



Department of Planning, Zoning and Code Compliance
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Staff Analysis and Recommendation

To: Honorable Mayor and Town Council Members

From: Alex Rey, Town Manager

Subject: **HEARING NUMBER:** PHSP2017-0732
APPLICANT: The Graham Companies
FOLIO: 32-2022-001-0520
LOCATION: West side Commerce Way at the intersection of NW 82 Avenue

Date: June 5, 2018

A. REQUEST

In accordance with Section 13-304(h) of the Town of Miami Lakes Land Development Code (LDC), The Graham Companies, Inc., (the "Applicant") is requesting a site plan approval to develop a mixed-use development consisting of 179 residential units with approximately 17,063 square feet of ground floor commercial on a 7.84-acre property.

B. SUMMARY

The property is located adjacent to the Anchorage residential community and the southern shore of Graham Dairy Lake, and it is zoned BU-2 with a land use designation of Business and Office (BO). Both the Zoning and Land Use designations permit residential uses when combined with a commercial presence, thus providing for a mixed-use development. The complex proposes three (3) separate buildings: Buildings "A" and "B" facing Commerce Way, and Building "C" facing the lake. The ground floor commercial is proposed for Buildings "A" and "B" and will face Commerce Way. Both buildings feature one-bedroom units averaging 725 square feet in size above the commercial use. Building "C" features two-bedroom units averaging 1050 square feet in size and does not include any commercial use.

None of the proposed three (3) buildings exceed four (4) stories in height. It is worth noting that the district permits heights up to seven (7) stories, however the applicant chose not to maximize building height in order to minimize the impact to the adjacent residential neighborhood. Further, the two buildings most adjacent to the Anchorage community, Buildings "A" and "C", are substantially setback with distances of 121 feet, 2 inches and 52 feet, 7 inches respectively. Additionally, the proposal provides 20-foot landscape buffers to the adjacent properties and includes a masonry wall between the commercial component of the development and the adjacent residential community to the west. A masonry perimeter wall is also proposed along the northeast property line to buffer the proposed development from the adjacent warehouse property.

The development provides for controlled gated and key access entry to the residential portions of the development. All buildings are designed and located so as to minimize visual intrusion onto the

adjacent residential community. The development includes such amenities as meeting rooms, plazas, gazebos, dog play areas, and a pool. A basket ball court is also provided inside the access controlled residential area and is situated on the east side of the property furthest away from the Anchorage community. The provided amenities are for the exclusive use of the residents and their guests. The item was presented at a Developer Information Session on May 2, 2018. The meeting was well attended and questions were of a general nature. No changes to the plan were requested by the attendees.

The development proposal is fully compliant with the applicable underlying zoning and land use regulations. There are no variances associated with this request. The applicant has agreed to not seek a certificate of occupancy sooner than January of 2021.

C. STAFF RECOMMENDATION

Based on the analysis provided below and other factors contained in this report, Staff recommends that the Town Council approve the Site Plan entitled "South Pointe" as prepared by Wolfberg Alvarez, consisting of 38 pages, dated stamped received April 19th, 2018, as attached at Exhibit "A" of the resolution, subject to the following conditions:

1. The project shall be developed in substantial compliance with the approved Site Plan.
2. Issuance of permits for the project shall be issued within two (2) years of this approval. Completion of construction of the project to final certificate of occupancy shall occur within seven (7) years of this approval. One (1) extension may be granted administratively for a period not to exceed 180 days. All other extensions may be granted by the Town Council upon showing of good cause, at an advertised quasi-judicial public hearing.
3. No certificate of occupancy shall be issued sooner than January of 2021.
4. All permits issued to the project prior to the expiration of any existing vested transportation concurrency rights shall not be required to pay mobility fees. However, should the existing transportation concurrency vesting expire, any permitting for this property shall be subject to mobility fees.
5. Should the existing parks vested rights lapse, the project shall come into compliance with its proportionate share of Large Park LOS through either a conveyance of land or payment of a fee in lieu thereof, as approved by the Administrative Official.
6. Compliance with all other applicable laws not specifically identified herein.
7. Prior to the issuance of a building permit authorizing any construction, all required impact fees, must be paid in full.
8. All cost recovery fees associated with this request that are owed to the Town, including those associated with implementing the conditions of the Development Order, shall be paid in full.

D. BACKGROUND

Subject Site:

The subject property is an irregularly shaped parcel located on the West side of Commerce Way and east of NW 82 Avenue/Commerce Way intersection. The property is currently vacant and used as agricultural. The property is approximately 7.84 acres and includes some submerged land.

Existing Zoning District:	BU-2, Special Business District
Existing Land Use Designation:	Business and Office (BO)

Surrounding Property:

	Land Use Designation	Zoning District
North:	INDUSTRIAL AND OFFICE (IO) GRAHAM DAIRY LAKE	IU-C industrial district conditional
South:	INDUSTRIAL AND OFFICE (IO)	IU-C industrial district conditional
East:	INDUSTRIAL AND OFFICE (IO)	IU-C industrial district conditional
Southeast:	INDUSTRIAL AND OFFICE (IO)	IU-C industrial district conditional
West:	LOW MEDIUM DENSITY RESIDENTIAL	RM-50 High Density Residential District

Subject Property Location Map:

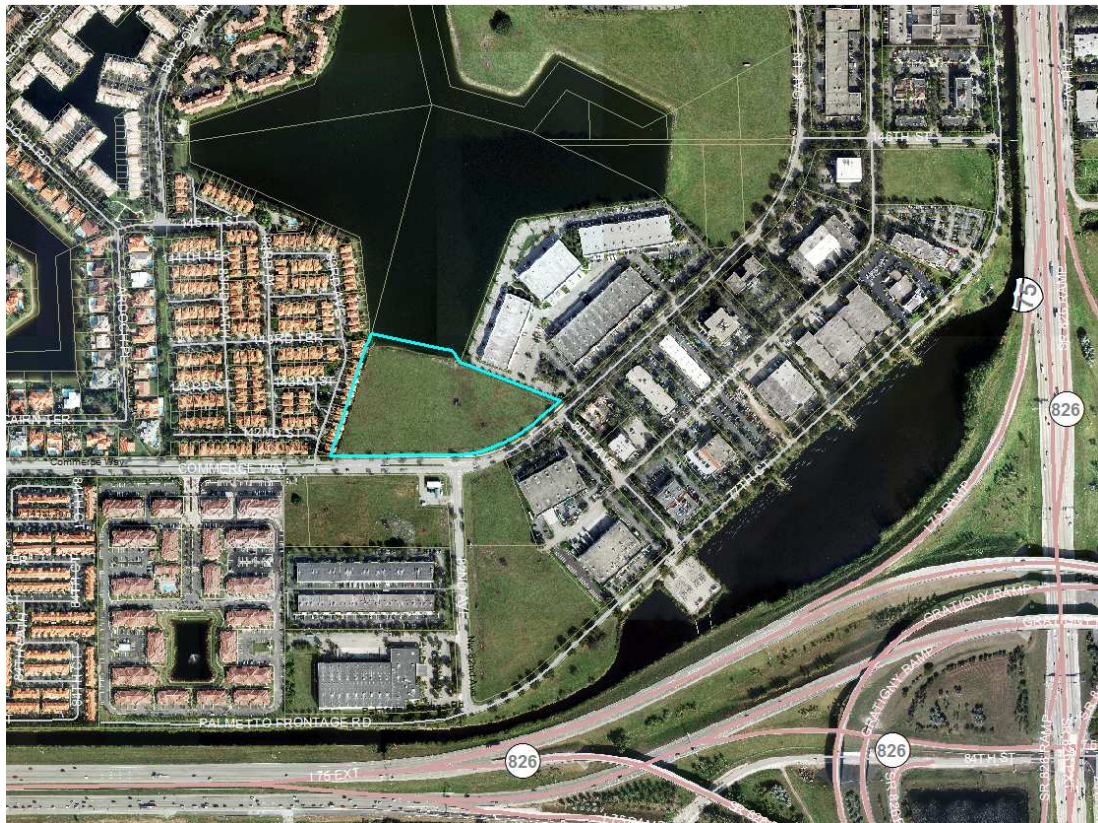


Figure 1: Location aerial and folio numbers

Initiative: Extend Northbound Right Turn Lane on NW 77th Court by 150 ft.

Status: The Florida Department of Transportation (FDOT) is at 90% design plans and is working with Miami-Dade County for a land transfer needed to make the improvement. This project will add more storage space for vehicles turning right onto NW 154th Street to the Palmetto Expressway South. In addition, this improvement will reduce congestion to the NW 77th Court northbound through traffic lanes.

Initiative: Allow Left Turn at NW 82nd Avenue and Oak Lane

Status: Project was completed 2nd Quarter 2018.

Initiative: Greenway Trail along NW 77th Court from NW 170th Street to its terminus at the proposed dog park at NW 82nd Avenue.

Status: Construction of shared use path is scheduled to align with the completion of FDOT's SR 826/Palmetto Expressway and NW 154th Street project, which is expected to begin in FY 2026. The project is planned to construct a new 10 ft. shared-use path for pedestrian and bicycle use.

Initiative: Complete Streets Improvement along NW 79th Court and Commerce Way to NW 146th Street

Status: Town was award funding through FDOT's Transportation Alternatives Program (TAP) in FY 2024 for construction. Design is expected to begin in FY 2023. The improvements include completing the sidewalk network and the inclusion of bike lanes along NW 79th Court, Commerce Way, and NW 146th Street.

F. FISCAL IMPACT

The project, if permitted, will be subject to impacts fees for Police, Road and Parks. The estimate provided is based on 179 residential units in a building over 3 stories and 17,063 square feet of commercial. The commercial portion of the calculation is provided at two levels, one for general retail and the other for office.

IMPACT FEE SCHEDULE								
Land Use	Road	Police	Parks	Units/SqFt	Road	Police	Parks	Total
Residential over 3 Floors	\$4,022.12	\$550.22	\$2,300.30	179	\$683,962	\$93,565	\$391,166	\$1,168,692
Shopping Center/General Retail	\$13.49	\$0.38		17,063	\$218,638	\$6,189	\$0	\$224,827
General Office Building	\$14.93	\$0.38		17,063	\$242,029	\$6,189	\$0	\$248,218
Total Fee if All Commercial Space is Retail:					\$902,600	\$99,754	\$391,166	\$1,393,520
Total Fee if All Commercial Space is Office:					\$925,991	\$99,754	\$391,166	\$1,416,911

Note: Values shown are at 95% to reflect the 5% administrative fee imposed by the Miami-Dade County

The estimated value of the property at certificate of occupancy is \$26,000,000 which could potentially result in annual ad-valorem tax revenue of \$60,000.

G. Open Building Permit(s) / Open Code Compliance Violation(s)

There are no open building permits or open code compliance violations associated with this property.

H. ZONING HISTORY

The site is currently undeveloped and used for pastoral lands.

I. ANALYSIS

The Land Development Code (LDC) provides that all proposed site plans subject to public hearing shall be reviewed pursuant to the criteria found at Subsection 13-304(h). All portions of this report are hereby incorporated into all portions of this Analysis.

- (1) In what respects the plan is or is not consistent with the Comprehensive Plan, the purpose and intent of the zoning district in which it is located, and any design or planning studies adopted by the Town Council that include recommendations applicable to the design of the site under review.

The following is a review of the relevant Goals, Objectives and Policies of the Town's Comprehensive Master Development Plan (Comp Plan). It is followed by a review of the Land Development Code provisions.

Policy 1.1.2: The following future land use categories are contained in the Town's Future Land Use Map:

**Business and Office (BO) - This category accommodates the full range of sales service activities including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, public facilities, amusements and commercial recreation establishments (such as private commercial marinas). These uses may occur in self-contained centers, high rise structures, campus parks and municipal centers business districts. The specific range and intensity of uses appropriate in BO areas vary by location as a function of such factors as availability of public services, roadway access and neighborhood compatibility. Special limitations may be imposed on uses in BO where necessary to protect environmental resources including wellfield protection areas. Through the assignment of zoning districts and special conditions, the specific range and intensity of uses appropriate for a particular site will be determined. Strip commercial shopping centers with inadequate lot depth, which allow only a single row of commercial structures and parking in front, are discouraged in this designation. The floor area ratio (FAR) is 0.4 for the first story, plus 0.11 for each additional story up to 7 stories, then 0.06 for each additional story. The maximum height permitted in this category is seven (7) stories; however, the maximum height can be exceeded with approval through a public hearing.*

Mixing of residential use with commercial, office and hotels is also permitted in BO areas provided that the scale and intensity is not out-of-character with adjacent and nearby development, and the project does not negatively impact any area neighborhoods. Where these conditions are met, residential development may be authorized at a density up to one (1) density category higher than the average of adjacent residential land uses. If no residential areas exist adjacent to a subject site, then the Medium Density land use category is allowed. However,

residential use shall not be developed on over 15% of the area of any proposed master-planned development

Analysis: The BO land use permits residential when built together with a commercial component (Attachment “A”). The proposed application complies with the Floor to Area Ratio and the 15% residential rule identified within the BO description. The BO designation, and in turn, the proposed development, provide a gradual transition of uses away from the industrial uses to the east and south, to the residential uses to west.

Finding: Complies.

Policy 1.1.14: Discourage land use patterns indicative of urban sprawl in the Future Land Use Map and any amendment applications by encouraging compact development, mixed use where appropriate and efficient use of public facility capacity and resources.

Analysis: The proposed project is a mixed use/compact development that does not promote urban sprawl.

Findings: Complies.

Policy 2.1.8: In-lieu of traditional transportation concurrency, the Town shall mitigate the mobility impacts of development and redevelopment and provide a portion of funding needed to implement the improvements identified in the Element, through a mobility fee.

Analysis: The project does not need to pay towards the mobility fund because the property has transportation concurrency vested rights as a result of improvements already provided by the applicant to the Town. Should the applicant fail to attain a building permit prior to the expiration of the vested rights, then all mobility fees shall apply. Regardless, it is desired that any certificate of occupancy be issued no sooner than January of 2021 so that completion of the project will be more closely aligned with those Mobility Projects described at Section “E” of this report.

Finding: Conditionally complies provided all required permits are issued prior to the expiration of the existing transportation concurrency vested rights. Should existing transportation concurrency vesting expire, any permitting for this property shall be subject to the mobility fee schedule. Further, no certificate of occupancy shall be issued sooner than January of 2021.

Objective 2.2: MULTIMODAL LEVELS-OF-SERVICE

Achieve the adopted levels-of-service for vehicular, bicycle, pedestrian and transit modes.

Analysis: See Policies 2.1.8 and 2.2.2.

Finding: Conditionally complies as provided for at Policy 2.1.8.

Policy 2.2.4: For purposes of capital improvements planning, the Town hereby adopts the following pedestrian level of service standards:

Detached sidewalks: By 2030, 90 percent of all lineal street footage in Miami Lakes (excluding limited access expressways and ramps thereto) shall include sidewalks separated from the vehicle lanes by a swale/street tree planting area with appropriate street trees.

Analysis: The applicant is providing sidewalks along all street frontages with widths of eight (8) feet.

Finding: Complies

Policy 2.4.4: Whenever possible, street designs should include a swale/street tree planting area, planted with appropriate street trees, between the vehicle lanes and the sidewalk, and where there are more than two total through lanes, a grass and landscaped median should be included.

Analysis: The proposed site plan provides for Oak trees within the swale wherever possible and provides for additional on-site landscaping where it is not.

Finding: Complies.

Policy 2.4.7: New developments or redevelopment in which internal streets are proposed (whether public or private) shall implement the Town's complete street design standards.

Analysis: The proposed site plan provides for eight (8) foot sidewalks consistent with the Complete Streets Plan.

Finding: Complies

Policy 4A.1.1: To assure adequate level of service for potable water, the Town hereby adopts the following LOS standard:

- a. Regional Treatment. The regional treatment system shall operate with a rated maximum daily capacity of no less than 2% above the maximum daily flow for the preceding year, and an average daily capacity of 2% above the average daily system demand for the preceding 5 years.
- b. Delivery. Water shall be delivered to users at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi. Unless otherwise approved by the Miami-Dade Fire Department, minimum fire flows based on the land use served shall be maintained as follows:

<u>Land Use</u>	<u>Min. Fire Flow (gpm)</u>
Single Family Residential Estate	500
Single Family and Duplex; Residential on lots of 7,500 sf min	750
Multi-Family Residential;	1,500
Semi-professional Offices Hospitals; Schools	2,000
Business and Industry	3,000

- c. Water Quality. Water quality shall meet all federal, state and county primary standards for potable water.
- d. Countywide Storage. Storage capacity available throughout the County for finished water shall equal no less than 15% of the countywide average daily demand.
- e. Maintain the potable water standard of 91 gallons/capita/day.

Policy 4A.2.1: Encourage future development into areas that are already served, or programmed to be served, by MDWASD potable water facilities.

Policy 4B.1.1: To assure adequate level of service for sanitary sewer service, the Town hereby adopts the following LOS standard:

Regional Plants. Regional wastewater treatment plants shall operate with a physical capacity of no less than the annual average daily sewage flow.

Effluent. Effluent discharged from wastewater treatment plants shall meet all federal, state, and county standards.

System. The system shall maintain capacity to collect and dispose of 102 percent of average daily sewage demand for the preceding five years.

Maintain the sanitary sewer standard of 81.9 gallons/capita/day.

Policy 4B.2.1: Encourage future development into areas that are already served, or programmed to be served, by MDWASD sanitary sewer facilities.

Analysis: The Applicant requested from Miami-Dade County Water and Sewer Department (WASD) allocation for water usage appropriate to accommodate 179 residential units and 17,063 square feet of commercial replacing vacant land. The request was approved and 33,000 GPD were allocated for the project (Attachment "C"), for which no new infrastructure has been requested as of the time of this application. Additionally, a new pump-station is projected on Commerce Way and 83rd Ave. With the WASD approval, the applicant has satisfied Policies 4A.1.1, 4A.2.1, 4B.1.1, and 4B.2.1.

Finding: Complies

Policy 5.1.1: Utilize the following minimum LOS standards for parks and open space in Miami Lakes:

- 5.00 acres of TOTAL park area per 1,000 residents
- 3.25 acres of large (>5 acres) park per 1,000 residents
- 1.75 acres of small (<5 acre) per park per 1,000 residents

Analysis: Park concurrency of the property is vested through the improvements already provided by the Applicant to the Town. A letter indicating the acknowledgment of such vested rights is attached to this report (Attachment "B"). Should the applicant fail to attain a building permits prior to the expiration of the vested rights, then park concurrency shall apply.

In the absence of vesting, the table below reflects the Town's current LOS standard for park facilities, and that which would otherwise be required should this item be approved at 179 residential units. There exists excess capacity for small parks as the Town supply currently exceeds the LOS of 1.75 acres per 1,000 residents. Actual small park supply is at a LOS

Residents =	29361								
	Required		Existing			South Pointe			
	LOS	Acres	Actual Acreage	Actual LOS	Surplus Deficit in Acres	Req. Acres	Land to be Provided in Acres	Adjusted LOS	Adjusted Surplus Deficit Acres
Large Parks	3.25	95.42325	75.5	2.57	-19.92325	1.01	33	3.66	13.08
Small Parks	1.75	51.38175	55.45	1.89	4.06825	0.54	0	1.87	4.07
Total	5	146.805	130.95	4.46	-15.855	1.5484	33	5.53	17.145

South Pointe		
Number Units	Factor*	Population
179	1.73	309.67

* Factor is based on Miami-Dade Code Section 33H-6(a)(2) for multifamily uses in Benefit District 1.

of 1.89. The Town is currently underserved for Large Park facilities providing a LOS of 2.57 acres per 1,000 residents where 3.25 is required.¹

Should the vested rights lapse, the applicant may make a land dedication or a pay a fee of an equivalent value to cover the project's proportionate share of the LOS deficiency. The Town's CDMP currently identifies two (2) properties for future acquisition, Maddens Hammocks and the Par 3 Course. The total Large Park deficiency, based upon the 2010 census, is 19.92+/- acres. The project is expected to generate 310 residents reflecting approximately one percent (1%) of the Towns population. A one percent proportionate share of 19.92+/- acres is approximately .2 acres (8,712 square feet).

The project is subject to Park Impact Fees which are collected by the County at the time of permitting and remitted back to the Town. Section 33H-8 of the Miami-Dade County Code provides an "Impact Fee Schedule" that is based on the type of housing unit, the Benefit District within which it lays, and a fee per unit for both the provision of open space and improvements thereto. The table below details the anticipated park impact fee to be required of this project. Please note, the applicant has the option to donate land in lieu of paying the fee.

Estimated Park Impact Fee			
	Open Space	Park Improvement	GRAND TOTAL
Fee/Unit	\$ 1,124.03	\$ 1,176.27	
Units	179	179	
Total	\$ 191,141.30	\$ 200,024.71	\$ 391,166.02

Note: Values shown are at 95% to reflect the 5% fee imposed by the Miami-Dade County.

Finding: Conditionally complies as follows:

1. Should the existing parks vested rights lapse, the project shall come into compliance with its proportionate share of Large Park LOS through either a conveyance of land or payment of a fee in lieu thereof, as approved by the Administrative Official.
2. Payment of the required Park Impact Fee pursuant to Miami-Dade County code to which final calculation shall be performed at the time of permitting.

Policy 8.3.1

* * *

Public School Facilities: Prior to the issuance of any development order for new residential development or redevelopment, public school facilities needed to support the development at adopted school LOS standards must meet the following timing requirement:

¹ Section 8.3 of the Town Charter, provided for the adoption of all codes and ordinances, at the time of its incorporation, of Miami-Dade County, unless otherwise appealed or replace. Although the Town of Miami Lakes adopted its own LOS for required park land within its Comprehensive Master Development Plan, it never repealed or replaced those provisions which addressed park concurrency calculations. Therefore, any calculation pertaining to unit occupancy or park concurrency fees are based on Miami-Dade County of Code of Ordinances. That Code projects an occupancy ratio of 1.73 residents per unit in a multifamily development. Compliance with concurrency does not obviate the requirement to pay impact fees pursuant to the schedule at Chapter 33H at the time of permitting. Base LOS calculations are based on Census Data from 2010 which reflects the Town population 29,361, as such Existing and Adjusted LOS may vary as resident population shifts. Current population figures do not impact calculation of Applicant's proportionate share.

The adopted LOS standard for all Miami Lakes public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) Capacity (with relocatable classrooms). This LOS standard shall be applicable in each public school concurrency service (CSA) area, defined as the public school attendance boundary established by the Miami-Dade County Public Schools.

Analysis: The School Board's review of this request (attached herein) found it to be in compliance (Attachment "D").

Finding: Complies.

- (2) In what respects the plan is or is not in conformance with all applicable regulations of the zoning district in which it is located.

Analysis: See Summary Section and Criteria 1 of this Analysis. The application was properly noticed pursuant to Section 13-309 of the Town's Land Development Code. All aspects of the proposed plan conform to the zoning district in which it is located, including the parking code, and the Miami-Dade County's Section 18A, Landscaping Code. The site plan request does not require any variances.

Finding: Complies.

- (3) In what respects the plan is or is not in conformance with Town code requirements including:

- a. The design and construction of streets, utility facilities and other essential services as may be required by the Town or other governmental agencies.
- b. Internal and external circulation, including vehicular, bicycle and pedestrian. Circulation systems shall serve the needs of the development and be compatible with, and functionally integrate with, circulation systems outside the development. Vehicular traffic from non-residential development shall be routed so as to minimize impacts on residential development.

Analysis: See Section B, Summary, Section E, Adjacent Mobility Projects, and Criteria 1 and 2 of this Analysis. Much of the infrastructure within the rights-of-way needed to support this project are existing. Further, Criteria 1 of this Analysis Section provides a detailed review of required level of service components as provided by the Town's Comprehensive Master Development Plan. The property is currently exempted from Traffic/Mobility concurrency as provided by an attached letter issued by the Town confirming same. Expiration of vested rights may be subject to change as provide by State Statue or by order of the Town Council². Section E provides a status of Mobility projects in and around the area of the land subject to this request. Should vested Traffic/Mobility rights of this property expire, the proposed development will be subject to all required mobility fees.

² Florida Statutes provides for the extension of vested rights development orders, upon request and application, when declarations of emergency are declared by the state. Notwithstanding the most recent declaration, the current traffic/mobility vested right related to the subject property expires on September 15, 2018. The Town, by Resolution, may also extend the vested rights.

Finding: Conditionally complies as maybe provided at Criterion 1 of this analysis. Should the vesting of traffic/mobility concurrency expire, then the development shall come into full compliance with required mobility fees at the time of permitting.

(4) In what respects the plan is or is not consistent with good design standards in respect to all external relationships including but not limited to:

- a. Design and architectural standards as provided at section 13-311.
- b. Disposition of open space, use of screening or buffering where appropriate to provide a logical transition to existing, permitted or planned uses on adjoining properties.
- c. Landscaping that enhances architectural features, strengthens vista and important axes, provides shade, blocks noise generated by major roadways and intense-use areas and, to the maximum extent practicable, preserves existing trees on-site.
- d. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.
- e. Service areas shall be screened and so located as to minimize or eliminate visibility, to the greatest extent possible, from the public right-of-way and other properties.
- f. Design of the site shall ensure adequate access for emergency vehicles and personnel.
- g. Design of the site shall utilize strategies to provide for the conservation of energy and natural resources, including water.

Analysis: See also the Background Section and the analysis provided at Criterion 2 and 3 above. The proposed project is adjacent to the Anchorage development which is comprised of mostly of two-story structures, densely packed in a zero-lot-line configuration. The proposal includes three (3) traditional style buildings, four (4) stories in height, featuring barrel tiled roofs, and porthole windows with contemporary accents and treatments. The scale of the proposed buildings is compatible with the adjacent two-story community due to the increased setbacks of 121 feet, 2 inches for Building A, and 52 feet, 7 inches for Building C; as well as the 20-foot green belt proposed between the buildings and the property line. Furthermore, the buildings are sited so as to present their narrowest profile to Anchorage neighborhood, featuring minimal fenestration on the side facades, and a tree line of Wild Tamarinds that will further ensure privacy for the residents of both properties. As for the existing two-story industrial building to the northeast, the setback to the nearest Building "B" is 174 feet, and a corresponding green belt is planned similarly.

The three (3) buildings feature rectangular volumes with horizontal emphasis facing Commerce Way and Graham Dairy Lake. This horizontality is broken up by protruding balcony volumes, recessed main entrances, and varying roof heights. The vertical detailing is further enhanced by a clearly differentiated base where commercial activity is proposed, and with stucco detailing framing the fenestration. The fenestration adds to the articulation of the volumes. The proposed fenestration percentages are between 38% and 41% on all main front and rear facades, and between 4% and 5% on side facades. This is a suitable adjustment to the 30% minimum fenestration required at Sec. 13.311 of the LDC, because it ensures privacy to the adjacent residential property as no individual apartment is intended to have windows overlooking the houses.

The project is designed at an appropriate pedestrian scale. the ground floors of all three buildings are clearly differentiated form the upper stories and are articulated using appropriately scaled features such as large storefronts, awnings and sidewalks with landscaping, on the commercial portions, and patios and terraces on

the residential sides. The project includes two curb-cuts along Commerce Way, which lead to the commercial parking area. The residential parking areas are separated from the common commercial areas by an electronic gated access point. Internal sidewalks and crosswalks provide adequate pedestrian access both within the property and from the outside.

The project complies with landscape requirement and includes 31 oak street trees along Commerce Way and 205 trees in total. No signage or advertising is proposed at this time; any future proposals will be evaluated to ensure compliance with this section. The proposed lighting is both adequate and harmonious with both the building and the landscape.

All service areas are located at the rear of the buildings and are not visible from any right-of-way. The dumpsters are proposed to be enclosed and located away from all property lines, and within the footprint of the building. The applicant shall have to provide all approvals from Miami-Dade County Fire Rescue Department prior to permitting, and appropriate measures for energy and water conservation are proposed.

Finding: Complies.

- (5)** In what respects the plan is or is not in conformance with the Town policy in respect to sufficiency of ownership, guarantee for completion of all required improvements and the guarantee for continued maintenance.

Analysis: The application conforms with the Town's requirements concerning sufficiency of ownership. Maintenance of the property will be the responsibility of the property owner, and may be enforced through the provisions of the Town Code.

Finding: Complies.