

MEMORANDUM

Agenda Item No. 8(N)(2)

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

DATE: May 21, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution designating a portion of Miami-Dade County-owned property identified on the attached Exhibit A as road right-of-way for West Fern and West Evergreen Streets west of Homestead Avenue and Homestead Avenue between West Fern and West Evergreen Streets in Section 32, Township 55 South, Range 40 East and authorizing the County Mayor to take all actions necessary to effectuate same

Resolution No. R-444-24

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Memorandum



Date: May 21, 2024

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Resolution Designating a Portion of Miami-Dade County Owned Property Identified on the Attached Exhibit A as Public Road Right-of-Way
Section: 32-55-40
West Fern and West Evergreen Streets West of Homestead Avenue and Homestead Avenue between West Fern and West Evergreen Streets
Commission District: 9

Executive Summary

The purpose of this item is for the Board of County Commissioners (Board) to grant the attached resolution designating a portion of Miami-Dade County owned property as public road right-of-way. The estimated annual maintenance costs associated with this item are \$162. The designation for public road right-of-way of the subject parcel of land is needed by the Department of Public Housing and Community Development (PHCD) in order to comply with the Perrine Community Urban Center (PECUC) zoning requirements for the redevelopment of this site.

Recommendation

It is recommended that the Board grant the attached resolution designating a portion of Miami-Dade County owned property as public road right-of-way for West Fern Street from Homestead Avenue west for approximately 395 feet, West Evergreen Street from Homestead Avenue west for approximately 227 feet, and Homestead Avenue from West Fern Street to West Evergreen Street, in Section 32, Township 55 South, Range 40 East. Location maps are attached to this memorandum as Exhibit 1.

Scope

This Right-of-Way Designation is located within District 9, which is represented by Commissioner Kionne L. McGhee.

Fiscal Impact/Funding Source

The total annual maintenance costs associated with this item are estimated to be \$162 and will be funded by the Department of Transportation and Public Works' (DTPW) General Fund allocation.

Track Record/Monitor

DTPW is the entity overseeing this project and the person responsible for monitoring it is Maria D. Molina, P.E., Chief, Right-of-Way Division.

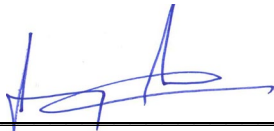
Delegated Authority

The resolution delegates authority for the County Mayor or County Mayor's designee to take all actions necessary to effectuate this Right-of-Way Designation.

Attachments: Exhibit 1 – Location Maps, Exhibit 2 – Memorandum from the Director of PHCD, Exhibit A to the Resolution – Sketch & Legal Description

Background

The designation of the subject portion of County-owned land as public road right-of-way is needed by PHCD in order to provide the amount of right-of-way width that is necessary to accommodate the required roadway improvements for the redevelopment of the Perrine Apartments II project at this location. Along the frontage of this site, the existing right-of-way width is 25 feet, as measured to the centerlines of the surrounding streets. The original public right-of-way for these streets was dedicated to the County in 1904 by the plat of MAP OF PERRINE, as recorded in Plat Book B, at Page 79. In 1974, an additional 5 feet (to complete the existing 25 feet of width) was dedicated by the plat of PERRINE GARDENS SUBDIVISION NO. 2, as recorded in Plat Book 100, at Page 30. Both of these plats are recorded in the Public Records of Miami-Dade County, Florida. Now, in order to comply with the PECUC zoning regulations, an additional two feet of right-of-way width is required. Therefore, PHCD requests that the portion of County-owned property as identified on Exhibit A of the resolution be designated as public road right-of-way in order to satisfy this requirement. A memorandum from the director of PHCD indicating his concurrence with this action is attached to this memorandum as Exhibit 2.

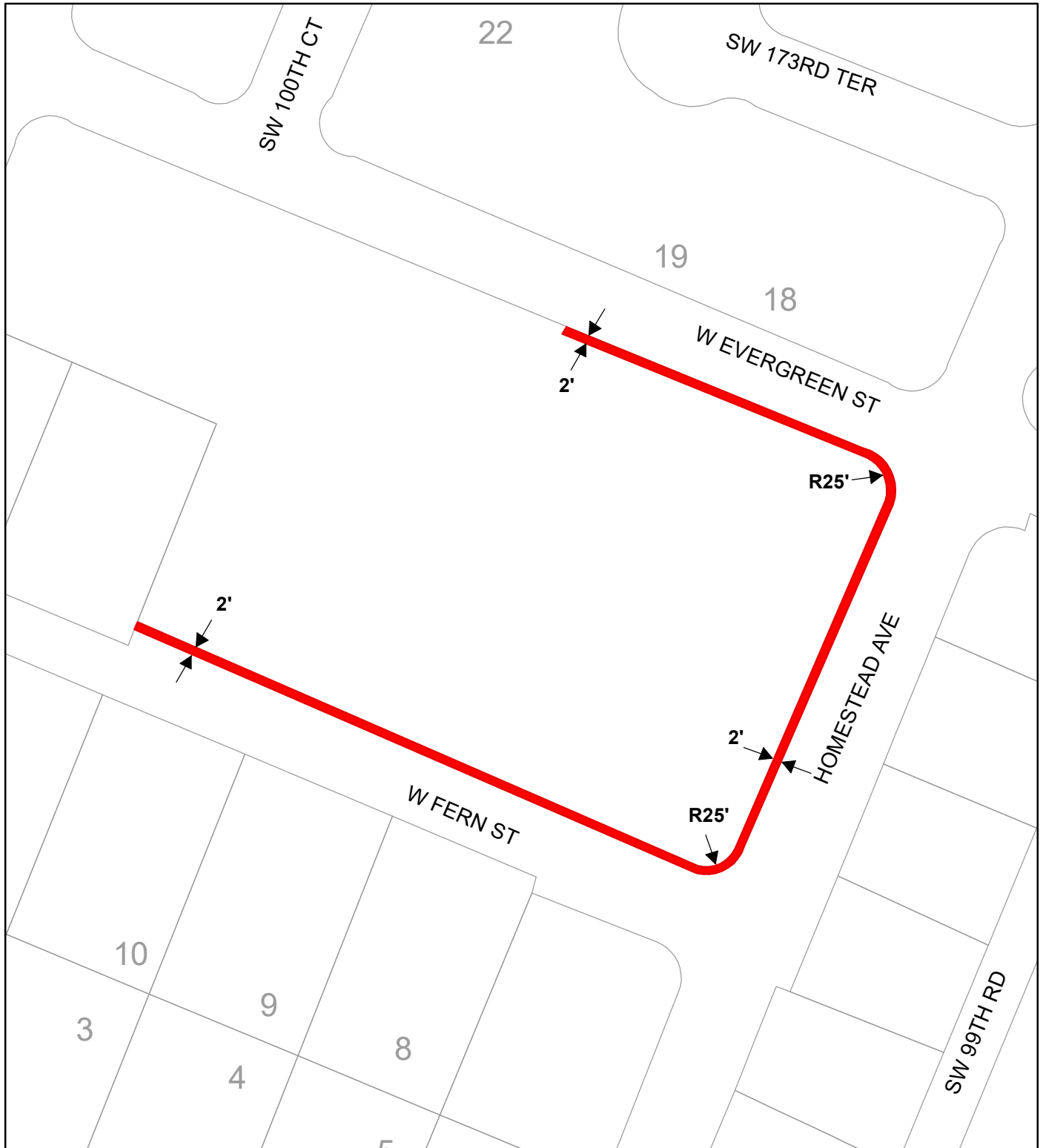
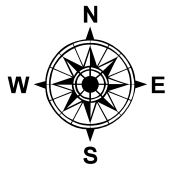


Jimmy Morales
Chief Operations Officer

RIGHT-OF-WAY DESIGNATION PARCEL

SECTION 32 TOWNSHIP 55 RANGE 40

EXHIBIT 1



THIS IS NOT A SURVEY

NOT TO SCALE

Legend



ROW DESIGNATION PARCEL

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610
Miami, Florida 33128
PH (305) 375-4654

Municipality: Unincorporated
Commission District 9
Kionne L. McGhee

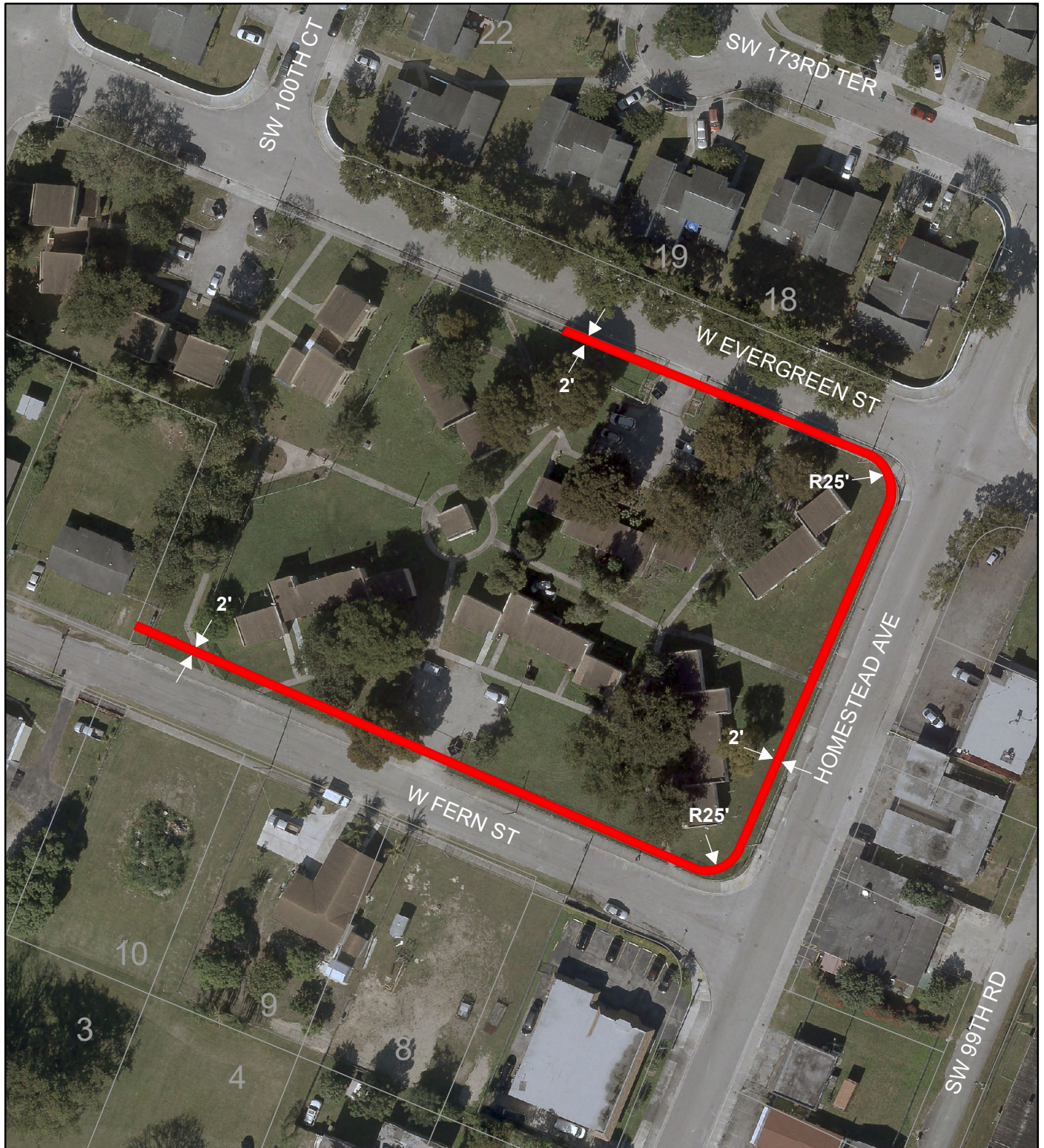
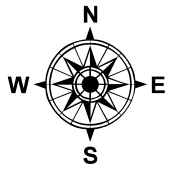
Date: 2/8/2024
Drawn By: A.Santelices

MDC004

RIGHT-OF-WAY DESIGNATION PARCEL

SECTION 32 TOWNSHIP 55 RANGE 40

EXHIBIT 1



THIS IS NOT A SURVEY

NOT TO SCALE

MIAMI-DADE COUNTY
Department of Transportation and Public Works
Right-of-Way Division
111 NW 1st Street, Suite 1610
Miami, Florida 33128
PH (305) 375-4654

Municipality: Unincorporated
Commission District 9
Kionne L. McGhee

Date: 2/8/2024
Drawn By: A.Santelices

Legend



ROW DESIGNATION PARCEL

MDC005

EXHIBIT 2

January 23, 2024

Eulois Cleckley, Director
Department of Transportation and Public Works
701 NW 1ST Ct., 17th Floor,
Miami, FL 33136

Re: Designation of a Portion of PHCD-Owned Property at 10060 W Evergreen Street, Cutler Bay, FL 33157
(Folio No. 30-5032-035-0020) as Public Right-of-Way.

Dear Mr. Cleckley:

Miami-Dade County Public Housing and Community Development ("PHCD") is in the process of redeveloping Perrine Gardens and Perrine Village in different phases, in partnership with Atlantic Pacific Communities, LLC. Perrine Apartments II will be phase II of the development, located at 10060 W Evergreen Street, Cutler Bay, FL 33157 (Folio No. 30-5032-035-0020).

Project location.



Commission District: 9

Folio No.: 30-5032-035-0020

**Address: 10060 W Evergreen Street
Cutler Bay, FL 33157**

As part of the approval process for the Perrine Apartments II, PHCD is requesting the designation of a portion of the Perrine Gardens property to the Department of Transportation and Public Works ("DTPW") for use as a public right-of-way as follows:

1. A 2' of Tract "C" along its Easterly Line to Homestead Avenue between West Fern Street to West Evergreen Street.
2. A portion of Tract "C", 2' wide and 370.36' long, along its Southerly Line to West Fern Street between Homestead Avenue and Duval Avenue.
3. A portion of 2' of Tract "C", 2' wide and 202.21' long, along its Northerly Line to West Evergreen Street between Homestead Avenue and Duval Avenue.

A sketch and legal description of the designated area can be found on Exhibit A to this letter. This area needs to be designated to DTPW for design purposes, since it allows us to accommodate the development design and provide the required setbacks. Please contact Jose Mascorro, Development Division Director at 786-469-4118 with any questions or concerns.

Sincerely,

Alex R. Ballina
Director

C: Clarence D. Brown, Deputy Director, PHCD
Nathan Kogon, Assistant Director 2, PHCD
Jose Mascorro, Director, Development Division, PHCD
Roxana Bayarre, Construction Manager 3, PHCD

MDC007



MEMORANDUM

(Revised)

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

DATE: May 21, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(2)

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. 8(N)(2)
5-21-24

RESOLUTION NO. R-444-24

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY-OWNED PROPERTY IDENTIFIED ON THE ATTACHED EXHIBIT A AS ROAD RIGHT-OF-WAY FOR WEST FERN AND WEST EVERGREEN STREETS WEST OF HOMESTEAD AVENUE AND HOMESTEAD AVENUE BETWEEN WEST FERN AND WEST EVERGREEN STREETS IN SECTION 32, TOWNSHIP 55 SOUTH, RANGE 40 EAST AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

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

WHEREAS, the Directors of the Department of Transportation and Public Works and the Department of Public Housing and Community Development recommend that a portion of County-owned land along West Fern Street, West Evergreen Street, and Homestead Avenue, as identified on the attached Exhibit A, be designated as road right-of-way as required for the development of the adjacent Perrine Apartments II project, and as incorporated herein by reference,

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

Section 1. The foregoing recitals are approved and incorporated by reference.

Section 2. This Board hereby designates the portion of the County property located along West Fern Street, West Evergreen Street, and Homestead Avenue, as identified on the attached Exhibit A, as road right-of-way, and authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate same.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of May, 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

EXHIBIT A

SKETCH AND LEGAL DESCRIPTION RIGHT-OF-WAY DESIGNATION



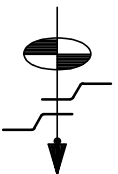
LOCATION SKETCH

Scale: 1"=300'

A PORTION OF SECTION 32-55S-40E, MIAMI-DADE COUNTY, FLORIDA.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MARK STEVEN JOHNSON, P.S.M. 4775

SHEET 1 OF 3 SHEETS



Schwebke-Shiskin & Associates, Inc.

LAND SURVEYORS-ENGINEERS-LAND PLANNERS - 3240 CORPORATE WAY-MIRAMAR, FL 33025

PHONE No.(954)435-7010

FAX No. (954)438-3288

ORDER NO. 217411

DATE: DECEMBER 18, 2023

THIS IS NOT A " BOUNDARY SURVEY"
CERTIFICATE OF AUTHORIZATION No. LB-87

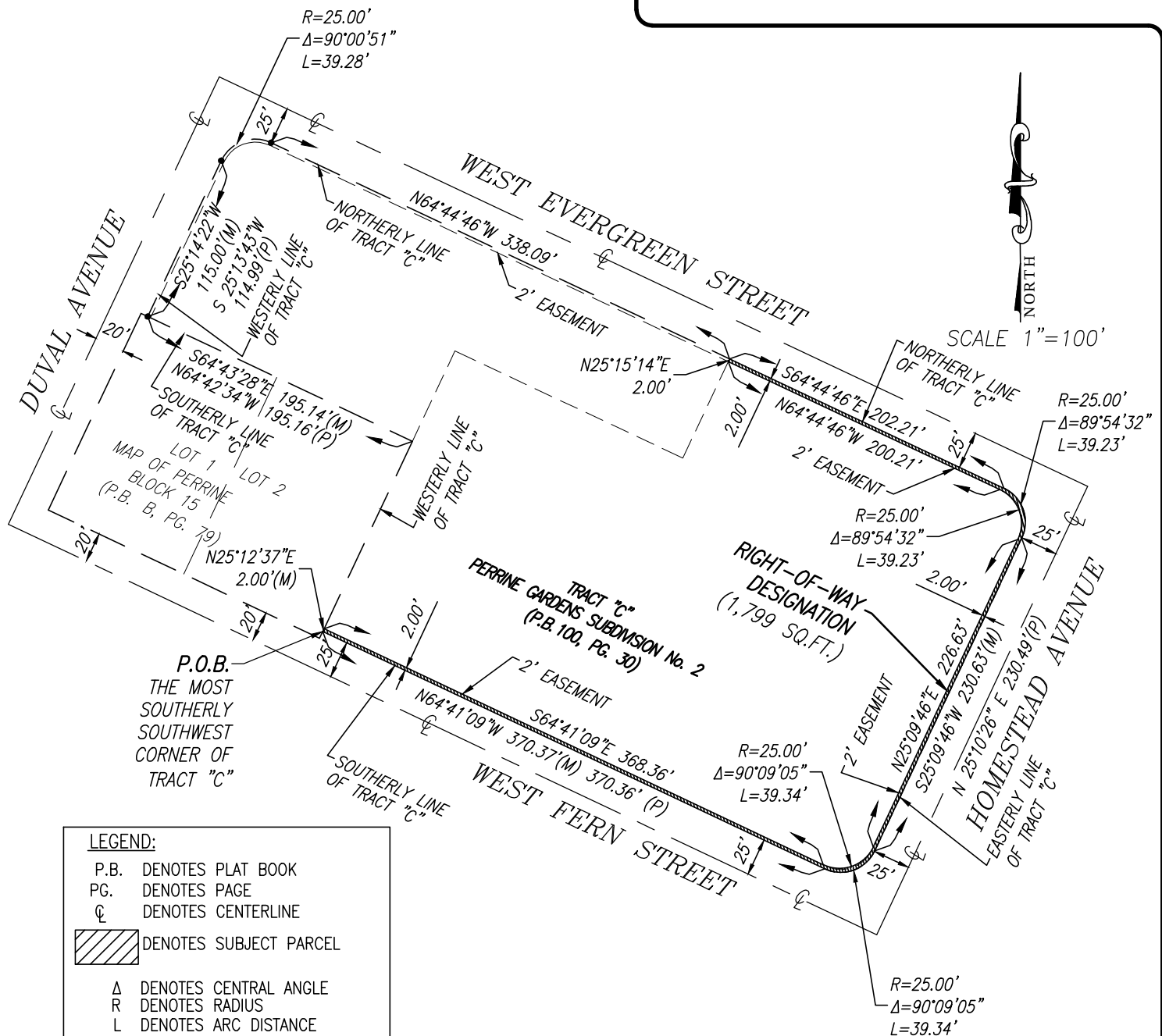
PREPARED UNDER MY SUPERVISION:

Mark Steven Johnson

MARK STEVEN JOHNSON, PRINCIPAL
FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

SKETCH AND LEGAL DESCRIPTION
RIGHT-OF-WAY DESIGNATION



LEGEND:

P.B. DENOTES PLAT BOOK

PG. DENOTES PAGE

Ⓞ DENOTES CENTERLINE

 DENOTES SUBJECT PARCEL

Δ DENOTES CENTRAL ANGLE

R DENOTES RADIUS

L DENOTES ARC DISTANCE

(P) DENOTES PLAT DIMENSION

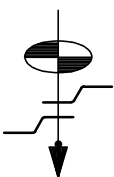
(C) DENOTES CALCULATED DISTANCE

P.O.C. DENOTES POINT OF COMMENCEMENT

P.O.B. DENOTES POINT OF BEGINNING

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MARK STEVEN JOHNSON, P.S.M. 4775

SHEET 2 OF 3 SHEETS



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CERTIFICATE OF AUTHORIZATION No. LB-87

FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS

SKETCH AND LEGAL DESCRIPTION RIGHT-OF-WAY DESIGNATION

LEGAL DESCRIPTION:

A PORTION OF TRACT "C", PERRINE GARDENS SUBDIVISION NO.2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 100, PAGE 30, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID TRACT "C"; THENCE RUN ALONG THE WESTERLY LINE OF TRACT "C", N 25° 12' 37" E FOR A DISTANCE OF 2.00 FEET TO A POINT; THENCE RUN ALONG A LINE PARALLEL WITH AND 2.00 NORTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE SOUTHERLY LINE OF SAID TRACT "C", S 64° 41' 09" E FOR A DISTANCE OF 368.36 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTH; THENCE RUN ALONG THE ARC OF SAID CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90° 09' 05", FOR AN ARC DISTANCE OF 39.34 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG A LINE PARALLEL WITH AND 2.00 WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EASTERLY LINE OF SAID TRACT "C", N 25° 09' 46" E FOR A DISTANCE OF 226.63 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN ALONG THE ARC OF SAID CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89° 54' 32", FOR AN ARC DISTANCE OF 39.23 FEET TO A POINT OF TANGENCY; THENCE RUN ALONG A LINE PARALLEL WITH AND 2.00 SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE NORTHERLY LINE OF SAID TRACT "C", N 64° 44' 46" W FOR A DISTANCE OF 200.21 FEET TO A POINT; THENCE RUN N 25° 15' 14" E FOR A DISTANCE OF 2.00 FEET TO A POINT; THE NEXT FIVE DESCRIBED COURSES BEING ALONG THE NORTHERLY, NORTHEASTERLY, EASTERLY, SOUTHEASTERLY AND SOUTHERLY LINE OF SAID TRACT "C"; THENCE RUN S 64° 44' 46" E FOR A DISTANCE OF 202.21 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN ALONG THE ARC OF SAID CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89° 54' 32", FOR AN ARC DISTANCE OF 39.23 FEET TO A POINT OF TANGENCY; THENCE RUN S 25° 09' 46" W FOR A DISTANCE OF 230.63 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTH; THENCE RUN ALONG THE ARC OF SAID CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90° 09' 05", FOR AN ARC DISTANCE OF 39.34 FEET TO A POINT OF TANGENCY; THENCE RUN N 64° 41' 09" W FOR A DISTANCE OF 370.37 FEET TO THE **POINT OF BEGINNING**.

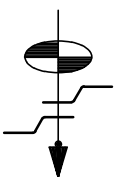
LYING AND BEING IN SECTION 32, TOWNSHIP 55 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA.

NOTES:

- 1) THE BEARINGS SHOWN HEREON RELATE TO AN ASSUMED BEARING OF N64°41'09"W ALONG THE NORTH RIGHT-OF-WAY LINE OF WEST FERN STREET BETWEEN DUVAL AVENUE AND HOMESTEAD AVENUE
- 2) AUTHENTIC COPIES OF THIS SKETCH AND LEGAL DESCRIPTION MUST BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 3) THIS SKETCH HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITY (ENTITIES) NAMED HEREON ONLY. THE ATTACHED CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTIES.
- 4) ORDERED BY: AP COMMUNITIES.

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MARK STEVEN JOHNSON, P.S.M. 4775

SHEET 3 OF 3 SHEETS



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PREPARED UNDER MY SUPERVISION:

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FLORIDA PROFESSIONAL LAND SURVEYOR No. 4775

REVISIONS