



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

To: Honorable Mayor and Members of the Town Council

From: Ed Pidermann, Town Manager

Subject:

HEARING NUMBER:	COND2020-0300
APPLICANT:	Bar Education, Inc
FOLIO:	32-2013-015-0030
PROJECT LOCATION:	5875 NW 163 ST, Miami Lakes, FL 33014
ZONING:	IU-C
FUTURE LAND USE:	Industrial
Date:	JULY 14, 2020

A. REQUEST(S)

In accordance with Section 13-304(h) of the Town of Miami Lakes Land Development Code (LDC), Bar Education, Inc (the "Applicant") is requesting Conditional Use Approval to Conditional Use to operate a College.

B. SUMMARY

The applicant is requesting a Conditional Use to operate a private university at the facilities previously occupied by Miami Dade College, which have been unoccupied for several years. As per the submitted Letter of Intent, the applicant proposes a phased increase in occupancy, starting with 800 students within the space currently available for occupation, and expanding to 1200 at a future date when additional square footage in the building becomes available for lease. Due to scheduling of day and evening classes, the applicant states in the Letter of Intent that no more than 350 students would be present in campus at any one time during the initial phase and 550 when and if additional space is leased.

Since the building is already suited for the proposed used, no construction is proposed at this time. Required parking is existing and sufficient at this time and will be relocated to the garage structure currently planned by the landlord to be located immediately south of the building.

The property is currently zoned IU-C, Industrial Use Conditional, and the Future Land Use designation is Industrial and Office.

For further reference regarding details of the proposed operation, including parking analysis, staffing, hours of operation, and student shifts, please refer to the Letter of Intent submitted by the applicant, and hereby attached as an exhibit to this report.

C. STAFF RECOMMENDATION

It is recommended that the Town Council approve the application for Conditional Use, subject to the following conditions:

1. The project shall be developed in substantial compliance with the submitted plans and letter of intent.
2. At the time of Certificate of Use, the number of students enrolled shall be limited to 800, excluding online only students, with a maximum of 350 students on campus at anyone time. If and when the applicant engages additional square footage and wishes to expand enrollment beyond 800, an amendment to this conditional use will be required to be processed administratively.
3. Prior to the issuance of a certificate of use, all required impact fees, including Mobility Fees, must be paid in full.
4. The Applicant shall obtain a Certificate of Use (CU), upon compliance with all the terms and conditions of this approval, the same subject to cancellation by the Town upon violation of any of the conditions. Business tax receipt shall be obtained if applicable.
5. The Applicant shall obtain all required building permits and/or certificates of use, within one (1) year of the date of this approval. If all required building permits and/or certificates of use are not obtained or an extension granted not within the prescribed time limit, this approval shall become null and void.
6. Compliance with all other applicable laws not specifically identified herein.
7. All fees associated with this request that are owed to the Town be paid in full prior to issuance of development order.

D. BACKGROUND

Zoning District of Property: IU-C – Industrial Use Conditional

Future Land Use Designation: Industrial Office

Subject Property:

The subject property is an existing 152,526 square foot¹ office building located on the southeast corner of 59th Avenue and 163rd street, of which the applicant proposes to occupy 39,971 square feet. The property is 10.71 Acres zoned IU-C, and the future land use is Industrial Office.

¹ Per the property appraiser's files

Surrounding Property:

	Land Use Designation	Zoning District
North:	Business Office	BU-2 – Special Business District
South:	Industrial Office	IU-C – Industrial Use Conditional
East:	Industrial Office	IU-C – Industrial Use Conditional
West:	Industrial Office	IU-C – Industrial Use Conditional

Subject Property Location 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: Freebee Extension Services to Regional Transit.

Status: Town secured funding from FDOT for FY 2020. The Town is extending the Freebee transportation services for commuters within the Town of Miami Lakes or adjacent municipalities. The program is intended to connect passengers from two Park-and-Ride locations: (1) Town Hall, and (2) Picnic Park West, to the Palmetto Metrorail Station during peak hours from 6:00 AM to 9:00 AM, and 4:00 PM to 7:00 PM.

Initiative: 59th Avenue Roadway Extension.

Status: Town secured funding through grants from FDOT and is coordinating with Miami-Dade County Public Works and Transportation to secure funding through Miami-Dade County road impact fees. The project is in the design and land acquisition phase.

F. OPEN BUILDING PERMITS/CODE COMPLIANCE CASES

There are currently no open code violations for his property.

G. ZONING HISTORY

PZB 2011-39 was approved in 2011, issuing a Conditional Use to allow Dade Medical College to operate a higher education institution with 400 enrolled maximum students and no more than 230 students on campus at any one time. These limits were self-imposed by the applicant at the time and were not forced by the capacity of the facilities.

H. ANALYSIS

1. Land Use Compatibility.

Analysis: The college is proposed to occupy an existing space previously vacated by Dade Medical College. The building is located in an IU-C zoned district characterized by light industrial uses, office buildings, and in the adjacent Business district, big box stores and car dealerships. College and educational institutions are an allowable use within the IU-C zoning provided they obtain a conditional use.

Finding: Conditionally complies provided conditional use is approved by the Town Council.

2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use.

Analysis: See sections B and D above. The existing building has housed a similar use in the recent past. As presently proposed, the college requires 129 parking spaces, which are amply provided by existing surrounding parking. The applicant's landlord is

proposing a new parking structure on the parking area to the South, by which the parking availability will be further expanded.

Finding: Complies

3. Compliance with the Comprehensive Plan and Land Development Code.

Analysis: Per Policy 1.1.2 of the Comprehensive Plan, Industrial and Office (IO) Land Use Designation accommodates a full range of industrial and office uses; educational institutions are allowed as conditional uses.

Finding: Conditionally complies after approval of this application.

4. Proper Use of Mitigative Techniques.

Analysis: As per the submitted letter of intent, the applicant has extensive experience running campuses that integrate various educational shifts as well as online education, and as such, Staff sees the procedures outlined by the applicant in the Letter of Intent, hereby attached, to be sufficient.

Finding: Complies

5. Hazardous Waste.

Analysis: there are no hazardous materials nor hazardous wastes associated with this use.

Finding: Complies.