

NORTH MIAMI
FLORIDA

NORTH MIAMI PLANNING COMMISSION AGENDA

Tuesday, June 3, 2014, 7:00PM

Council Chambers

776 NE 125th Street, North Miami, FL 33161

I. ASSEMBLY AND ORGANIZATION:

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call of Board Members
- D. Amendments to the Agenda

II. APPROVAL OF MINUTES: May 6, 2014

III. COMMUNICATIONS: None

IV. CONTINUED PUBLIC HEARINGS: None

V. PUBLIC HEARINGS:

PC 06-14: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

- 1. Staff Report
- 2. Commission Action

PC 07-14: **A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT; IN ACCORDANCE WITH ARTICLE 3 SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

- 1. Staff Report
- 2. Commission Action

VI. COMMITTEE REPORTS: None

VII. OLD BUSINESS: None

VIII. NEW BUSINESS: None

IX. ADJOURNMENT

Interested parties may appear at the meeting and be heard with respect to the matter. Any person wishing to appeal the recommendations of the Planning Commission will need a verbatim record of the meetings proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286.0105 F.S.)

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 12252, for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.



**NORTH MIAMI PLANNING
COMMISSION AGENDA
TUESDAY, JUNE 3, 2014, 7:00PM
COUNCIL CHAMBERS
776 NE 125TH STREET,
NORTH MIAMI, FL 33161**

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared M. ZALDIVAR, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NORTH MIAMI PLANNING COMMISSION AGENDA
JUNE 3, 2014

in the XXXX Court,
was published in said newspaper in the issues of

05/22/2014

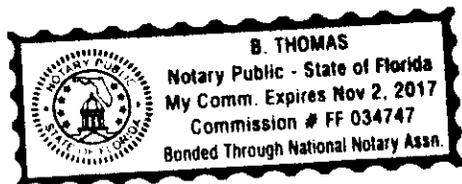
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

22 day of MAY, A.D. 2014

(SEAL)

M. ZALDIVAR personally known to me



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MINUTES
 NORTH MIAMI PLANNING COMMISSION
 7:00 P.M.
 TUESDAY, MAY 6, 2014
 COUNCIL CHAMBERS

The meeting was called to order at 7:05 p.m. After the pledge of allegiance, a roll call of the members was taken.

	Name	Present	Excused	Absent
1.	Kevin Seifried	X		
2.	Charles Ernst	X		
3.	Kenny Each	X		
4.	Jean Castor	X		
5.	Jason James	X		
6.	Bill Prevatel	X		
7.	<i>Vacant</i>			
8.	<i>Vacant</i>			
9.	<i>Vacant</i>			

Staff was represented by:

Bhairvi Pandya, City Planner
 Roland Galdos, Deputy City Attorney
 Brittini Duria, CP & D Technician/Board Secretary
 Dunia Sanzetenea, Information Technology

I-D. Assembly and Organization – Amendments to the Agenda: None

II. Approval of Minutes:

The minutes of the March 4, 2014 meeting were unanimously approved. The motion was made by Commissioner Ernst, seconded by Commissioner Each.

III. Continued Public Hearings: None

IV. Public Hearings:

PC 05-14:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE PREVIOUSLY ADOPTED LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE WILLIAM E. SADOWSKI AFFORDABLE HOUSING ACT OF 1992 AND THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM, FOR FISCAL YEARS 2014-2015, 2015-2016, AND 2016-2017; FURTHER AUTHORIZING THE CITY ATTORNEY AND CITY MANAGER TO EXECUTE AND SUBMIT THE LOCAL HOUSING ASSISTANCE PLAN AND ANY OTHER NECESSARY DOCUMENT TO THE FLORIDA HOUSING FINANCE CORPORATION FOR ITS REVIEW AND APPROVAL, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Ms. Pandya gave the staff report. Ms. Jean-Pharuns further explains and clarifies the item and recommended the Resolution for future benefit. Commissioner Ernst questions the non-existing numbers within the item in exhibit A. Ms. Jean-Pharuns explained that the exhibit was meant to be that way due to the item not yet being executed. It was also stated that \$183,000 is subject for LHAP, all SHIP for fiscal year 2014-15. Commissioner Seifried had approved of administrative outline. Commissioner Each mentioned Griffing Manor and congratulated recognizing the Housing divisions great efforts. Ms. Jean-Pharuns then mentioned that the department also offers other housing assistance like the roofing program, paint and windows along with first-time home buyers.

Public Hearing:

No one spoke at the public hearing.

Commission Discussion:

Commissioner Prevatel moved to approve the proposed resolution of the Local Housing Assistance Plan (LHAP). Commissioner Ernst seconded the motion and it passed unanimously.

The next meeting was tentatively set for June 3, 2014.

V. COMMITTEE REPORTS: None

VI. OLD BUSINESS: None

VII. NEW BUSINESS:

- a. Appointing Brittini Duria as Planning Commission Board Secretary.

(Earlier discussed before the Approval of Minutes) Commissioner Prevatel moved to approve the appointment of Brittni Duria as Planning Commission Board Secretary. Commissioner Castor seconded the motion and it passed unanimously.

- b. Discussion regarding recently adopted ordinance requiring Planning Commission terms to be coterminous with terms of Council members.

Commissioner Seifried stated that it was a positive move and it should be a discussion item during the next meeting after all points are read and understood. Mr. Galdos stated that the language of the ordinance has existed for many years and Mr. Seifried stated that the Commission should reread the terms and have it put on the next agenda for a recommendation to City Council. Commissioner Prevatel requested for modification. And again, Commissioner Seifried recommended to the other Board members to research online the amendments (Chapter 29 Article 2 Division 2).

There being no further business to come before the Commission, the meeting was adjourned at 8:16 p.m.

VIII. ADJOURNMENT

Respectfully submitted:

Attest:

Commissioner Kevin Seifried, Chair
Planning Commission

Bhairvi Pandya, AICP, GISP, City Planner
Community Planning & Development

Prepared by:

Brittni Duria, Board Secretary
Community Planning & Development

To: The Planning Commission

From: Tanya Wilson-Sejour, A.I.C.P., Planning Manager

Date: June 3, 2014

RE: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

Staff is recommending that the Planning Commission approve the proposed Action Plan and forward their recommendation to the Mayor and Council for final consideration and transmittal to U.S. Department of Housing and Urban Development for its adoption.

BACKGROUND

The U.S. Department of Housing and Urban Development (U.S. HUD), the federal agency responsible for administration of the CDBG and HOME programs, requires each entitlement jurisdiction to prepare an Action Plan outlining needs and priorities for the funding year. Each jurisdiction is also required to invite public participation in the process through an open forum. An Action Plan is defined as a comprehensive document, which describes the City's overall needs and priorities relative to housing and community development. Each year the Action Plan must be prepared and submitted to U.S. HUD for approval prior to release of funds. In FY 2014-2015, the City will receive approximately \$763,297 and \$215,933 in CDBG and HOME funding, respectively, a decrease of \$30,532 (-4%) in CDBG and an increase of \$15,115 (+7%) in HOME funding.

As part of the planning process, two public meetings were held to solicit public input on the proposed plan. The meetings were held at the Sunkist Grove Community Center and the Griffing Adult Center, May 20, 2014 and May 21, 2014, respectively. Prior to the public meetings, there were several inquiries from community organizations about the Public Service portion of the proposed plan, which was published in the Miami Herald on May 18, 2014 and posted on the City's website. The notice was also emailed to all homeowners associations, inviting them to participate in this process. The proposed action plan consists of Housing, Public Service, Public Facilities and Administrative activities.

No.	Activity	Funding Allocation
1	CDBG Program Administration	\$152,659.00
2	CDBG Housing Rehabilitation Program plus Recaptured funds	\$430,047.32
3	CDBG Economic Development	\$50,000.00
4	CDBG Public Services – Non-profit Community Based Organizations & YOB Program	\$114,494.00
5	CDBG Public Facilities (Parks & Recreation)	\$30,000.00
6	HOME Program Administration	\$21,593.00
7	HOME Community Housing Development Organization (CHDO) Set-aside	\$32,390.00
8	HOME Single-Family Rehabilitation Program	\$134,216.25
9	HOME First-time Homebuyer Program	\$40,000.00
10	HOME Tenant Based Rental Assistance Program	\$3,000.00
	TOTAL CDBG & HOME FUNDS	\$1,008,399.57

Attachments

- 1) Resolution
- 2) Notice of Public Hearing
- 3) Proposed Action Plan

RESOLUTION NO. _____

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING FISCAL YEAR 2014-2015 ACTION PLAN UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, since 1994, the City of North Miami (“City”) has received Community Development Block Grant (“CDBG”) funds from the U.S. Department of Housing and Urban Development (“HUD”), in order to provide a source of funding for various community and economic development programs and projects; and

WHEREAS, since 2003, the City has received HOME Investment Partnership Grant (“HOME”) funds, in order to provide a source of funding for community housing programs in accordance with Chapter 420, Part V, Florida Statutes; and

WHEREAS, the City will receive Seven Hundred Sixty Three Thousand Two Hundred Ninety Seven Dollars (\$763,297.00), and Two Hundred Fifteen Thousand Nine Hundred Thirty Three Dollars (\$215,933.00) in CDBG and HOME funds, respectively, for fiscal year 2014-2015; and

WHEREAS, HUD program regulations require that the City prepare an annual Action Plan for the use of grant funds with input from the public; and

WHEREAS, on May 20, 2014, and on May 21, 2014, the City conducted public meetings at Sunkist Grove Community Center and at Griffin Senior Adult Center, soliciting public views and input in the development of the Action Plan; and

WHEREAS, in accordance with HUD regulations, the City administration prepared the FY 2014-2015 Action Plan for the use of CDBG and HOME funds; and

WHEREAS, on June 3, 2014, the City Planning Commission held a duly noticed public hearing and found the proposed FY 2014-2015 Action Plan to be acceptable, and recommended its approval to the Vice Mayor as Acting Mayor and City Council; and

WHEREAS, the Vice Mayor as Acting Mayor and City Council of the City of North Miami, find the proposed FY 2014-2015 Action Plan to be in the best interest of the City and thereby, accept the Planning Commission's recommendation for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Approval.** The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby approve Fiscal Year 2014-2015 Action Plan under the Community Development Block Grant (CDBG) and HOME Investment Partnership Grant (HOME) programs, attached hereto as "Exhibit 1."

Section 2. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by a _____ vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2014.

PHILIPPE BIEN-AIME
VICE MAYOR AS ACTING MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilperson Carol Keys, Esq.
Councilperson Marie Erlande Steril
Councilperson Scott Galvin

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)



NOTICE TO PUBLIC
CITY OF NORTH MIAMI
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
HOME INVESTMENT PARTNERSHIP PROGRAM (HOME)
FISCAL YEAR 2014-2015 ACTION PLANS & PUBLIC MEETINGS

The City North Miami is an entitlement community eligible to receive assistance under the U. S. Department of Housing and Urban Development [HUD] Community Development Block Grant [CDBG] Program and HOME Investment Partnerships [HOME] Program. As mandated by Federal Regulation, 24 CFR Part 91, the City of North Miami is required to submit an annual update of its Consolidated Plan. The update, known as an Action Plan, will reflect a collaborative process whereby North Miami establishes a unified vision of community development actions (interaction with municipalities, community organizations, civic organizations and private sector). This planning effort will cover the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME). All HUD entitlement communities must submit an Action Plan in order to receive these funds.

The specific strategies identified in the Plan to address housing and community development needs are as follows: provide affordable housing; expand economic opportunities; increase the capacity of public facilities and public services; and improve infrastructure.

The Fiscal Year 2014-2015 Action Plan describes the activities the City proposes to undertake to accomplish the objectives of the Consolidated Plan, are listed below.

No.	Activity	Funding Allocation
1	CDBG Program Administration	\$152,659.00
2	CDBG Housing Rehabilitation Program plus Recaptured funds	\$430,047.32
3	CDBG Economic Development	\$50,000.00
4	CDBG Public Services – Non-profit Community Based Organizations & YOB Program	\$114,494.00
5	CDBG Public Facilities (Parks & Recreation)	\$30,000.00
6	HOME Program Administration	\$21,593.00
7	HOME Community Housing Development Organization (CHDO) Set-aside	\$32,390.00
8	HOME Single-Family Rehabilitation Program	\$134,216.25
9	HOME First-time Homebuyer Program	\$40,000.00
10	HOME Tenant Based Rental Assistance Program	\$3,000.00
TOTAL CDBG & HOME FUNDS		\$1,008,399.57

As part of the planning process, the City of North Miami is conducting workshops to solicit public input on programs and activities eligible for CDBG and HOME funding, and to prioritize such programs and activities for eligible areas citywide. Residents are invited to attend and participate in these discussions. The locations and dates of the meetings are as follows:

Locations:	Sunkist Grove Community Center 12500 N.W. 13 th Avenue Tuesday, May 20 th , 2014 Time: 6 to 8 pm	Griffing Adult Center 12220 Griffing Blvd. Wednesday, May 21 nd , 2014 Time: 6 to 8 pm
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There will be a public hearing opportunity at the Planning Commission Meeting, June 3, 2014 at 7:00PM, in the Council Chambers, 776 NE 125th Street, 2nd Floor. The thirty day comment period begins on June 4, 2014 until July 5, 2014. All comments must be in writing and sent to the attention of the CDBG Administrator, City of North Miami, Community Planning & Development Dept., 776 N.E. 125th Street, North Miami, Florida 33161 no later than July 5, 2014 at 5:00 pm.

Exhibit 1:

**COMMUNITY DEVELOPMENT BLOCK GRANT
PROPOSED FY2014-2015 ACTION PLAN**

CDBG ALLOCATION= \$763,297	
Activities	Allocation
PROGRAM ADMINISTRATION-20 % of annual allocation (A) CDBG Administrator (B) Housing Manager (Partial salary/fringes) (C) Required Fair Housing Outreach (\$6,500) (D) Other Program Admin Expenditures	\$152,659.00
Priority #1: HOUSING REHABILITATION- (\$416,144.00) plus RECAPTURED FUNDS- (\$13,903.32) (A) Single Family Rehab Projects (\$322,536.00) (B) Housing Services Delivery Cost - 25% (\$107,511.32) 1. Housing Manager (Partial salary/fringes) 2. Housing Coordinator (Partial salary/fringes) 3. Housing Services Administrative Specialist (Partial salary/fringes) 4. Housing Services Aide (Partial salary/fringes) 5. Housing Inspector (Partial salary/fringes)	\$430,047.32
Priority #2: ECONOMIC DEVELOPMENT (A) Economic Development	\$50,000.00
Priority #3: PUBLIC SERVICES-15 % of annual allocation (A) Community Based Organizations (\$90,000) (B) Youth Summer Employment (\$24,494)	\$114,494.00
Priority #4: PUBLIC FACILITIES (A) Parks and Recreation Project	\$30,000.00
TOTAL	\$777,200.32

FY14 CDBG allocation - decreased by 4% from prior year.
(FY 13-\$789,881)

**HOME INVESTMENT PARTNERSHIP PROGRAM
PROPOSED FY 2014-2015 ACTION PLAN**

HOME ALLOCATION = \$215,933

ACTIVITIES	ALLOCATION
1. PROGRAM ADMINISTRATION (10%) (A) Housing Inspector (Partial)	\$21,593.00
2. CHDO SET A-SIDE (15%)	\$32,390.00
3. HOUSING REHABILITATION plus RECAPTURED FUNDS (\$15,266.25) Single Family Rehab Assistance	\$134,216.25
4. First Time Home Buyer Assistance	\$40,000.00
5. Tenant Base Rental Assistance (TBRA)	\$3,000.00
Total	\$231,199.25

**FY14 HOME allocation increased by 7%.
(FY 13- \$201,661)**

Date: June 3, 2014

To: Planning Commission

From: Tanya Wilson-Sejour, AICP, Planning Manager, Community Planning & Development 

Re: Conditional Use Permit – Winson Water Treatment Plant Improvements and Expansion

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE WINSON WATER TREATMENT PLANT; IN ACCORDANCE WITH ARTICLE 3 SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

RECOMMENDATION

Staff requests that that the Planning Commission recommends approval of the proposed Resolution and Conditional Use Permit for the proposed expansion of the Winson Water Treatment Plant in accordance with Article 3, Section 3-405 of the Land Development Regulations (LDR) and forward said application to the City Council for final approval.

BACKGROUND

Pursuant to Article 4, Section 404, Government Use and Public Facilities are permitted subject to obtaining a Conditional Use Permit in accordance with the provisions set forth in Article 3 Division 4 of the LDRs. As such the City's Public Works Department has filed an application for a Conditional Use Permit and precise plan for the Winson Water Treatment Plant improvement and expansion.

The subject 2.88 acre site consists of the existing Winson Water Treatment Plant located at 12100 NW 11th Avenue (totaling 1.55 acres) and recently acquired six (6) adjacent and abutting lots (totaling 1.33 acres in size). In February 2014 the City Council approved a rezoning of the six aforementioned residential lots from R-2 to PU and a small-scale land use amendment from Low Density Residential to Utility land use. These lots with the following addresses: 1094 Northwest 122nd Street, 1092 Northwest 122nd Street, 1080 Northwest 122nd Street, 1075 Northwest 121st Street, 1085 Northwest 121st Street, and 12105 Northwest 11th Avenue were recently demolished by the City and are now vacant properties. The expansion area is adjacent to the City's Winson Water Treatment Plant, and is located just northeast of the plant. The City's Public Works Department desires to expand the Winson Water Treatment Plant by adding new water storage tanks as well as additional administrative space to accommodate the current and future demands within the City's water service area. As such, all six lots were acquired by the City in

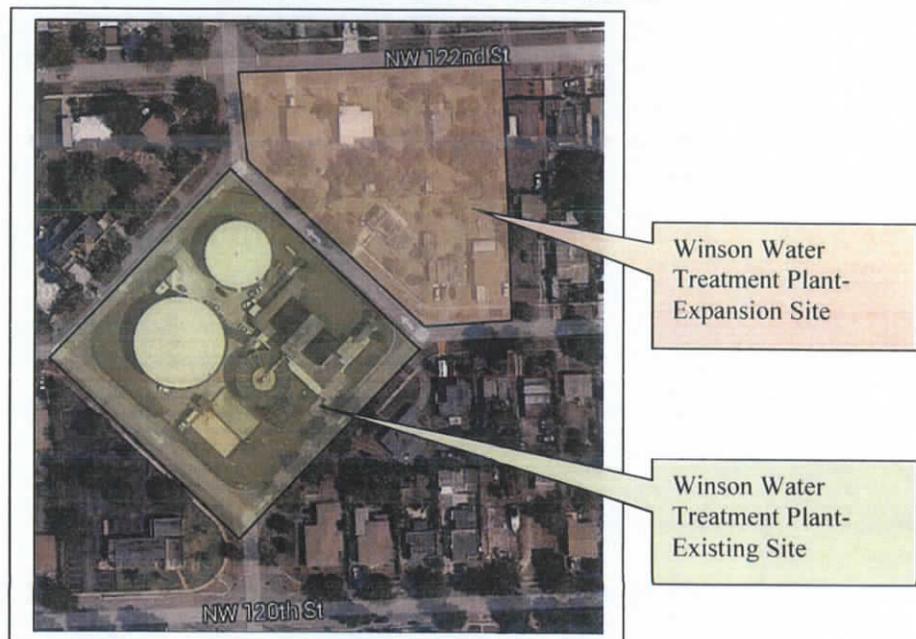
order to provide additional land area for the proposed water plant expansion (See Figure 1 in the map below).

As part of the rezoning and small-scale land use amendment conditions, the Department of Public Works has satisfied the Unity of Title requirement for the six newly acquired lots. The Unity of Title was recorded at Miami-Dade County Clerk of Court on May 12, 2014.

Pursuant to Article 3, Division 12, Section 2-306 (B) of the Land Development Regulations (LDRs), the Community Planning and Development Department reviewed the DRC precise plan application for the proposed expansion and upgrade of the Winson Water Treatment Plant, and has granted a precise plan approval subject to the DRC conditions (Please see Exhibit E).

Figure 1 - Location map

WINSON WATER TREATMENT PLANT EXPANSION



ANALYSIS

Article 3, Section 3-405 of the City's Land Development Regulations requires that all requests for Conditional Use approval demonstrate compliance with the following standards:

- 1. The application is consistent with the comprehensive land use plan;**

The proposed conditional use request is consistent with the goals, objective and policy of the Comprehensive Plan, specifically Policy 4D.2.1 which requires that "the City maintain the Water Plant and distribution system such that they operate at adequate levels to meet

population water demand.” Based on the City’s recently adopted Water Supply Plan, the Winson Water Plant has an average capacity of 9.3 million gallons per day (MGD) and a current demand of approximately 15.77 MGD. This results in a shortfall of 6.47 MGD which is satisfied by water purchased from Miami Dade County at a rate of 9.3 MGD (resulting in a total water supplied to North Miami’s service area at the rate of 19.3 MGD). This leaves the City with a surplus of 3.53 MGD.

The proposed expansion allows the City to increase capacity in order to satisfy the current and future water demands.

- 2. The application is in compliance with the district regulations applicable to the proposed development, including the bonus provisions in section 4-204, if applicable;**

The proposed application complies with Section 4-404 of the Land Development Regulations which requires that a Conditional Use Permit and precise plan be approved with restrictions on the future development to ensure compatibility with the surrounding residential uses. No bonuses are being requested for this project.

- 3. The application is consistent with the applicable development standards in these LDRs;**

Based on the information provided staff believes the proposed development is in compliance with the development standards outlined in the LDR.

- 4. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use or adequate mitigation is provided;**

The subject site is proposed as the location for two new ground storage tanks that will function as part of the existing water plant site. A new administrative building is also planned on the existing water plant site to provide additional work space for Public Works staff that maintain the water plant. The future trips anticipated from the proposed use will be minimal and is projected to be less than the trips generated from the six (6) single family units that were previously onsite.

- 5. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.**

Staff believes the project will include that adequate buffers in order to minimize any adverse impacts to the neighboring residential neighborhood. Per DRC comments issued by City Departments, the project is required to provide lush landscaping and buffering all around the perimeter to screen the noise and appearance of the Utility Use from the neighboring single-family residences. In addition to the landscaped hedge, a six-foot masonry wall, will be

constructed along the east side of the newly acquired lots directly abutting the single-family residences to provide a visual buffer so as to minimize unintended impacts on adjacent properties.

6. The parcel proposed for development is adequate in size and shape to accommodate all development features;

At 2.88 acres the subject site is adequate in size to accommodate the new administration building as well as the storage tanks and is in close proximity to allow for the expansion of operations at the existing water treatment plant site.

7. The proposed use will not have an adverse impact on use, livability, value and development of adjacent properties;

The proposed use and redevelopment of the water treatment plant is compatible with the existing PU zoning and Utility land use and also satisfies the needs of the neighboring R-2 zoned, single family neighborhood as well. In addition, the water plant is already located in the neighborhood and the expansion of the site is necessary to meet with the City's future water demands. If approved, the Conditional Use Permit will include development restrictions in order to ensure that adequate buffers are incorporated into the project to minimize any potential impacts on use, livability, value and development to the neighboring residential neighborhood.

8. The nature of the proposed development is not detrimental to the public health, safety and general welfare of the community;

Staff believes that the project improvements and expansion of the Water Treatment Plant is consistent with and further advances the vision of the Comprehensive Plan in that it facilitates and further advances the City's objective to provide a public service and satisfy the growing water service demands and general need of the community. Although the proposed amendment results in the reduction of 6 single family affordable units from the City's total housing stock, staff believes the impacts are minimized by the addition of new affordable housing being planned/developed elsewhere in the City. As such the proposed request is not anticipated to adversely impact the public health, safety and general welfare of the community.

9. The design of the use creates a form and function which enhances the community character of the immediate vicinity of the parcel proposed for development; and

Per Section 5-805 of the City's LDR all new construction is required to incorporate LEED standards or the City's alternative green standards as part of its new development in order to support the City's environmental initiatives. The applicant proposes to construct a LEED Silver designation building on the existing water plant site and construct the two storage tanks on the newly acquired site area to meet all State and County environmental regulations.

10. Flexibility in regard to development standards is justified by the benefits to community character and the immediate vicinity of the parcel proposed for development.

The Winson Water Treatment Plant improvements will extend the life of the Winson Water Plant and ensure the City maintains compliance with all regulatory standards and provide continued reliable service to meet current and future water demands.

CONCLUSION

Based on the above analysis, staff is of the opinion that the proposed conditional use application is consistent with the requirements of Section 3-405 of the City's Land Development Regulations and is compatible with the future land use goals objectives and policies identified in the City's adopted Comprehensive Plan. Therefore the Community Planning and Development Department requests that the Planning Commission recommend approval of the attached Resolution and Conditional Use Permit approving the improvements and expansion of the Winson Water Treatment Plant facility subject to the following conditions:

1. Applicant shall comply with all conditions listed in Exhibit 1, of the approved Conditional Use Permit.
2. Applicant shall comply with all conditions listed in the attached DRC conditions.
3. The final precise plan and Conditional Use Permit application shall be subject to approval by City Council prior to obtaining final building permits.

TWS/bp

Attachments:

1. Proposed Resolution
2. EXHIBIT A - Legal Description
3. EXHIBIT B - Conditional Use Permit
4. EXHIBIT C - Precise Plans
5. EXHIBIT D - Letter of intent
6. EXHIBIT E- DRC Conditions

RESOLUTION NO. _____

A RESOLUTION OF THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT AND PRECISE PLAN FOR THE PROPOSED EXPANSION AND REDEVELOPMENT OF THE CITY OF NORTH MIAMI WINSON WATER TREATMENT PLANT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on February 11, 2014, the Mayor and City Council of the City of North Miami (“City”) passed and adopted Ordinance No. 1365, approving a small scale development to the City’s Comprehensive Plan for the subject area, consisting of approximately 1.33 acres in size, encompassing the six (6) properties located at: 1094 Northwest 122nd Street, 1092 Northwest 122nd Street, 1080 Northwest 122nd Street, 1075 Northwest 121st Street, 1085 Northwest 121st Street, and 12105 Northwest 11th Avenue (“Subject Property”), in order to allow for the proposed expansion and redevelopment of the Winson Water Treatment Plant (“Water Plant”); and

WHEREAS, on February 11, 2014, the Mayor and City Council passed and adopted Ordinance No. 1366, for the purpose of rezoning of the Subject Property from R-2 (Residential) zoning to PU (Public Use) zoning; and

WHEREAS, on May 7, 2014, the City executed a Declaration of Unity of Title for the Subject Property, as recorded in the Public Records of Miami-Dade County, Florida, on May 12, 2014; and

WHEREAS, the City Department of Public Works filed an application with the Community Planning and Development Department requesting issuance of a Conditional Use Permit and approval of a Precise Plan for the overall site consisting of 2.88 acres in size, pursuant to the requirements of Article 3, Section 3-405 of the City of North Miami Code of

Ordinances, Land Development Regulations (“LDRs”); and

WHEREAS, the proposed expansion includes improvements to the existing water plant site and the adjacent Subject Property, to include two (2) additional water storage tanks and a new administration building; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on June 3, 2014, reviewed the proposed request and found it in harmony with the goals, objectives and policies of the Comprehensive Plan and applicable LDRs, and recommended approval with conditions to the Conditional Use Permit and Precise Plan, to the Vice Mayor as Acting Mayor and City Council; and

WHEREAS, the Vice Mayor as Acting Mayor and City Council have determined that the proposed requests are in the best interest of the City and will not adversely affect the health, safety, and welfare of residents; and thereby, approve the Conditional Use Permit and Precise Plan for Water Plant.

NOW, THEREFORE, BE IT RESOLVED BY THE VICE MAYOR AS ACTING MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Approval of Conditional Use Permit and Precise Plan. The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby, approve and authorize the issuance of a Conditional Use Permit and Precise Plan for the proposed expansion and redevelopment of the City of North Miami Winson Water Treatment Plant, in accordance with Article 3, Section 3-405 of the City of North Miami Code of Ordinances, Land Development Regulations, attached hereto as “Exhibit A”.

Section 2. Issuance of Conditional Use Permit. The Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, hereby, approve and issue a Conditional Use Permit, in substantially the form depicted in “Exhibit B”.

Section 3 **Effective Date.** This Resolution will become effective upon adoption.

PASSED AND ADOPTED by a _____ vote of the Vice Mayor as Acting Mayor and City Council of the City of North Miami, Florida, this _____ day of _____, 2014.

PHILIPPE BIEN-AIME
VICE MAYOR AS ACTING MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

Vice Mayor as Acting Mayor Philippe Bien-Aime
Councilperson Marie Erlande Steril
Councilperson Carol Keys, Esq.
Councilperson Scott Galvin

_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)
_____ (Yes) _____ (No)

EXHIBIT A

LEGAL DESCRIPTION

Sunkist Grove PB 8-49 Grove Park

&

Sunkist Grove PB 8-49, Lots 7-14 Block 3

EXHIBIT B

CONDITIONAL USE PERMIT FOR WINSON WATER TREATMENT PLANT EXPANSION

WHEREAS the City is the owner of the real property consisting of a total of 2.88 acres more particularly described in the legal description contained in “Exhibit A” the (Property); and

WHEREAS, on February 11, 2014, through the adoption of Ordinances 1365 and 1366, the Mayor and Council of the City of North Miami (“City”) approved a rezoning from R-2 to PU and a small-scale land use amendment to change the land use designation from low density residential to utilities land use for an area approximately 1.33 acres in size; for the proposed expansion and redevelopment of the Winson Water Treatment Plant; and

WHEREAS, the Department of Public Works filed an application with the Community Planning and Development Department requesting issuance of a Conditional Use Permit and approval of the Precise Plan overall site consisting of 2.88 acres in size,, pursuant to the requirements of Article 3, Division 4 of the City’s Land Development Regulations (LDRs); and

WHEREAS, the proposed expansion includes improvements to the existing water plant site and adjacent lots and will include two additional water storage tanks and a new administrative building; and

WHEREAS, the Planning Commission, after a duly noticed public hearing held on June 3, 2014, reviewed the proposed request and found it in harmony with the goals, objectives and policies of the Comprehensive Plan and LDRs, and recommended approval with conditions of the Conditional Use Permit and precise plan, to the Mayor and City Council; and

WHEREAS, the Mayor and Council of the City of North Miami have determined that the proposed requests are in the best interest of the City and will not adversely affect the health, safety, and welfare of residents; and thereby, approve the amended Conditional Use Permit and precise plan for Winson Water Treatment Plant.

NOW THEREFORE, the Mayor and City Council hereby approve this Conditional Use Permit, along with the following findings and conditions:

1. The Public Works Department agrees that all plans submitted to the Building Department for Building Permits shall be consistent with the spirit and intent of the Final Precise Plan.
2. Plans: That the property be developed substantially in compliance with the precise plans submitted and titled "City of North Miami Public Works Public Works Utilities Winson Water Treatment Plant" as prepared by Hazen and Sawyer Environmental Engineers & Scientists and the City of North Miami Public Works Department, consisting of a Title Sheet and Location Map, Sheet 1; an Existing Site Plan, Sheets 2 & 3; an Existing Site Aerial and Zoning Map, Sheet 4; a Proposed Site Plan, Sheets 5 & 6; a Pavement Marking and Signage Plan, Sheet 7; a Site Plan Details, Sheet 8; a Setback Plan, Sheets 9 & 10; a Paving, Grading & Drainage Plan, Sheet 11; a Proposed Landscape Plan, Sheets 11 thru 13; a Building & Tanks Elevation/View Plan, Sheet 14; A Landscape Elevation Plan, Landscape Plan Rendering, Landscape Notes, & Landscape Detail, Sheets 15 thru 20; Demolition Aerial Plan, Sheet 21; Master Pump Station key Plan, Sheet 22; Sodium Hypochlorite Facilities Proposed Plan, Sheet 23; New Administration Building 1st & 2nd Floors Plan, Sheets 24-25; New Administration Building Roof Plan, Sheet 26; New Administration Building Elevations, w/ Landscaping, Sheets 27-28; Existing WTP Exterior Painting, Sheet 29; Site Lightning Plan & Schedule, Sheet 30; Site Security Plan, Sheet 31; dated & sealed 4/21, 4/22 & 4/25/2014.
3. Landscaping & Buffers: That lush landscaping and buffering be provided all around the properties to screen the noise and appearance of the utility use from the neighboring single-family residences. That, in addition to the landscaped hedge, a six-foot masonry wall, finished on the exterior side, be constructed along the east side of the newly acquired lots directly abutting the single-family residences.
4. Green Building Design Standards: That, in accordance with Section 5-805 of the City's LDRs, LEED standards or the City's alternative green standards be incorporated in the proposed administration building in order to support the City's environmental initiatives; said standards to include energy saving fixtures aiming at minimizing water and electric consumption.

5. Tanks Design: That the new tanks incorporate decorative treatment to provide for greater aesthetic appeal to minimize visual contrast and encourage compatibility with the surrounding residential neighborhood. Said decorative treatment shall be in addition to the required landscaping features.
6. Tree Removal Permit Required: That, prior to the removal of any tree, a tree removal permit be obtained from the Building & Minimum Housing Department for compliance with the standards set forth in Section 20-19, Article 2 of the City's LDRs.
7. Conditional Use Permit: Consistent with Ordinance 1366 approving the rezoning of the newly acquired lots, a conditional use permit and the precise plan being reviewed through this DRC process shall be submitted to the Community Planning & Development Department for approval by the Planning Commission and the City Council, prior to obtaining final building permits.
8. Development Commencement: That the precise plan approval shall remain in full force and effect subject to commencement of development within eighteen (18) months of the date of this approval in accordance to Section 3-206(I), Article 3, Division 2 of the City's LDRs.
9. Building Permits: That, upon the submittal of an application for building permits the submitted plans be substantially in accordance with the precise plans approved through this DRC and by the Planning Commission; said plans to include among other things, but not limited thereto, location of structures, light standards, landscaping, walls, fences, ingress and egress points, drainage, etc.
10. Construction fence, removal of construction debris and construction storage: Construction fence(s) shall be provided on the property under construction so as not to disturb the adjacent single-family residences; all construction debris shall be removed from the property; and the storage of construction materials shall meet the approval of the Building Official.
11. Certificate of Occupancy: That a Certificate of Occupancy from the Building & Minimum Housing Department shall only be issued upon compliance with all terms and

conditions of approval, the same subject to cancellation upon violation of any of the conditions herein listed.

12. Approval by Other Agencies: That the development comply with all applicable conditions and requirements of the Department of Environment Resources management (DERM), and all other County and State agencies.
13. Comply with all DRC comments issued by City Departments as provided in written by Community Planning and Development Department.
14. If no building permit is filed within one year of the date of the conditional use approval the approval shall be null and void.



Public Works Department
Utility Operations Center

1815 N.E. 150 Street · North Miami, FL 33181 · T: (305) 895-9838 · F: (305) 787-1008

May 15, 2014

Mrs. Tanya Wilson-Sejour
Manager
Community Planning & Development
12400 NE 8 AVE
North Miami, FL 33161

Re: **Winson Water Plant Upgrades-Conditional Use Permit**

Dear Mrs. Wilson-Sejour,

This letter accompanies the application regarding the properties as follows:

- **Parcel 1:** Folio 06-2126-016-0410 - described as the "1094 NW 122nd Street" parcel, and Lot 11 less the East 10 feet of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Records.
- **Parcel 2:** Folio 06-2126-016-0400 - described as the "1092 NW 122nd Street" parcel, and Lot 10 and the East 10 feet of Lot 11 of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Records.
- **Parcel 3:** Folio 06-2126-016-0390 - described as the "1080 NW 122nd Street" parcel, and Lots 7 to 9 inclusive of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Record.
- **Parcel 4:** Folio 06-2126-016-0440 - described as the "1075 NW 121st Street" parcel, and Lot 14 of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Records.
- **Parcel 5:** Folio 06-2126-016-0430 - described as the "1085 NW 121st Street" parcel, and Lot 13 of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Records.
- **Parcel 6:** Folio 06-2126-016-0420 - described as the "12105 NW 11th Avenue" parcel, and Lot 12 of Block 3 in plat of Sunkist Grove recorded in Plat Book 8 Page 49, Miami-Dade County Records.

As you are aware, we have had several conversations regarding the upgrades to the Winson Water Plant. The proposed improvements would be constructed at the existing treatment plant site and properties listed above. Our goal is to expand the existing water plant site including refurbishing and/or replacing existing equipment and installing two new storage tanks on the adjacent site. The improvements will maintain the reliability of the treatment plant over the next 20 years.

The City of North Miami owns and operates the Winson Water Treatment (WTP). This WTP provides potable water to the citizens of North Miami. The facility was built in 1962. Much of the treatment process equipment is at the end of its useful life. This project will rehabilitate the facility to maintain the reliability of the treatment process over the next 20 years. Approval of this conditional use request will enhance the reliability of this critical City asset.

There are currently two existing storage tanks at the southern island. Tank number 1 is 1.5 million gallons (MG) and Tank number 2 is 0.75 MG. Tank number 2 will remain in place while Tank number 1 will be demolished. The rehabilitation will also include a new administration building (a 50' x 75' two story building), new electrical power supply and distribution system, refurbishment of the lime softening treatment unit, four new high service pumps, two new transfer pumps, two new backwash pumps, and new treatment chemical storage and feed facilities.

The northern island will include construction of two 1.5 (MG) storage tanks. These storage tanks will incorporate decorative treatments to provide greater aesthetic appeal and smoothly blend in with its surroundings.

A significant amount of landscaping and buffering will be provided around the properties to screen the noise and appearance of the utility use from the neighboring single family residences. In addition to the landscape hedge, an 8 foot masonry wall (finished on the exterior side) will be constructed along the east side do the newly acquired lots directly abutting the single family residences.

We are now requesting that this application be addressed at the first available Planning Commission meeting of the Planning Board.

We are appreciative of the cooperation shown to us by your staff and are available for meetings, as needed. If you have any questions, please do not hesitate to contact me at (305) 895-9838 or e-mail me at pwisler@northmiamifl.gov.

Sincerely,



Wisler Pierre-Louis, P.E.
Interim Director of Public Works

Enclosures

CC: Bhairvi Pandya, AICP, GISP, City Planner
Nixon Lebrun, AICP, CFM, Zoning Administrator
File

WINSON WATER TREATMENT PLANT REHABILITATION

PROJECT NARRATIVE

The City of North Miami owns and operates the Winson Water Treatment (WTP). This WTP provides potable water to the citizens of North Miami. The facility was built in 1962. Much of the treatment process equipment is at the end of its useful life. This project will rehabilitate the facility to maintain the reliability of the treatment process over the next 20 years. Approval of this conditional use request will enhance the reliability of this critical City asset.

There are currently two existing storage tanks at the southern island. Tank number 1 is 1.5 million gallons (MG) and Tank number 2 is 0.75 MG. Tank number 2 will remain in place while Tank number 1 will be demolished. The rehabilitation will also include a new administration building (a 50' x 75' two story building), new electrical power supply and distribution system, refurbishment of the lime softening treatment unit, four new high service pumps, two new transfer pumps, two new backwash pumps, and new treatment chemical storage and feed facilities.

The northern island will include construction of two 1.5 (MG) storage tanks. These storage tanks will incorporate decorative treatments to provide greater aesthetic appeal and smoothly blend in with its surroundings.

A significant amount of landscaping and buffering will be provided around the properties to screen the noise and appearance of the utility use from the neighboring single family residences. In addition to the landscape hedge, an 8 foot masonry wall (finished on the exterior side) will be constructed along the east side do the newly acquired lots directly abutting the single family residences.



To: Wisler Pierre-Louis, Interim Public Works Director

Cc: Tanya Wilson-Séjour, AICP, Community Planning & Development Manager

From: Nixon Lebrun, AICP, CFM, Zoning Administrator

Date: May 7, 2014

RE: Winson Water Treatment Plant Expansion-DRC Site Plan Approval

Applicant: City of North Miami/Public Works Department

Property Location: 1080-1092-1094 N.W. 122nd Street/1075-1085 N.W. 121st Street/12105 N.W. 11th Avenue/12100 N.W. 11th Avenue

Folio Numbers(s): 06-2126-016-0390/06-2126-016-0400/06-2126-016-0410/06-2126-016-0440/06-2126-016-0420/06-2126-016-0420/06-2126-016-07320

Size of Property 2.88 Acres

Existing Zoning: PU, Public Use

Pursuant to Article 3, Division 12, Sub-section 2-306 (B) of the City of North Miami Land Development Regulations (LDRs), the Community Planning and Development Department has reviewed the above-captioned DRC site plan application for the proposed expansion and upgrade of the Winson Water Treatment Plant, and is granting site plan approval subject to the following conditions:

1. **Plans.** That the property be developed substantially in compliance with the precise plans submitted and titled "City of North Miami Public Works Public Works Utilities Winson Water Treatment Plant" as prepared by Hazen and Sawyer Environmental Engineers & Scientists and the City of North Miami Public Works Department, consisting of a Title Sheet and Location Map, Sheet 1; an Existing Site Plan, Sheets 2 & 3; an Existing Site Aerial and Zoning Map, Sheet 4; a Proposed Site Plan, Sheets 5 & 6; a Pavement Marking and Signage Plan, Sheet 7; a Site Plan Details, Sheet 8; a Setback Plan, Sheets 9 & 10; a Paving, Grading & Drainage Plan, Sheet 11; a

NORTH MIAMI
FLORIDA
COMMUNITY PLANNING & DEVELOPMENT

Proposed Landscape Plan, Sheets 11 thru 13; a Building & Tanks Elevation/View Plan, Sheet 14; A Landscape Elevation Plan, Landscape Plan Rendering, Landscape Notes, & Landscape Detail, Sheets 15 thru 20; Demolition Aerial Plan, Sheet 21; Master Pump Station key Plan, Sheet 22; Sodium Hypochlorite Facilities Proposed Plan, Sheet 23; New Administration Building 1st & 2nd Floors Plan, Sheets 24-25; New Administration Building Roof Plan, Sheet 26; New Administration Building Elevations, w/ Landscaping, Sheets 27-28; Existing WTP Exterior Painting, Sheet 29; Site Lightning Plan & Schedule, Sheet 30; Site Security Plan, Sheet 31; dated & sealed 4/21, 4/22 & 4/25/2014.

2. Landscaping & Buffers: That lush landscaping and buffering be provided all around the properties to screen the noise and appearance of the utility use from the neighboring single-family residences. That, in addition to the landscaped hedge, a six-foot masonry wall, finished on the exterior side, be constructed along the east side of the newly acquired lots directly abutting the single-family residences.
3. Green Building Design Standards: That, in accordance with Section 5-805 of the City's LDRs, LEED standards or the City's alternative green standards be incorporated in the proposed administration building in order to support the City's environmental initiatives; said standards to include energy saving fixtures aiming at minimizing water and electric consumption.
4. Tanks Design: That the new tanks incorporate decorative treatment to provide for greater aesthetic appeal and enables it not to contrast too much, but rather smoothly blend in with its surroundings. Said decorative treatment shall be in addition to the required landscaping features.
5. Tree Removal Permit Required. That, prior to the removal of any tree, a tree removal permit be obtained from the Building & Minimum Housing Department for compliance with the standards set forth in Section 20-19, Article 2 of the City's LDRs.
6. Conditional Use Permit. Consistent with Ordinance 1366 approving the rezoning of the newly acquired lots, a conditional use permit and the precise plan being reviewed through this DRC process shall be submitted to the Community Planning & Development Department for approval by the Planning Commission and the City Council, prior to obtaining final building permits.
7. Unity of Title: A unity of title unifying the newly-acquired residential lots, which meets the approval of the Community Planning & Development Department and the City's Attorney Office, shall be submitted for final recordation in the public records of Miami-Dade County.
8. Development Commencement. That the site plan approval shall remain in full force and effect subject to commencement of development within eighteen (18) months of the date of this approval in accordance to Section 3-206(I), Article 3, Division 2 of the City's LDRs.

9. Building Permits: That, upon the submittal of an application for building permits the submitted plans be substantially in accordance with the precise plans approved through this DRC and by the Planning Commission; said plans to include among other things, but not limited thereto, location of structures, light standards, landscaping, walls, fences, ingress and egress points, drainage, etc.
10. Construction fence, removal of construction debris and construction storage. Construction fence(s) shall be provided on the property under construction so as not to disturb the adjacent single-family residences; all construction debris shall be removed from the property; and the storage of construction materials shall meet the approval of the Building Official.
11. Certificate of Occupancy. That a Certificate of Occupancy from the Building & Minimum Housing Department shall only be issued upon compliance with all terms and conditions of approval, the same subject to cancellation upon violation of any of the conditions herein listed.
12. Approval by Other Agencies: That the development comply with all applicable conditions and requirements of the Department of Environment Resources management (DERM), and all other County and State agencies.

Please note that the precise plan approved through this DRC site plan review is not a final development order. This plan shall be included in the conditional use permit application package, which needs to be submitted to this Department for further approval by both the Planning Commission and the City Council. Please contact the City Planner, Ms. Bhairvi Pandya, to discuss the submittal requirements for said application and be scheduled for the next available Planning Commission hearing.