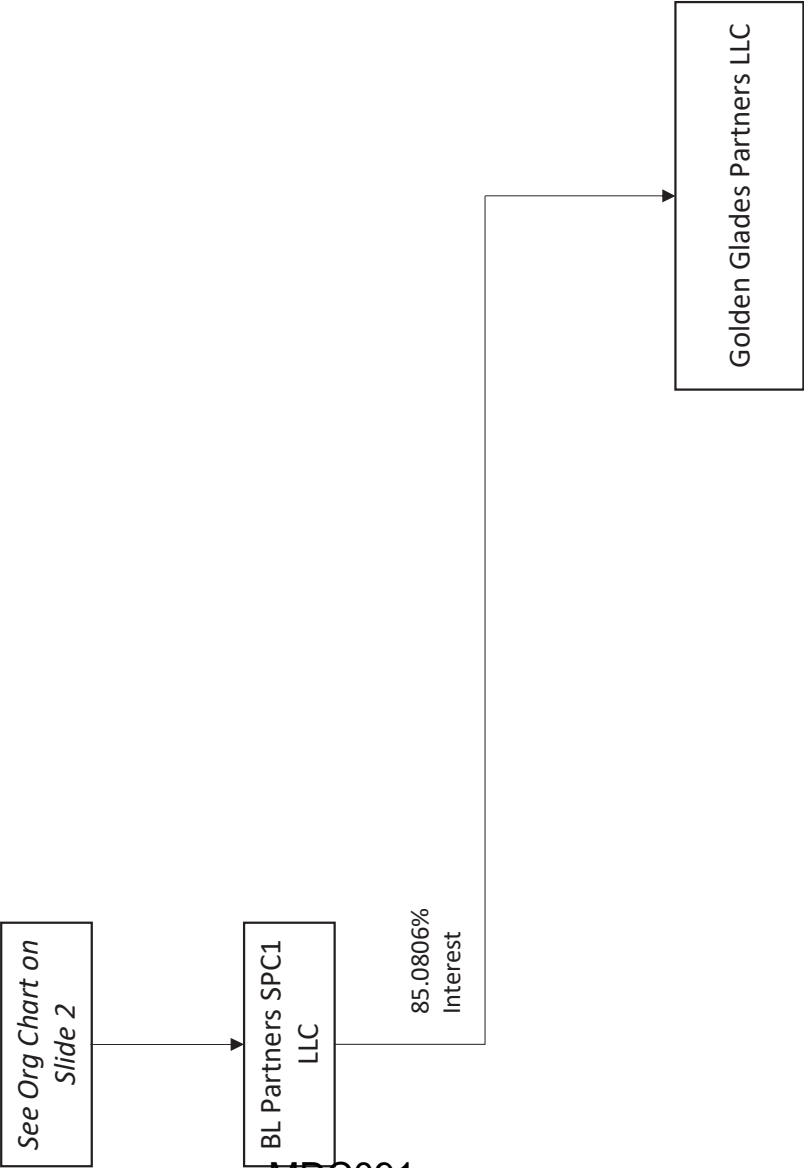


† Percentages set forth herein are rounded to the nearest tenth.

¹ MRV Engenharia e Participacoes SA is a publicly traded Brazilian company.

RESIA

Organizational Chart
Golden Glades Partners, LLC



Organizational Chart
Golden Glades Partners, LLC

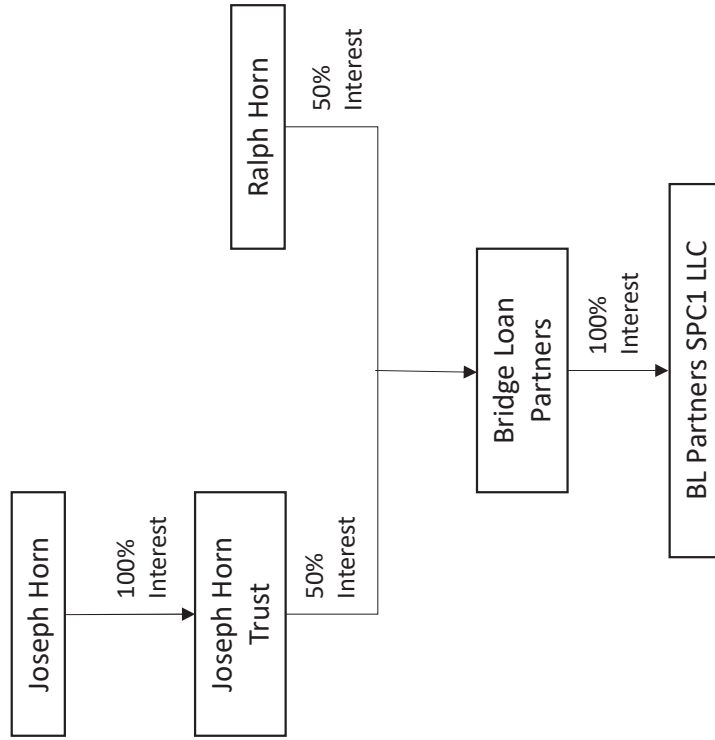


EXHIBIT 2

Bellamonte at Golden Glades, LLC. Brownfield Application Site Miami-Dade County, Florida



Legend

-  Brownfield Application Site
-  Streets



0 165 330

MDC093



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