

Memorandum



Date: April 2, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Agenda Item No. 5(G)

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

Resolution No. R-245-24

Subject: Resolution Approving the Plat of Up To You Filed by USA Real Estate and Investment, LLC

Recommendation

The following plat is submitted for consideration by the Board of County Commissioners (Board) for approval. The express purpose of the plat is to close, vacate, and abandon a portion of NW 104 Street from public use. The road closing was previously approved by the Board of County Commissioners by Resolution No. R-1055-23. This plat for Up To You is bounded on the north by NW 105 Street, on the east by the I-95 Expressway, on the south approximately 150 feet north of NW 103 Street, and on the west by NW 7 Avenue.

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

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

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources.

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

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

Scope

This plat is located in Commission District 2, which is represented by Commissioner Marleine Bastien.

Delegation of Authority

There are no delegation requirements with this item.

Fiscal Impact/Funding Source

If this plat is approved, the fiscal impact to the County would be approximately \$150.00 annually for the maintenance of new roadway construction adjacent to the project. These costs would be covered by the Department of Transportation and Public Works' annual General Fund allocation.

Track Record/Monitor

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

Background

Up To You T-24437

- Located in Section 36, Township 52 South, Range 41 East.
- Zoning: NCUAD.
- Proposed Usage: Industrial Warehouses.
- Number of Parcels: Two.
- This plat meets concurrency.
- Based on the development information provided on the plat, the express purpose of the plat is to close, vacate, and abandon a portion of NW 104 Street from public use. The road closing was previously approved by the Board of County Commissioners by Resolution No. R-1055-23. No uses requiring evaluation for potable water and sewer proposed.
- In accordance with Chapter 24 of the Code, DERM will evaluate the feasibility of connecting to the public water supply system and public sanitary sewer system prior to DERM approval of any future development order (zoning site plan, plat, building permit, etc.) that proposes development on this property.

Developer's Obligation

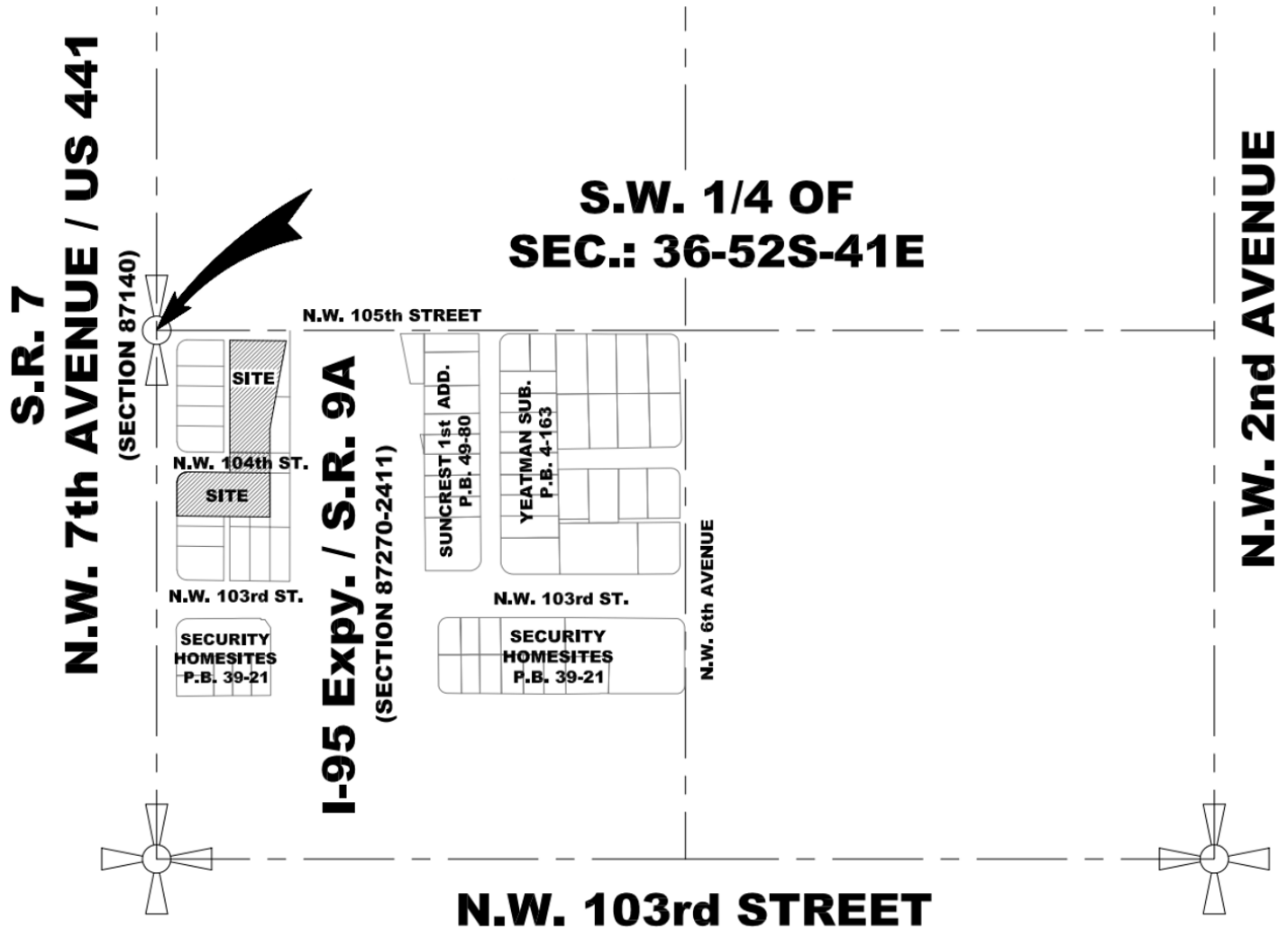
Mobilization, clearing, maintenance of traffic, milling, resurfacing, sidewalk, curb & gutter, valley gutter, drainage, traffic control signs, detectable warning surfaces, guardrail, and monumentation which are bonded under bond number 8356 in the amount of \$47,429.00.

UP TO YOU

T-24437

Sec. 36 Twp. 52 South Rge. 41 East

EXHIBIT A



N

MDC003



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: April 2, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 5(G)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ 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(G)
4-2-24

RESOLUTION NO. R-245-24

RESOLUTION APPROVING THE PLAT OF UP TO YOU, FILED BY USA REAL ESTATE AND INVESTMENT, LLC, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 52 SOUTH, RANGE 41 EAST (BOUNDED ON THE NORTH BY NW 105 STREET, ON THE EAST BY THE I-95 EXPRESSWAY, ON THE SOUTH APPROXIMATELY 150 FEET NORTH OF NW 103 STREET, AND ON THE WEST BY NW 7 AVENUE)

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

WHEREAS, USA Real Estate and Investment, LLC, a Florida limited liability company, has this day presented to this Board a plat of certain lands lying in Miami-Dade County, Florida, said plat to be known as “Up To You,” the same being a replat of portions of Blocks 1 and 2, of “Suncrest,” according to the plat thereof, as recorded in Plat Book 43, at Page 70 of the Public Records of Miami-Dade County, Florida, lying and being in the Southwest 1/4 of Section 36, Township 52 South, Range 41 East, Miami-Dade County, Florida, and that portion of NW 104 Street lying within the boundaries of this plat vacated by Resolution No. R-1055-23, Miami-Dade County, Florida and it appears that all requirements of law concerning said plat insofar as the authority of this Board is concerned have been complied with,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that said plat is hereby approved; that the dedication of the streets, alleys and other rights-of-way however designated or depicted on said plat is hereby accepted; that the Miami-Dade County Plat Restrictions as listed

on said plat are approved and are to be enforced; that approval of the plat is not a waiver of any zoning regulations; and that the requirements of the zoning existing on this land at the time this resolution is approved shall be enforced whether or not the various parcels on this plat conform to those requirements.

The foregoing resolution was offered by Commissioner **Marleine Bastien**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	absent
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 2nd day of April, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lauren E. Morse