



Planning Department  
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## Staff Analysis and Recommendation

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**To:** Honorable Chairman and Members of the Local Planning Agency

**From:** Darby Delsalle, AICP, Planning Director

**Subject:** **HEARING NUMBER:** ZONE2017-0614  
**APPLICANT:** Alari Holdings I, LLC  
**FOLIO:** 32-2023-001-0550;  
32-2023-001-0560;  
32-2023-001-0541  
**LOCATION:** 14575 NW 77 Avenue  
**ZONING** GU – Interim District  
**FUTURE LAND USE:** Office/Residential

**Date:** January 23, 2017

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### A. REQUEST

In accordance with the Town of Miami Lakes Land Development Code (the “Code”), Alari Holdings I, LLC (the “Applicant”) is requesting an amendment to the Official Zoning Map (a “rezoning”) from the GU, Interim District, to RO-13, Low Density Residential/Office District for the property described at Exhibit “A” of the proposed ordinance.

### B. SUMMARY

The Applicant is requesting a rezoning for this undeveloped property as part of a larger development plan to construct an office building at the site. The applicant’s development application could proceed without the rezoning given the nature of the GU, Interim zoning district. The GU district is a place holder of sorts for lands not previously assigned a more specific designation. Development of a GU parcel is supposed to follow the trending of development of other contiguous properties, in this case RO-13. It is preferred, however, to simply have land rezoned consistent with the adjacent office/residential district and the underlying Office/Residential land use designation. By squarely aligning the property with the zoning regulations that would otherwise apply, future development of the land may follow a more predictable path.

It is the Applicant’s intent to bring to the Town Council a site plan application for an office building on the property when this rezoning request returns for second reading. Nevertheless, this request

should stand on its own merits, as a RO-13 rezoning is most appropriate for the property regardless of any current or future site plan request.

### **C. STAFF RECOMMENDATION**

Based on the analysis provided below and other factors contained in this report, Staff recommends that the Town Council approve the proposed ordinance rezoning of the property as described in Exhibit "A" of said ordinance, from GU, Interim District, to RO-13, Low Density Residential/Office.

### **D. BACKGROUND**

**Existing Zoning District:** GU, Interim District

**Proposed Zoning District:** RO-13 Low Density Residential/ Office

**Future Land Use Designation:** OR Office/Residential

**Subject Site:**

The subject property is an irregularly shaped and undeveloped lot consisting of three (3) parcels, much of which is encumbered by easements owned by Florida Power and Light (FPL). FPL has transmission lines that traverse approximately two-thirds (2/3) of the land. The property is located at the south end of NW 77 Avenue east of the Palmetto Expressway (SR 826). East of the property is an area zoned GU that is developed as an FPL transfer station. The land north of the property is zoned RO-13 and developed with a two (2) story office building; the lands to immediate south are zoned GU and part of FDOT's rights-of-way for SR 826.

**Surrounding Property:**

	<b>Land Use Designation</b>	<b>Zoning District</b>
<b>North:</b>	OFFICE RESIDENTIAL (OR)	RO-13 Low Density Residential/Office
<b>South:</b>	LOW DENSITY RESIDENTIAL (LD)	Interim District (GU)
<b>East:</b>	LOW DENSITY RESIDENTIAL (LD)	Interim District (GU)
<b>West:</b>	LOW DENSITY RESIDENTIAL (LD)	Interim District (GU)

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**Subject Property Location Map:**

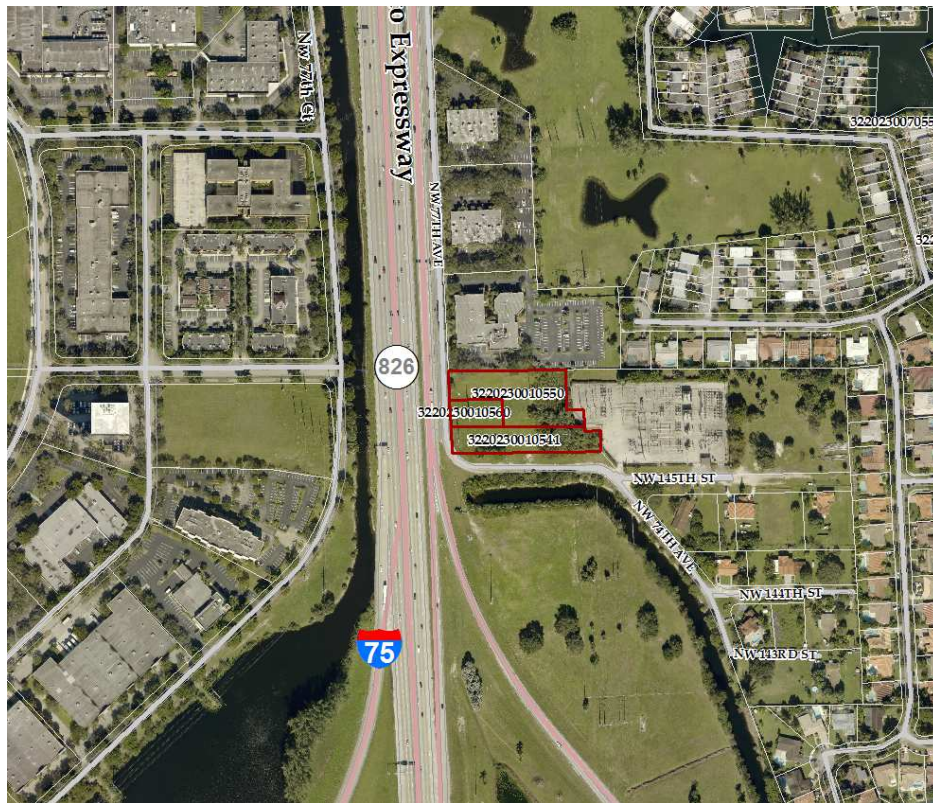


Figure 1: Location aerial and folio numbers

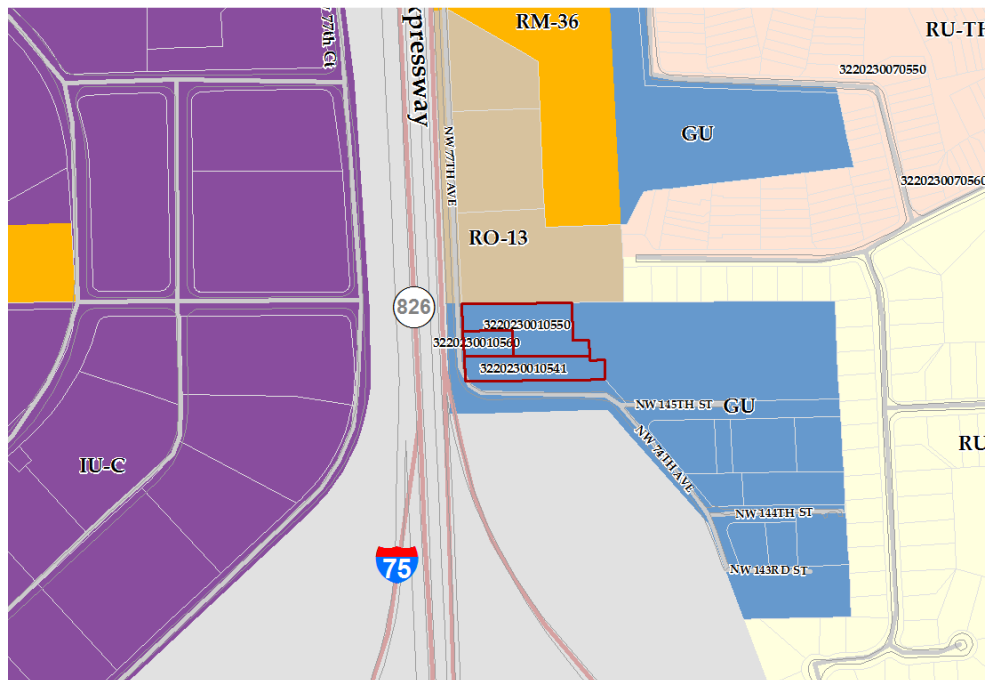


Figure 2: Existing zoning map



## **E. ADJACENT MOBILITY PROJECTS**

On April, 25, 2016, the Town Council of the Town of Miami Lakes adopted Ordinance No. 16-192, establishing the Town's Mobility Fee Program. The program is a replacement for traditional transportation concurrency review as provided for by Florida Statutes, and seeks to enhance internal Town mobility through the use of several modalities. The comprehensive approach identifies specific projects throughout the Town, all aimed at improving traffic and mobility improvements. The projects identified below have been adopted by the Town Council as part of that initiative and are described herein due to their adjacency to the proposal that is the subject of this report.

**Initiative:** Reconfiguration of the SR 826/Palmetto Expressway and NW 154<sup>th</sup> Street, which includes the following:

- a. Widening of NW 154<sup>th</sup> Street from NW 82<sup>nd</sup> Avenue to NW 77<sup>th</sup> Avenue;
- b. Direct ramp to I-75 from NW 154<sup>th</sup> Street;
- c. East-West underpass across the Palmetto Expressway at NW 146<sup>th</sup> Street.

**Status:** Project is in the design phase with an expected completion by 2<sup>nd</sup> Quarter 2018. Construction is to commence FY 2021. Project will alleviate congestion on NW 154<sup>th</sup> Street, by providing an enhanced access point onto I-75, and creating an additional east/west connectivity point within the Town.

**Initiative:** Adaptive Signalization on NW 154<sup>th</sup> Street from NW 87<sup>th</sup> Avenue to NW 77<sup>th</sup> Avenue.

**Status:** The Town Council approved the procurement of the Adaptive Signalization equipment and has entered an Inter-local for its installation, maintenance and operation. Miami-Dade County Traffic Engineering is completing assessment of existing infrastructure for compatibility.

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

**Status:** Project is in the design phase and provides for a ten (10) foot shared use pathway. Construction to be aligned with FDOT's SR 826 project with provides improvement in and around NW 154<sup>th</sup> Street with a projected start of FY 2021.

**Initiative:** Construction of a new Park-and-Ride Facility at Par 3 near NW 77<sup>th</sup> Avenue.

**Status:** Town is working with the Graham Companies on the land transfer for the Park-N-Ride Facility and is coordinating with Miami-Dade County Public Works and Transportation to secure funding through Miami-Dade County road impact fees.

## **F. Open Building Permit(s) / Open Code Compliance Violation(s)**

There are no open building permits associated with this property.

## **G. ZONING HISTORY**

The site is currently undeveloped. It has been zoned GU since the Town's incorporation.

## H. PROCEDURALLY

This application is initiated by the owner of the land involved, and it is part and parcel with a development plan to construct an office building on the property. As such, this particular request, and any companion applications as provided under separate cover, shall proceed under quasi-judicial rules as the benefit inures to that specified development plan. When this item returns for second reading, it will be accompanied by a site plan request. The rezoning request shall be voted on before the site plan request.

## I. ANALYSIS

The Land Development Code (LDC) provides that all proposed amendments to the Official Zoning Map and to the text of the LDC shall be evaluated by the Administrative Official, the Local Planning Agency and the Town Council, and that, in evaluating the proposed amendment, the criteria in Subsection 13-306(b) shall be considered. All portions of this report are hereby incorporated into all portions of this analysis. The following is a staff analysis of the criteria as applied to this application:

### 1. **Whether the proposal is consistent with the Comprehensive Plan, including the adopted infrastructure minimum levels of service standards and the concurrency management program.**

The following is a broad review of the relevant Goals Objectives and Policies (GOP's) of the Comprehensive Plan. Portions of Element 8, Capital Improvement Element, that address Level of Service (LOS) standards, as found more specifically at Policy 8.3.5, are not specifically enumerated here as they merely are a redundancy of the GOP's analyzed below. The review provided below includes that policy by reference<sup>1</sup>.

**Analysis:** The uses permitted with the proposed RO-13 zoning is consistent with the underlying land use designation of Office Residential (OR) which is defined as follows:

*\*Office/Residential (OR)* - Uses allowed in this category include both professional and clerical offices, hotels, motels, public facilities and residential uses. Office developments may range from small-scale professional office to large-scale office parks. A specific objective in designing developments to occur in this category is that the development should be compatible with any existing or future adjacent residential uses. The maximum scale and intensity of office, hotel and motel development in OR areas shall be based on such factors as site size, availability of services, accessibility, and proximity and scale of adjacent residential uses. Residential uses are also allowed in the OR category. Residential development may be authorized at a density up to one (1) density category higher than the average of adjacent residential land uses. When residential uses are mixed with office uses, the overall scale and intensity shall be no greater than that which would be approved if the parcel was in either office only or residential use only, whichever is higher. However, residential use shall not be developed on over 50% of the area of any individual site. Within the OR category, business uses ancillary and to serve the on-site uses may be integrated in an amount not to exceed 15 percent of the total floor area. However, the Office/Residential designation does not authorize any other business or commercial uses. The maximum floor area ratio (FAR) permitted is 0.4 for a one-story building, plus 0.2 for each

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<sup>1</sup> Element 8, Capital Improvement Element, of the Comp Plan, provides for Level of Service infrastructure standards within the Town. Policies 2.1.8, 2.2.1, 2.2.2, 4A.1.1, 4B.1, 5.1.1, 8.3.1 are a restatement of Policy 8.3.5 of that element. In the interest of avoiding redundancy, portions of that Policy are not restated here in this report. The analysis provided herein shall equally apply to that policy.

additional story, not to exceed a total FAR of 2.0. The maximum height permitted in this category is 2 stories, not to exceed 35 feet; however, the maximum height can be exceeded with approval through a public hearing.

**Finding:** 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:** See Summary Section, Background Section, and Adjacent Mobility Project Section. Development of this property could proceed without a rezoning. However, the rezoning of this property does serve to properly align the zoning of the land with those to its north that share frontage on NW 77<sup>th</sup> Avenue, and to provide for a more predictable development standard. Development along this frontage road adjacent to the SR-826 consists of one and two-story office buildings. As such, rezoning of the land to RO-13 provides no greater impact than already potentially exists with the current GU zoning. A number of mobility projects are scheduled for the adjacent roadway connection points as more particularly described at Section E above. Any development of the project is subject to a mobility fee to be determined at time a site plan application and review. A more complete analysis of this standard will be provided at the time of site plan review.

**Finding:** Consistent.

## **Objective 2.2: MULTIMODAL LEVELS-OF-SERVICE**

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

**Analysis:** See Policy 2.1.8.

**Finding:** Conditionally complies as provided for at Policy 2.1.8.

**Policy 2.2.1:** For purposes of capital improvements planning, the Town hereby adopts the following vehicular level of service (LOS) standards:

**West of Palmetto Expressway (outside urban infill area):** LOS D (90% of capacity at peak hour) or better, except State urban Minor arterial roads which may operate at LOS "E" (100% of capacity at peak hour) or above.

**Analysis:** See Section E, Mobility Projects, and Policy 2.1.8. The proposed project will benefit from several proposed transportation improvements in the neighboring areas as further specified in Section E, Mobility Projects, of this report.

**Finding:** Consistent

**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 minimum lots of 7,500 sf	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:** See Summary Section, Background Section, and Adjacent Mobility Project Section. Development of this property could proceed without a rezoning. However, the rezoning of this property does serve to properly align the zoning of the land with those to its north that share frontage on NW 77<sup>th</sup> Avenue, and to provide for a more predictable development standard. Development along this frontage road adjacent to the SR-826 consists of one and two-story office buildings. As such, rezoning of the land provides no greater impact than already potentially exists with the current zoning. It will be required that any future construction of the site builds out the required infrastructure for potable water and sewer services. A more complete analysis of this standard will be provided at the time of site plan review.

**Finding:** Complies.

**2. Whether the proposal is in conformance with all applicable requirements of this Code of Ordinances, including this chapter.**

**Analysis:** See Summary Section and Section 1. The application was properly noticed pursuant to Section 13-309 of the Town's Land Development Code. A review of the Land Development Code found no provisions in conflict with the request. The request complies with the underlying land use designation.

**Finding:** Complies.



3. **Whether, and the extent to which, land use and development conditions have changed since the effective date of the existing regulations, and whether such changes support or work against the proposed change in land use policy.**

**Analysis:** See Summary Section and Criterion 1. Give that development could proceed without the rezoning, best practices would prefer the rezoning to eliminate any potential unpredictability of development moving forward.

**Finding:** Complies.

4. **Whether, and the extent to which, the proposal would result in any incompatible land uses, considering the type and location of uses involved, the impact on adjacent or neighboring properties, consistency with existing development, as well as compatibility with existing and proposed land use.**

**Analysis:** See Summary Section and Background Section, and Criteria 1 and 3.

**Finding:** Complies.

5. **Whether, and the extent to which, the proposal would result in demands on transportation systems, public facilities and services, exceeding the capacity of such facilities and services, existing or programmed, including schools, transportation, water and wastewater services, solid waste disposal, drainage, water supply, recreation, education, emergency services, and similar necessary facilities and services.**

**Analysis:** See Criterion 1 and all portions of this report. Any development of the site will require compliance with the mobility fee program and water/sewer allocation by Miami-Dade County. Fuller compliance review will be completed at the time of site plan review.

**Finding:** Complies.

6. **Whether, and the extent to which, the proposal would result in adverse impacts on the natural environment, including consideration of wetland protection, preservation of any groundwater aquifers, wildlife habitats, and vegetative communities.**

**Analysis:** No natural features have been identified in the area proposed for rezoning that would potentially be vulnerable to negative impacts of the proposed development permitted by the RO-13 regulations. A fuller review will be required by the Miami-Dade County prior to construction activities.

**Finding:** Complies.

7. **Whether, and the extent to which, the proposal would adversely affect the property values in the affected area, or adversely affect the general welfare.**

**Analysis:** See Summary Section and Background Section. The proposed rezoning is not expected to affect adversely property values in the area, or the general welfare. It merely aligns the zoning of the property to the underlying land use on those contiguous properties north of the lot.

**Finding:** Complies

8. **Whether the proposal would result in an orderly and compatible land use pattern. Any positive and negative effects on such pattern shall be identified.**

**Analysis:** See Criteria 1, 3, and 7.

**Finding:** Complies.

9. **Whether the proposal would be in conflict with the public interest, and whether it is in harmony with the purpose and intent of this chapter.**

**Analysis:** See Summary Section and Criteria 1, 3, and 7.

**Finding:** Complies.

10. **Other matters which the Local Planning Agency or the Town Council, in its legislative discretion, may deem appropriate.**

**Analysis:** See Summary Section and all portions of this analysis. The Local Planning Agency and the Town Council may consider other appropriate factors to determine whether the proposed rezoning is appropriate and consistent with the public interest. The Analysis Section addressed the conditions suggested by the Planning and Zoning Board.

**Finding:** As determined by the Town Council.