

CCOSD - R - 2021 - 001

A RESOLUTION OF THE BOARD OF CONCERNED CITIZENS OF SOUTH DADE, AUTHORIZING THE CHAIR AND OR CO-CHAIR TO ISSUE A LETTER OF SUPPORT OR DENIAL OF CFF DEVELOPMENT GROUP (THE APPLICANTS) REQUEST FOR A REZONING FROM TWO-FAMILY RESIDENTIAL DISTRICT "RU-2" TO LEISURE CITY COMMUNITY URBAN CENTER DISTRICT "LCUCD" SPECIFICALLY MIXED-USE CORRIDOR, SUBJECT TO A DECLARATION OF RESTRICTIVE COVENANT ATTACHED HERETO AS EXHIBIT "A" FOR A PROPERTY LOCATED AT APPROXIMATELY 29055 SW 162 AVE, HOMESTEAD, FL

WHEREAS, CFF Development Group ("the Applicant") has filed Public Hearing Application No. Z2020000125 with Miami-Dade County for a change of zoning from Two-Family Residential District "RU-2" to Leisure City Community Urban Center District "LCUCD", specifically Mixed-Use Corridor "MC" for a site located at approximately 29055 SW 162 Avenue ("the Property"); and

WHEREAS, the MC Zoning Designation will allow a maximum height of twelve stories and up to 125 units per acre; and

WHEREAS, the Applicant, days before the Public Hearing before Board of County Commissioners "BCC" reached out to Concern Citizens of South Dade (CCOSD) to request a meeting with neighbors; and

WHEREAS, CCOSD coordinated an initial and subsequent virtual meetings with neighbors and the Applicant to discuss the rezoning application for the subject Property; and

WHEREAS, at the initial meeting, neighbors expressed concerns as it pertained to the intrusion of higher density, intensity and height adjacent to single story residential development in addition to the lack of clarity as to what would be developed on the Property; and

WHEREAS, at the February 18, 2021 public hearing neighbors expressed concerns before the BCC citing the request as presented did not provide for an appropriate transition as it relates to density, intensity and height. The neighbors requested a deferral of the Applicants request to rezone the subject Property, and expressed good faith efforts on behalf of the neighbors to work with the Applicant to address issues of concerns; and

WHEREAS, the BCC moved to defer the Applicant request to the May 19, 2021 public hearing, further directing the Applicant to meet with neighbors to address concerns; and

WHEREAS, following four virtual meetings with neighbors the Applicant proffered several amendments to the Declaration of Restrictive Covenants attached hereto as Exhibit "A"; and

WHEREAS, the Board finds the Applicant made has made good faith efforts to address some of the concerns raised by the neighbors as further described below; and

WHEREAS, in an effort to address the concerns raised as it pertained to height and setbacks, the Applicant proffered a tiered height approach with setback, providing for a maximum height of five stories in the center of the Property, four stories fronting Old Harriet Tubman Highway (Old Dixie Hwy) and three stories fronting SW 162 Avenue (Farm Life Road) as further described in Exhibit "B" and

WHEREAS, the Applicant at the request of neighbors who wanted to ensure that the project was developed as a true mixed-used transit oriented development, per the neighbors request proffer a minimum of 1,500 sq. ft. of ground floor retail fronting Old Harriet Tubman Highway (Old Dixie Hwy) that no portion of the 1,500 sf Minimum per the neighbors request shall include uses designated for the daily operation the residential complex, such as leasing and/or management office, onsite recreation or multipurpose facilities and/or mailroom associated with the residential use; and

WHEREAS, the Applicant to address the lack of connectivity from the Property to the Busway as cited by neighbors, the Applicant proffered to construct a continuous 8' wide sidewalk on the public swale area along the west side of Old Harriet Tubman Highway, from the north boundary of the Property to the existing crosswalk connecting the east and west sides of Old Harriet Tubman Highway, such that it aligns with the proposed opening to multipurpose path scheduled for transit way; and

WHEREAS, the Applicant further proffered to provide on site recreational area within the Property, which will including at a minimum a gym facilities, a pool and pool deck, to mitigate against additional stresses that may directly impact the neighborhood Park (South Dade Park); and

WHEREAS, to address the concerns raised by the neighbors as to the visual impact and to discourage parking on the swale, the Applicant has proffered to install trees 20 feet on center with a minimum height of 14' to 16' feet; and

WHEREAS, the Applicant seeks to further support the local public schools by making a monetary contribution to either Avocado Elementary or South Dade Senior High in support of its Art Programming; and

WHEREAS the following issues remain, neighbors have requested that the Applicant incorporate a public art component that's in context with the neighborhood as part of the Development fronting Old Harriet Tubman Highway. Said public art shall be reviewed and approved by the Planning Director or designee upon a recommendation from Chief of Public Art. There are several Government Development projects that are being developed within the LCUCD, those projects will incorporate public art, and

WHEREAS, the Board finds that incorporating public art is an important element of a development project and is an essential part of the creative placemaking process and helps build community identity and

WHEREAS, the Applicant made a presentation to the neighbors and indicated that parking would be provided at a rate 1.7 parking spaces; and

WHEREAS, the covenant as proffered indicates that additional parking would be provide than what is required, however, no ratio or percentage is identified in the covenant to identify what that additional parking may be; and

WHEREAS, the Board having taken into consideration the proffers made in the revised declaration of restrictions, finds that the Applicant has made good faith efforts to address some of issues raised; and

WHEREAS, the Board hereby authorizes the Chair or co-Chair to issue a letter of support with conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CONCERN CITIZENS OF SOUTH DADE:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The Board of Concern Citizens of South Dade recommends the Chair or Co-Chair issue a letter of support with conditions of the Rezoning Application on file with Miami-Dade County under Application No. Z2020000125 for CFF Development Group with the following conditions;

1. Project Art. The Applicant shall incorporate a public art component that's in context with the neighborhood as part of the Development fronting Old Harriet Tubman Highway. Said public art shall be reviewed and approved by the Planning Director or designee upon a recommendation from the Chief of Public Art.
2. Clarification subsection 8, Parking shall be provided at a minimum of 1.7 parking spaces per unit.
3. Public Benefits – As customary in other municipalities within Miami-Dade County, the Applicant should consider proffering the following public benefits, as part of the Declaration, of restrictive covenants in connection with the Rezoning Application as part of the development, construction and operation of the project:
 - (a) Job Creation and Employment Opportunities. Priority hiring shall be given to those individuals residing near the Project area and surrounding neighborhoods in the following priority:
 - (i) 1st Priority: Those residing in the following ZIP codes in the City: 33033, 33030, 33031, 33032 and 33034
 - (ii) 2nd Priority: Those residing in all other areas of the County.