

**Miami-Dade County Department of Regulatory and Economic Resources
Staff Report to the Board of County Commissioners**

PH: 21-162

January 20, 2022

Item 3C

Miami-Dade Commission District	3 and 5
Applicants	Miami Supertower A, LLC, and Miami Supertower B, LLC
Summary of Requests	This application is to permit a modification of a previously approved general development plan for the subject property, which is located in the Downtown Intermodal District (DID) Corridor Subzone of the Fixed Guideway Rapid Transit Zone (RTZ). Additionally, the application seeks approval of the expansion of the development rights on to additional property, along with the removal of the previously approved hotel uses, and the simultaneous decrease of office uses and increase in residential uses for the development program.
Location	Lying west of NW 1 st Avenue, between NW 1 st St and NW 3 rd Street, AKA, 220 NW 1 Avenue and 195 NW 2 Street, City of Miami, Miami-Dade County, Florida
Property Size	± 9.34 acres
Existing Zoning	Government Center Subzone of the Rapid Transit Zone
Existing Land Use	Vacant, park
2030 - 2040 CDMP Land Use Designation	Regional Urban Center
Comprehensive Plan Consistency	Consistent with the urban center interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33C-9(E) Initial Review of the Downtown Intermodal District Corridor Sub-Zone Section 33-311(A)(3) Special Exception <i>(see attached Zoning Recommendation Addendum)</i>

RTDIC Recommendation

RTDIC December 20, 2021	Approval with conditions of requests #1 and #2, with conditions recommended by staff and additional conditions recommended by the City of Miami regarding ground floor streetscape improvements, parking, parking circulation, open space, pedestrian passageway, garage façade, residential tower screening, residential tower lengths and footprints, and plaza frontage.
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Staff Recommendation

Recommendation to the Board of County Commissioners	Approval with conditions of requests #1 and #2.
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On December 20, 2021, the Executive Council of the Rapid Transit Developmental Impact Committee (RTDIC) heard the application in accordance with the application review procedures set forth in Section 33C-9 of the County Code for development in the Downtown Intermodal

District (DID) Corridor Subzone of the Rapid Transit Zone (RTZ) District. The RTDIC recommended approval of the application in accordance with staff's recommendation, with the inclusion of an additional condition proposed by the City of Miami representatives on the RTDIC.

REQUESTS:

1. SPECIAL EXCEPTION for a general development plan for the subject property, which is located in the Downtown Intermodal District Corridor Subzone of the Fixed Guideway Rapid Transit Zone, to assign to the subject property the applicable permitted uses and development standards in accordance with Section 33C-9 of the County Code.
2. MODIFICATION of Condition #2 of Resolution Z-13-14, passed and adopted by the Board of County Commissioners and reading as follows:

FROM: "2 That in the approval of the general plan, the same be substantially in accordance with that submitted for the hearing entitled "All Aboard Florida – Rapid Transit Developmental Impact Committee (RTDIC) Initial Review for Special Exception Approval of a General Site Development Plan" by Zyscovich Architects, consisting of 12 sheets dated stamped received May 21, 2014. It is also provided that the 4 sheets entitled "Perspectives" dated stamped received May 30, 2014, may be modified during the ASPR Final Review process."

TO: "2. That in the approval of the general plan, the same be substantially in accordance with that submitted for the hearing prepared by Zyscovich Architects, entitled "FECI Downtown Supertower" consisting of two (2) sheets dated stamped received 9/7/21, and "FECI Downtown" consisting of six (6) sheets, dated stamped received 8/13/21, for a total of eight (8) sheets.

The purpose of request #2 is to allow the applicants to modify the previously approved General Development Plan to depict the boundaries of the Downtown Intermodal District consistent with that approved by the Board of County Commissioners (Board) pursuant to Ordinance No. 16-122.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources. Plans may be modified at public hearing.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	RTZ –Downtown Intermodal District Corridor Subzone (Miami-Dade County): vacant, park	Regional Urban Center (Miami-Dade County land use plan map); Central Business District (City of Miami land use plan map)
North	RTZ –Downtown Intermodal District Corridor Subzone (Miami-Dade County): Brightline/All Aboard Florida – Miami Station	Regional Urban Center (Miami-Dade County land use plan map); Restricted Commercial (City of Miami land use plan map)
South	RTZ- Government Center	Regional Urban Center

	Subzone (City of Miami): Civil Courthouse	(Miami-Dade County land use plan map); Major Institutional, Public Facilities and (City of Miami land use plan map)
East	RTZ- Government Center Subzone (City of Miami): Family Court, offices, retail	Regional Urban Center/Transportation (Miami-Dade County land use plan map); Central Business District (City of Miami land use plan map)
West	RTZ- Government Center Subzone (City of Miami): Government Center Metrorail/Metromover Station, Stephen P. Clark Building	Regional Urban Center/Transportation (Miami-Dade County land use plan map)

BACKGROUND AND ANALYSIS:

The subject property consists of several parcels located west of NW 1st Avenue, between NW 1st St and NW 8th Street, partially abutting the Government Center complex. The subject property, encompassing approximately 9.34 acres, is currently part of the Brightline/All Aboard Florida/Miami Central Station development generally bounded by NW 8th Street to the north, NW 1st Street to the south, NW 1st Avenue to the east, and NW 2nd Avenue to the west.

In July 2014, pursuant to Section 33C-9, the Board approved via Resolution #Z-13-14 a general development plan for a passenger rail station and mixed-use complex depicting the boundaries of the subject property which at that time encompassed approximately 8.93 acres, in the Downtown Intermodal District (DID) Subzone of the Rapid Transit Zone (RTZ) District. Subsequently, the then property owner negotiated a land swap with the City of Miami ultimately resulting in the current boundaries of the subject property, which the Board added to the DID Corridor Subzone through Ordinance No. 16-22.

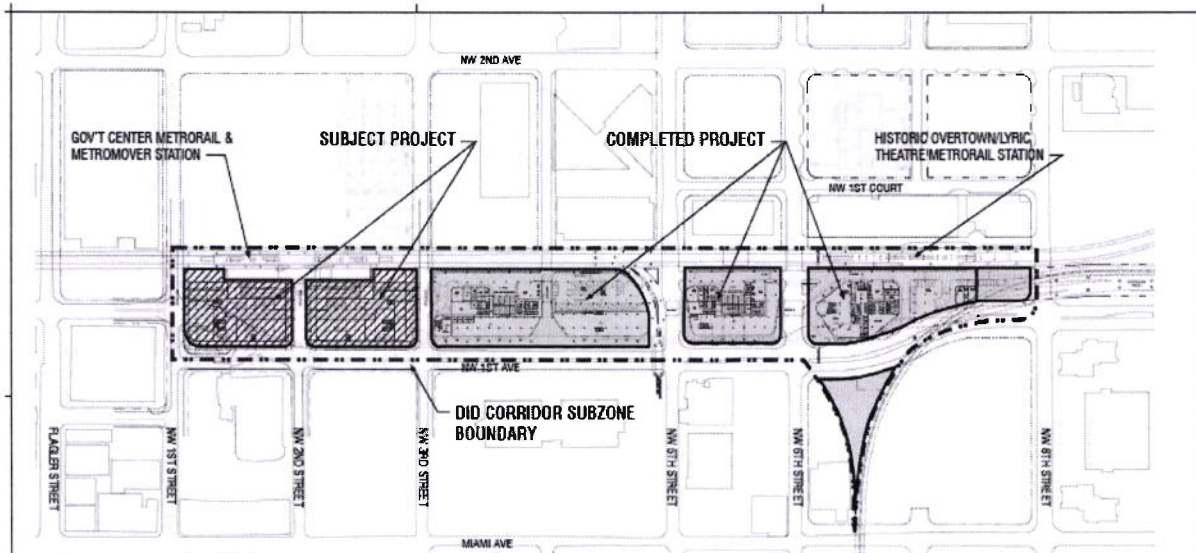
Said boundaries now include a triangular parcel, currently consisting of an open space that is located north of NW 1st Street along the eastern boundary. However, said parcel, approximately 17,672 sq. ft., has yet to be included through the Special Exception process as part of the overall site plan for the inter-city rapid transit station. As such, the applicants now seek to modify the prior resolution as part of this application, and to seek approval of the updated development plans to show an additional 2,007 residential units and 49,634 sq. ft. of retail space. This will result in a total of 2,823 residential units, 216,926 sq. ft. of office space and 242,852 sq. ft. of retail space for the previously approved Miami Central Train Station.

The County's RTZ District primarily consists of properties located within and along the County's Fixed Guideway Rapid Transit System/Metrorail System. Properties included within the RTZ District include the Metrorail Stations and accessory facilities, the fixed-guideway path linking the Metrorail Stations, and certain developable land. The developable land may consist of County-owned or privately-owned property slated to be developed with transit-supportive uses in accordance with Chapter 33C of the County Code. As provided in Section 33C-2, jurisdiction over zoning and other development orders and development permits within the RTZ is vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provisions to the contrary.

Since the inception of the RTZ in 1978, the Board has gradually expanded its boundaries to accommodate additional transit-supportive development along the Metrorail. This has been accomplished through the establishment of "RTZ subzones" around Metrorail Stations. To that effect, in 2014 the Board established the DID Corridor Subzone adjacent to the Government Center Metrorail Station and in 2018 the "Brickell Station Subzone" adjacent to the Brickell Metrorail Station. The DID Subzone consists of the recently completed Brightline/Miami Central Station and the mixed-use development developed above said station.

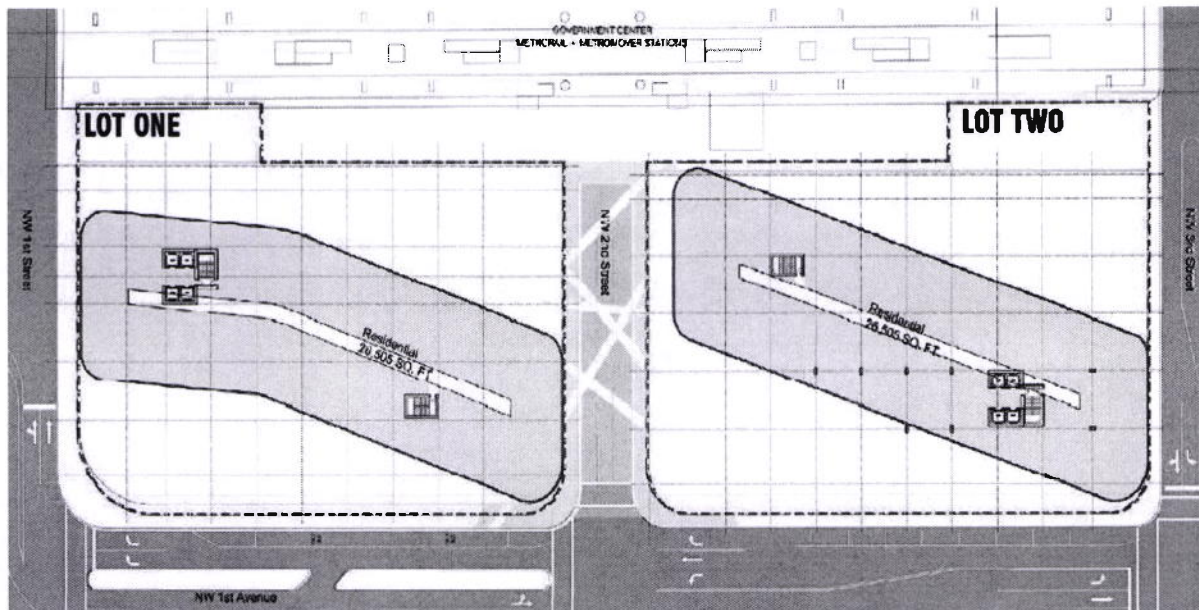
The DID Corridor Subzone regulations require a two-step development approval process. This first step, or "Initial Review", requires the Board to hold a public hearing and decide the application equivalent to a rezoning. The second step, or "Final Review", consists of an administrative review by the Department of Regulatory and Economic Resources (RER) of a site plan for any or all parcels within the subject property at a future point in time.

DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE



The subject property, located within the DID Subzone, will be subject to similar development standards as those within the DID, Brickell, and recently-established Historic Overtown/Lyric Theater Station and Santa Clara Station Subzones. The regulatory framework adopted by this Board for these subzones calls for mixed-use development, with a maximum residential density of 500 units/per acre and a maximum height determined by that allowed by the Miami International Airport zoning regulations. Said regulations are consistent with the County's designation of the area as the County's only "Regional Urban Center" on the Comprehensive Development Master Plan (CDMP) – Land Use Plan Map, the CDMP's urban center policies, and related interpretative text (see addendum). Since it is the goal of this application to include the subject property within the DID Subzone and to assign it said uses and development regulations, **staff finds the application consistent with the CDMP.**

OVERALL SITE PLAN

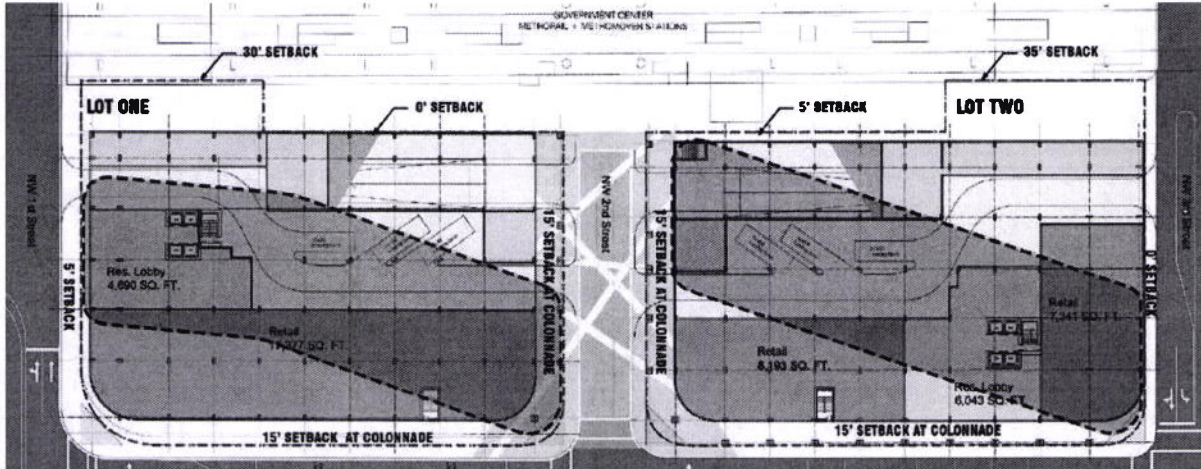


Staff further notes that, pertaining to the subject property only, approval of this application would enable the development of the subject property in a manner that is **compatible** with that of other development in the balance of the DID Subzone pursuant to Section 33C-9, which authorizes all of the uses identified in Section 33C-9(C) subject to the development regulations set forth in Section 33C-9, as well as with development in the surrounding area, much of which is included in the Government Center Subzone and is authorized for a similar mix of uses under similar development regulations pursuant to Section 33C-11. The applicants indicated in their letter of intent, that the updated development plan results in a net reduction of 55 AM peak hour trips and a net reduction of two (2) new PM trips. The reduction in trips is a result of the removal of the previously approved hotel uses, and the simultaneous decrease of office uses and increase in residential uses for the development program. Additionally, staff notes that the applicants have indicated that the proposed plans will improve connectivity to Metrorail, incorporate ridesharing, such as Uber and Lyft, and provide more open space in order to create a higher quality development for residents and visitors to downtown. Plans submitted by the applicants show the proposed development located adjacent to the Metrorail Government Center Station as well as the Brightline//Miami Central Station ensuring accessibility to two (2) major modes of transportation, as well as proximity to multiple Metrobus and Express bus stops. Renderings provided by the applicants also indicate potential dropoff/pick-up locations for ridesharing services such as Uber and Lyft. Said renderings also show a welcome addition of open space areas at both ground level and on the upper floors of the proposed development.

Subject to conditions in memoranda hereby incorporated from the reviewing agencies, including the Traffic Engineering Division (TED) of the Department of Transportation and Public Works (DTPW), the Division of Environmental Resource management (DERM) of the Department of Regulatory and Economic Resources (RER), the Miami-Dade Police Department (MDPD), the Miami-Dade Fire Department (MDRFD), the Miami-Dade Parks Recreation and Open Space Department (MDPROS), the Miami-Dade Aviation Department (MDAD), and the Miami-Dade

Department of Solid Waste Management (DSWM), do not indicate that any potential impacts would preclude development in accordance with the Government Center Subzone regulations but note that a final determination of traffic, environmental, or other impacts on County resources, will be determined during the Final Review process for specific development approvals.

ENLARGED SITE PLAN



RECOMMENDATION:

Based on the aforementioned analysis, staff recommends approval with a conditions of requests #1 and #2.

CONDITIONS FOR APPROVAL:

1. That Resolution #Z-13-14, remain in full force and effect except as herein modified.
2. That to the extent consistent with the requirements of Section 33C-9 and other applicable County Code provisions, the plans submitted for final review address the comments provided by the City of Miami in its memorandum dated December 20, 2021.

AN:NK:JB:GL:CH

Amina Newsome, Senior Division Chief
Development Services Division
Miami-Dade County

ZONING RECOMMENDATION ADDENDUM

MIAMI SUPERTOWER A, LLC AND MIAMI SUPERTOWER B, LLC
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NEIGHBORHOOD SERVICES PROVIDER COMMENTS	
<i>Division of Environmental Resource Management (DERM), (RER)</i>	<i>No objection*</i>
<i>Department of Transportation and Public Works - TED</i>	<i>No objection*</i>
<i>Department of Transportation and Public Works - Transit</i>	<i>No objection</i>
<i>Parks, Recreation and Open Spaces</i>	<i>No objection</i>
<i>Water and Sewer</i>	<i>No objection</i>
<i>Miami-Dade Police Department</i>	<i>No objection</i>
<i>Miami-Dade Department of Solid Waste</i>	<i>No objection</i>
<i>Police</i>	<i>No objection</i>
<i>Fire Rescue</i>	<i>No objection</i>
<i>Schools</i>	<i>No comment</i>
<i>*Subject to conditions in their memorandum.</i>	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

<p>Urban Centers (Page I-46)</p>	<p><i>Diversified urban centers are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically. Three scales of centers are planned: Regional, the largest, notably the downtown Miami central business district; Metropolitan Centers such as the evolving Dadeland area; and Community Centers which will serve localized areas. Such centers shall be characterized by physical cohesiveness, direct accessibility by mass transit service, and high quality urban design. Regional and Metropolitan Centers, as described below, should also have convenient, preferably direct, connections to a nearby expressway or major roadways to ensure a high level of countywide accessibility.</i></p> <p><i>The locations of urban centers and the mix and configuration of land uses within them are designed to encourage convenient alternatives to travel by automobile, to provide more efficient land use than recent suburban development forms, and to create identifiable "town centers" for Miami-Dade's diverse communities. These centers shall be designed to create an identity and a distinctive sense of place through unity of design and distinctively urban architectural character of new developments within them.</i></p> <p><i>The core of the centers should contain business, employment, civic, and/or high-or moderate-density residential uses, with a variety of moderate-density housing types within walking distance from the centers. Both large and small businesses are encouraged in these centers, but the Community Centers shall contain primarily moderate and smaller sized businesses which serve, and draw from, the nearby community. Design of developments and roadways within the centers will emphasize pedestrian activity, safety and comfort, as well as vehicular movement. Transit and pedestrian mobility will be increased and area wide traffic will be reduced in several ways: proximity of housing and retail uses will allow residents to walk or bike for some daily trips; provision of jobs, personal services and retailing within walking distance of transit will encourage transit use for commuting; and conveniently located retail areas will accommodate necessary shopping during the morning or evening commute or lunch hour.</i></p> <p><i>Urban Centers are identified on the LUP map by circular symbols noting the three scales of</i></p>
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planned centers. The Plan map indicates both emerging and proposed centers. The designation of an area as an urban center indicates that governmental agencies encourage and support such development. The County will give special emphasis to providing a high level of public mass transit service to all planned urban centers. Given the high degree of accessibility as well as other urban services, the provisions of this section encourage the intensification of development at these centers over time. In addition to the Urban Center locations depicted on the Land Use Plan Map, all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the Community Center policies established below.

Following are policies for development of Urban Centers designated on the Land Use Plan (LUP) map. Where the provisions of this section authorize land uses or development intensities or densities different or greater than the underlying land use designation on the LUP map, the more liberal provisions of this section shall govern. All development and redevelopment in Urban Centers shall conform to the guidelines provided below.

Uses and Activities. Regional and Metropolitan Centers shall accommodate a concentration and variety of uses and activities which will attract large numbers of both residents and visitors while Community-scale Urban Centers will be planned and designed to serve a more localized community. Uses in Urban Centers may include retail trade, business, professional and financial services, restaurants, hotels, institutional, recreational, cultural and entertainment uses, moderate to high density residential uses, and well planned public spaces. Incorporation of residential uses is encouraged, and may be approved, in all centers, except where incompatible with airport or heavy industrial activities. Residential uses may be required in areas of the County and along rapid transit lines where there exists much more commercial development than residential development, and creation of employment opportunities will be emphasized in areas of the County and along rapid transit lines where there is much more residential development than employment opportunity. Emphasis in design and development of all centers and all of their individual components shall be to create active pedestrian environments through high-quality design of public spaces as well as private buildings; human scale appointments, activities and amenities at street level; and connectivity of places through creation of a system of pedestrian linkages. Existing public water bodies shall also be incorporated by design into the public spaces within the center.

Streets and Public Spaces. Urban Centers shall be developed in an urban form with a street system having open, accessible and continuous qualities of the surrounding grid system, with variation, to create community focal points and termination of vistas. The street system should have frequent connections with surrounding streets and create blocks sized and shaped to facilitate incremental building over time, buildings fronting on streets and pedestrian pathways, and squares, parks and plazas defined by the buildings around them. The street system shall be planned and designed to create public space that knits the site into the surrounding urban fabric, connecting streets and creating rational, efficient pedestrian linkages. Streets shall be designed for pedestrian mobility, interest, safety and comfort as well as vehicular mobility. The size of blocks and network of streets and pedestrian access ways shall be designed so that walking routes through the center and between destinations in the center are direct, and distances are short. Emphasis shall be placed on sidewalks, with width and street-edge landscaping increased where necessary to accommodate pedestrian volumes or to enhance safety or comfort of pedestrians on sidewalks along any high-speed roadways. Crosswalks will be provided, and all multi-lane roadways shall be fitted with protected pedestrian refuges in the center median at all significant pedestrian crossings. In addition, streets shall be provided with desirable street furniture including benches, light fixtures and bus shelters. Open spaces such as public squares and greens shall be established in urban centers to provide visual orientation and a focus of social activity. They should be located next to public streets, residential areas, and commercial uses, and should be established in these places during development and redevelopment of streets and large parcels, particularly parcels 10 acres or larger. The percentage of site area for public open spaces, including squares, greens and pedestrian promenades, shall be a minimum of 15 percent of gross development area. This

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MIAMI SUPERTOWER A, LLC AND MIAMI SUPERTOWER B, LLC Z21-162

	<p><i>public area provided outdoor, at grade will be counted toward satisfaction of requirements for other common open space. Some or all of this required open space may be provided off-site but elsewhere within the subject urban center to the extent that it would better serve the quality and functionality of the center.</i></p> <p>Parking. Shared parking is encouraged. Reductions from standard parking requirements shall be authorized where there is a complementary mix of uses on proximate development sites, and near transit stations. Parking areas should occur predominately in mid-block, block rear and on-street locations, and not between the street and main building entrances. Parking structures should incorporate other uses at street level such as shops, galleries, offices and public uses.</p> <p>Buildings. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create a public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have a human scale, abundant windows and doors, and design variations at short intervals to create interest for the passing pedestrian. Continuous blank walls at street level are prohibited. In areas of significant pedestrian activity, weather protection should be provided by awnings, canopies, arcades and colonnades.</p> <p>Density and Intensity. The range of average floor area ratios (FARs) and the maximum allowed residential densities of development within the Regional, Metropolitan and Community Urban Centers are shown in the table below.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 35%; text-align: center;">Average Floor Area Ratios (FAR)</th> <th style="width: 35%; text-align: center;">Max. Densities Dwellings per Gross Acre</th> </tr> </thead> <tbody> <tr> <td>Regional Activity Centers</td> <td>greater than 4.0 in the core not less than 2.0 in the edge</td> <td style="text-align: center;">500</td> </tr> <tr> <td>Metropolitan Urban Centers</td> <td>greater than 3.0 in the core not less than 0.75 in the edge</td> <td style="text-align: center;">250</td> </tr> <tr> <td>Community Urban Centers</td> <td>greater than 1.5 in the core not less than 0.5 in the edge</td> <td style="text-align: center;">125</td> </tr> </tbody> </table> <p><i>In addition, the densities and intensities of developments located within designated Community Urban Centers and around rail rapid transit stations should not be lower than those provided in Policy LU-7F. Height of buildings at the edge of Metropolitan Urban Centers adjoining stable residential neighborhoods should taper to a height no more than 2 stories higher than the adjacent residences, and one story higher at the edge of Community Urban Centers. However, where the adjacent area is undergoing transition, heights at the edge of the Center may be based on adopted comprehensive plans and zoning of the surrounding area. Densities of residential uses shall be authorized as necessary for residential or mixed-use developments in Urban Centers to conform to these intensity and height policies.</i></p> <p><i>As noted previously in this section, urban centers are encouraged to intensify incrementally over time. Accordingly, in planned future rapid transit corridors, these intensities may be implemented in phases as necessary to conform with provisions of the Transportation Element, and the concurrency management program in the Capital Improvement Element, while ensuring achievement of the other land use design requirements of this section and Policy LU-7F.</i></p>		Average Floor Area Ratios (FAR)	Max. Densities Dwellings per Gross Acre	Regional Activity Centers	greater than 4.0 in the core not less than 2.0 in the edge	500	Metropolitan Urban Centers	greater than 3.0 in the core not less than 0.75 in the edge	250	Community Urban Centers	greater than 1.5 in the core not less than 0.5 in the edge	125
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Policy LU-4A (Page I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>												
Objective LU-7	<i>Miami-Dade County shall require all new development and redevelopment in existing and</i>												

ZONING RECOMMENDATION ADDENDUM

MIAMI SUPERTOWER A, LLC AND MIAMI SUPERTOWER B, LLC Z21-162

(Page I-13)	<i>planned transit corridors and urban centers to be planned and designed to promote transit oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that's promote the use of transit services.</i>
Policy LU-7A (Page I-13)	<i>Through its various planning, regulatory and development activities, Miami-Dade County shall encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies. Land uses that may be approved around transit stations shall include housing, shopping and offices in moderate to high densities and intensities, complemented by compatible entertainment, cultural uses and human services in varying mixes. The particular uses that are approved in a given station area should, a) respect the character of the nearby community, b) strive to serve the needs of the community for housing and services, and, c) promote a balance in the range of existing and planned land uses along the subject transit line. Rapid transit station sites and their vicinity shall be developed as "urban centers" as provided in this plan element under the heading Urban Centers.</i>
Policy LU-7B (Page I-14)	<i>It is the policy of Miami-Dade County that both the County and its municipalities shall accommodate new development and redevelopment around rapid transit stations that is well designed, conducive to both pedestrian and transit use, and architecturally attractive. In recognition that many transit riders begin and end their trips as pedestrians, pedestrian accommodations shall include, as appropriate, continuous sidewalks to the transit station, small blocks and closely intersecting streets, buildings oriented to the street or other pedestrian paths, parking lots predominantly to the rear and sides of buildings, primary building entrances as close to the street or transit stop as to the parking lot, shade trees, awnings, and other weather protection for pedestrians.</i>
Policy LU-7D (Page I-13)	<i>Redevelopment of property within one-half mile of existing or planned mass transit stations and bus routes shall not cause an increase in walking distances from nearby areas to the transit services and shall, wherever practical, be done by establishing blocks of walkable scale that form an interconnected network of streets, maximizing connectivity with existing streets and promoting a comfortable environment for pedestrians.</i>
Policy LU-7F (Page I-14)	<i>Residential development around rail rapid transit stations should have a minimum density of 15 dwelling units per acre (15 du/ac) within 1/4 mile walking distance from the stations and 20 du/ac or higher within 700 feet of the station, and a minimum of 10 du/ac between 1/4 and 1/2 mile walking distance from the station. Business and office development intensities around rail stations should produce at least 75 employees per acre within 1/4 mile walking distance from the station, 100 employees per acre within 700 feet, and a minimum of 50 employees per acre between 1/4 and 1/2 mile walking distance from the station. Where existing and planned urban services and facilities are adequate to accommodate this development as indicated by the minimum level-of-service standards and other policies adopted in this Plan, and where permitted by applicable federal and State laws and regulations, these densities and intensities shall be required in all subsequent development approvals. Where services and facilities are currently or projected to be inadequate, or where required by Policy LU-7A, development may be approved at lower density or intensity provided that the development plan, including any parcel plan, can accommodate, and will not impede, future densification and intensification that will conform with this policy.</i>

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PERTINENT ZONING REQUIREMENTS/STANDARDS

<p>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>
<p>Sec. 33C-2(C). - Rapid Transit Zone</p>	<p><i>Jurisdiction of County. Jurisdiction for purposes of building and zoning approvals (including, but not limited to, site plan approvals, issuance of building permits, building inspections, construction-related fire permits and inspections (but not fire suppression or fire rescue services or annual inspections for fire safety), compliance with the Florida Building Code, Florida Fire Prevention Code, issuance of certificates of occupancy, zoning applications, special exceptions, variances, district boundary changes, building and/or zoning moratoria, and all other types of functions typically performed by Building and/or Zoning Departments or other departments that review or issue development permits), water and sewer installations, compliance with environmental regulations, street maintenance (including sidewalks where applicable) and utility regulation, all of which relate to the uses specifically delineated in subsection (D) below, shall be and are hereby vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provisions to the contrary. Where a municipality continues to provide other services to a property in the Rapid Transit Zone, the municipality shall be responsible for ensuring that all matters relating to enforcement of land use, zoning, or building code requirements that may arise in the course of providing municipal services are referred to the County's Building Official, and the municipality shall coordinate with the County to ensure that affected property owners and tenants are also informed as to these jurisdictional matters.</i></p>
<p>Sec. 33C-11. - Government Center Subzone</p>	<p style="text-align: center;">SEE EXHIBIT "A" TO ADDENDUM ATTACHED</p>

ZONING RECOMMENDATION ADDENDUM

*MIAMI SUPERTOWER A, LLC AND MIAMI SUPERTOWER B, LLC
Z21-162*

Exhibit "A" to Addendum

EXHIBIT A

Sec. 33C-11. - Government Center Subzone.

- (A) *Purpose and Intent.* The following development review standards and criteria shall govern all applications for development of properties located within the boundaries of the Government Center Subzone established in this section. The standards set forth herein further the unique land use characteristics of this area, which lies within the Downtown Regional Urban Center, as designated on the Land Use Plan Map of the CDMP, and within the City of Miami Urban Core, as defined in Section 33-84. The CDMP calls for the highest level of development density and intensity within the Regional Urban Center, which is anchored by the Government Center Metrorail/Metromover Station. These standards implement CDMP policies calling for coordination of land uses and transportation facilities to promote transit-oriented development, attract transit ridership, and establish a more compact and efficient urban form within the Urban Development Boundary in this high-density, high-intensity area.
- (B) *Boundaries.* The Government Center Subzone of the Rapid Transit Zone is hereby established; the boundaries of the Subzone are identified in Exhibit 19 of Section 33C-2(B). The legal description and a full-scale map of the boundaries are on file with the Department.
- (C) *Permitted Uses.*
 - (1) All uses allowed in Section 33C-2(D)(1).
 - (2) The following categories of uses shall be permitted in the subzone, either alone or as mixed uses in horizontal or vertical integration. "Vertical integration" means any combination of categories of uses in the same building. "Horizontal integration" means any combination of parcels or buildings and structures with different primary uses within the same development. Except where otherwise specified herein, the uses provided herein shall be as defined in Section 33-284.83(B).
 - (a) Accommodation uses.
 - (b) General retail/personal service establishments.
 - (c) Professional business offices.
 - (d) Residential uses, including group residential homes subject to requirements for the MC category.
 - (e) Entertainment uses, except adult entertainment.
 - (f) Food/beverage establishments.
 - (g) Rental car facilities.
 - (h) Commercial parking garages and surface parking lots.
 - (i) Institutional uses, including civic uses, colleges and universities, child-care facilities, religious facilities, and schools (K-12).
 - (j) Health care services, except hospitals.
 - (k) Public parks and open spaces.
 - (l) Other similar uses, as determined by the Director.
- (D) *Development regulations.* The following development regulations shall apply to all development within the sub-zone.
 - (1) *Parking:* The table below indicates minimum parking for each type of use.

Use	Minimum Parking Requirements
General Retail/Personal Service, Entertainment, Food/Beverage	1.8 spaces/1,000 SF

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Establishments, Convention Halls and Showrooms	
Professional Office, Institutional (except Convention Halls), Health Care Services	0.6 spaces/1,000 SF
Residential	1 space per unit
Accommodation	0.3 spaces/room
Transit systems, including Maintenance Facilities	0.6 spaces/1,000 SF (excluding platform)
Other Uses	50% of the required parking indicated in Section 33-124

- (a) Parking Garages. To minimize adverse visual effects of the structure, multi-story parking garages facing public and private streets, rights-of-way, or public open space shall use screening methods, including, without limitation: liner buildings; glazing; building wall extensions; vertical planted walls; berms; landscaping; architectural fenestration; sculpture; design features; and/or other innovative screening methods.
- (b) Surface parking lots fronting streets shall be located a minimum of 10 feet from the right-of-way and screened at the 10-foot line with a wall having a maximum height of 3'6". The setback shall incorporate a combination of hard-scape and landscape elements finished to match the existing sidewalk.
- (c) Mechanized parking shall be allowed and, when provided, shall be exempt from the provisions of Section 33-122. For the purpose of this subzone, mechanized parking shall be defined as a mechanism with vertical and horizontal transport capability that provides for automobile storage and retrieval. A mechanized parking space shall be counted toward the parking requirements of this section. Mechanized parking may not be provided unless a queuing analysis is submitted and approved during the Administrative Site Plan Review process.
- (d) Required off-street parking for uses located within this subzone may be located within one-half mile of the boundaries of the subzone, provided that it is east of I-95. An application for development using off-site parking may be approved by the Director upon demonstration that such parking is available, that there is a legally enforceable mechanism for securing it, and that any use requiring such off-site parking shall terminate upon the elimination of the parking area.
- (e) Administrative Modification/Approval. The Director may authorize a reduction in the amount of required parking for two or more uses if the following conditions are met:
 - (i) The applicant submits a study that, in the sole discretion of the Director, provides sufficient data to demonstrate that hours of maximum demand for parking across the uses do not usually overlap; and

EXHIBIT A

- (ii) That no change in use shall be permitted without the Director's prior determination that parking requirements are met.
- (2) *Setbacks, floor plate, and lot size:*
 - (a) Due to the unique characteristics associated with the high-density or high-intensity, mixed-use developments contemplated for this subzone, there shall be no minimum setback from streets, interior/rear property lines, and park rights-of-way.
 - (b) There shall be no maximum or minimum limitation on the size of a floor plate or minimum lot requirement.
 - (3) *Encroachments:*
 - (a) Buildings and structures above the ground floor may be built above colonnades and/or encroach into street setbacks but shall not extend into the public or private right-of-way unless permitted by State law and approved by DTPW or by another governmental agency with authority over the right-of-way. It is provided, however, that, to the extent permitted by State law and subject to the approval of the agency with authority over the right-of-way, and for the transportation purpose of providing a connecting pedestrian or vehicular corridor, the street may be covered above the first floor with publicly-accessible structures connecting buildings, including: platforms fitted with trains and passenger waiting areas; roofs; upper story terraces, pedestrian bridges, and automobile bridges between parking garages. Adequate clearance for structures above streets shall be maintained.
 - (b) Cantilevered balconies, awnings, weather protection elements and similar features with adequate vertical clearance may encroach into street rights-of-way but shall not extend closer than six inches from the curb face.
 - (4) *Floor Area Ratio and lot coverage:* The floor area ratio, lot coverage, and maximum square footage of buildings to be developed within the subzone shall not be limited.
 - (5) *Building Height:* The maximum building height shall be the maximum allowed by MDAD in accordance with the zoning regulations for Miami International Airport provided in Chapter 33.
 - (6) *Open Space:* The minimum open space requirement shall be 15 percent of the gross development area. Open space shall include parks, plazas, balconies, terraces, courtyards, arcades/colonnades, pedestrian paths, rooftop green spaces above buildings and parking garages, and transit platform areas improved for pedestrian comfort.
 - (7) *Signs:* Signs visible from public rights-of-way or public areas shall comply with Section 33-284.87, except that Class C signs may be permitted in accordance with Section 33-107, and a maximum of seven murals may be approved in this Subzone. The signage plan submitted with the application for site plan review shall contain categories, locations, and sizes of signs.
 - (8) *Density:* Residential density shall not exceed 500 units per gross acre.
 - (9) *Architectural Expression:* Building facades facing public and private street rights-of-way or public open space or both shall be a minimum 40 percent glazed. Glazing is not required for building facades that face the Metrorail or Metromover rights-of-way or for above-grade parking garage structures that face public and private street rights-of-way or public open space, provided that parking garages shall conform to the parking standards included herein. Blank walls facing public and private street rights-of-way and public open space shall be discouraged unless furnished with some type of artistic expression, such as sculpture, mosaic, or similar features.
 - (10) *Landscaping:* Landscaping shall conform to the standards set forth in Section 18A-6, as applicable to non-residential development, with the following exceptions:
 - (a) A minimum of 30 trees per net acre of open space shall be provided. Trees may be placed in the lot, or in greens, squares, plazas and street medians within or in close proximity to this sub-zone. Lot trees shall have a minimum 2-inch diameter at breast height.

EXHIBIT A

- (b) Street trees shall be planted at a maximum of 30 feet average on center, with a minimum 3-inch diameter at breast height. Street trees shall be placed inside landscaped strips, tree planters, and in medians in the right-of-way or on private property where demonstrated to be necessary due to right-of-way obstructions, as determined by DTPW or other agency with jurisdiction.
- (11) *Service areas and mechanical equipment:* Service areas and fixtures shall be screened and located so as not to be visible from public and private rights-of-way or public open space. Mechanical equipment installed on roofs shall be screened from view by parapets or other architectural elements. Fixtures, including but not limited to backflow preventers, pumps, underground ventilation exhausts, and electrical vaults, shall be located within or to the side or rear of buildings; such fixtures shall not be located within the street setback area. Backflow preventers shall be shielded from view, as required by Section 32-157(d).
- (12) *Alcoholic Beverages:* The restrictions on premises used for the sale of alcoholic beverages set forth in Chapter 33, Article X regarding hours and days of sale, distance from other premises used for the sale of alcoholic beverages, and distance from schools or religious facilities shall not apply in this subzone.
- (E) *Historic Preservation—Transfer of Development Rights.* Properties within this subzone that, prior to the effective date of this ordinance, were subject to the City of Miami's zoning regulations and were eligible to apply for the City of Miami's Transfer of Development Rights Program for Historic Properties may continue to avail themselves of the City's program to transfer unused development rights, subject to the approval of the City of Miami pursuant to the requirements of that program.
- (F) *Plan Review Standards.* These plan review standards are intended to: (i) encourage the creation of development within the Government Center Subzone, which acts as a significant gateway for, and destination to, the Miami-Dade Government Center area; and (ii) facilitate future growth in the Government Center Subzone by designing and arranging buildings, public open space, transit, and street circulation in a manner that fosters around-the-clock pedestrian activity, serves the local and regional transit demands of the community, and contributes to the urban revitalization of the downtown area.
 - (1) A mix of uses in the design of development projects is encouraged to the maximum extent possible. Mixed-use buildings, including, without limitation, residential, commercial, office, hotel, and restaurants, are highly encouraged in combination with transit and other governmental facilities.
 - (2) Developments shall provide direct pedestrian and vehicular connections to the adjacent block and street network.
 - (i) All developments shall provide vehicular passenger loading and unloading zones to: (i) accommodate passengers who use vehicles for hire or transportation network companies; and (ii) minimize impacts of passenger loading and unloading on the surrounding roadway network. A loading or unloading zone that is shared among adjacent or adjoining parcels may be permitted, provided that a safe pedestrian route to each parcel is provided.
 - (ii) Pedestrian crosswalks providing safe passage from adjoining streets and blocks into the development project of the Subzone shall be installed at street corners and, if practicable, midblock locations.
 - (iii) Crosswalks shall be distinguished from other street elements by the use of conspicuous materials, texture, and color.
 - (3) Public open space in the form of plazas, squares, greens, and landscaped areas shall be incorporated in the design of all development projects at grade or on above-grade surfaces. The public open spaces should have a scale that is compatible and complementary with the intensity of proposed development, and their design should relate to the development's concept. Landscaping, furniture, art, paved pedestrian paths, and lighting, among other features, should be used to enhance the open spaces pedestrian experience.

EXHIBIT A

- (4) Consideration should be given to providing landscaping in a manner that reduces the heat island effect of the development on the urban environment.
 - (5) All new development shall strive to meet certification standards from Florida Green Building Coalition or a similar organization.
 - (6) Developments shall be designed with a coordinated outdoor lighting and signage system that is an integral part of the project and compatible and harmonious with existing and proposed development in the sub-zone and with surrounding uses. Signage should clearly indicate locations of, and guide pedestrians and vehicles to, proposed parking areas, transit facilities, permitted uses, and surrounding activities and uses.
 - (7) Proposed building scale should be in harmony with building scales allowed by applicable City of Miami regulations for surrounding properties. Buildings and their landscapes shall be built to the sidewalk edge in a manner that frames the adjacent street to create public space in the street corridor that is comfortable and interesting, as well as safe for pedestrians. Architectural elements at street level shall have abundant fenestration, windows and doors and design elements that create interest for the pedestrian.
 - (8) Proposed development in the subzone shall provide connections via bridges, paths, sidewalks, or a combination of such features to adjacent or nearby Metrorail and Metromover systems.
- (G) *Review and approval process.* Notwithstanding any other provisions in this chapter, the review procedure for development within the Government Center Subzone shall be as follows:
- (1) *Initial Review.*
 - (a) Pre-application Conference. The applicant shall participate in at least one pre-application conference coordinated by the Department with the participation of the members of the Developmental Impact Committee as provided in Section 33-303.1(A)(1) to (9) (the "DIC Lower Council").
 - (b) Following the pre-application conference, the uses enumerated in Section 33C-2(D)(1), and civic uses permitted under subsection 33C-11(C)(2) that are governmental facilities as defined in Section 33-303(b)(1), may be approved in accordance with the procedures for approval of governmental facilities set forth in Section 33-303.
 - (c) Application for public hearing. Following the pre-application conference, a request to approve development of the uses enumerated in subsection 33C-11(C)(2) within the Government Center Subzone, except civic uses to the extent provided above, shall be made by filing an application with the Department in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for a general development plan to be considered and acted upon directly by the Board of County Commissioners pursuant to the development regulations established in this section. Applications shall be subject to the procedures set forth in Chapter 33, Article XXXVI.
 - (d) Required exhibits. The following exhibits shall be submitted with the application:
 - (i) Written exhibits: A narrative describing the properties to be included within the site plan, vision statement, consistency with the intent and purpose of these regulations, statement of conformance with these regulations, overall size and location, relevance to the region, connection to the surrounding urban context and rapid transit system, economic impact on the local economy, and any additional information necessary to explain the development.
 - (ii) Graphic exhibits: A plan depicting the properties to be included in the subzone, the roadway network surrounding the properties, the pedestrian connections to the Government Center Metrorail Station, size and folio of each property, and any additional information specified at the pre-application conference to evaluate the character and impact of the proposed development.

EXHIBIT A

- (2) *Final Review—Administrative Site Plan Review.* Following initial review in accordance with the provisions above, final review for all or a portion of the development within this subzone shall be considered administratively by the Department through an application for administrative site plan review ("ASPR") in accordance with the following procedure:
- (a) The Department shall review plans, including the exhibits listed below, for completeness and compliance with the applicable provisions of this chapter and for compliance with the site plan review criteria provided herein.
 - (b) Additionally, all applications shall be reviewed by the County departments that comprise the Lower Council DIC and other relevant County entities for potential impacts on infrastructure and other services resulting from the application. If the application indicates impacts on services and infrastructure provided by any of the foregoing, the applicant shall meet with the affected department or entity to discuss potential mitigation of the impacts and shall submit evidence to the Department of such discussion.
 - (c) The Director shall issue a final decision within 21 days of the date of submission of the completed application. The applicant shall have the right to extend the 21-day period by an additional 21 days upon request made in writing to the Department. The Department shall have the right to extend the 21-day period by written notice to the applicant that additional information is needed. Denials shall be in writing and shall specifically set forth the grounds for the denial.
 - (d) Any final decision of the Director may be appealed in accordance with Section 33-314 pertaining to appeals of administrative decisions.
 - (e) **Required Exhibits.** The following exhibits must be included with an application. Exhibits shall be prepared by registered architects and landscape architects and shall include the information set forth below. It is provided, however, that the Director may waive any of the items required because of the nature or timing of the development or because the information cannot reasonably be furnished at the time of review.
 - (i) Dimensioned site plans indicating, as a minimum, the following information:
 - (a) Lot lines and setbacks;
 - (b) Location, shape, size and height of existing and proposed buildings, structures, open spaces/recreational facilities and other physical features that are proposed;
 - (c) Floor Area Ratio;
 - (d) Total square footage for each use by type, as applicable (i.e. residential uses, office uses), and total number of residential units;
 - (e) Existing and proposed fences, walls, architectural accents, or street furniture, if applicable, and building exterior finish material;
 - (f) Landscape plans, including total number of trees required and provided, specifications of species of plant material, location, and size in accordance with this section and Chapter 18A;
 - (g) Vehicular and pedestrian circulation systems including connections to existing or proposed roadway and sidewalk system and locations for loading and unloading of vehicular passengers;
 - (h) Location of on-street and off-street parking, including total number of parking spaces required and provided;
 - (i) Location of loading facilities;
 - (j) Location of space for storage and collection of solid waste and recyclable material;
 - (k) Proposed grades if significantly altered;

EXHIBIT A

- (l) Location of backflow prevention devices and connections;
 - (m) Indication of any site design methods used to conserve energy;
 - (n) Existing and proposed signs, and locations of advertising or graphic features, if applicable;
 - (o) Sketches of design elements to be used for buffering surrounding uses, if applicable; and
 - (p) Development phase lines.
- (ii) Floor plans and elevations of all structures and other major design elements, providing isometrics or perspectives and, for residential uses, floor plans and elevations for typical units.
- (H) *Platting.* Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title in accordance with Section 33-257 shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.
- (I) *Conflicts.* The development review procedures, standards, and criteria set forth in this section shall govern in the event of conflicts with other zoning, subdivision, or landscape regulations of this Code or with the Miami-Dade County Public Works Manual.

(Ord. No. 18-81, § 3, 7-24-18; Ord. No. 20-39, § 9, 5-5-20)

City of Miami



ARTHUR NORIEGA, V
City Manager

December 20, 2021

Mr. Nathan Kogon
Assistant Director for Development Services
Miami-Dade County Regulatory and Economic Resources
111 N.W. 1st Street, 11th Floor
Miami, FL 33128

Re: Downtown Intermodal RTZDIC: Z21-162 – Miami Super Tower A & B, LLC – City of Miami Project Review

Dear Mr. Kogon:

The City of Miami has completed our review of the Downtown Intermodal RTZDIC: Z21-162 Miami Super Tower A & B Application.

The City has formulated a list of eight (8) comments, which have been reviewed with the applicant's development team. At this time, the City of Miami is requesting that these comments become conditions of the Final Approval and be continued to be coordinated with the project development team as the project moves forward through the ASPR Process. (Please see attached project comment list).

Overall, the City does not object to the proposed Downtown Intermodal RTZDIC development for Miami Super Tower A & B.

Should you have any questions concerning our review, you may contact Mr. David Snow, Chief of Urban Design, at (305) 416-1474 or dsnow@miamigov.com

Sincerely,

Cesar Garcia-Pons, AICP
Director, Department of Planning

c: Nzeribe Ihekweba, PhD., P.E., Assistant City Manager

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Miami Super Tower (Z21-162) – RTZDIC

City of Miami - Project Comments

In response to Z21-162 Miami Super Tower Development, please see City of Miami Planning comments below provided on September 29, 2021:

1. **Ground Floor Streetscape Improvements** – Provide details of streetscape improvements including hardscape, landscape and street furniture plans.
2. **Parking** – The project is proposing 2,139 spaces for its maximum parking program. Consideration should be given for additional parking reductions given the projects proximity to transit and TOD location.
3. **Parking Circulation** – Proposed parking access circulation should be reevaluated. Current proposal conflicts with pedestrian passage along NW 2 ST. Consider integrating access within loading area.
4. **Open Space** – Provide clear open space diagram meeting the required 15%. With recent developments in this area, open space is dramatically deficient for current and future residents. Natural landscape area should also be provided to address resiliency issues dealing with stromwater runoff, urban flooding and urban heat island effect (natural tree canopy).
5. **Pedestrian Passageway** – Additional improvements should be considered for pedestrian walkways along NW 2 ST, NW 1 AV and under the Metro Rail area. Provide additional details of proposed 15' FT colonnade along street frontages.
6. **Garage Façade Screening** – Provide additional information on proposed garage screening. Include material details and information on how elements will be screened from the garage.

Additional Comments provided at the December 20, 2021 Executive Council Meeting:

7. **Towers (above the podium)** – Maintain Residential Tower Lengths and Footprints to be more in context with existing Residential towers in downtown (i.e. 180' max. Length and 18,000 sf. max. Floorplate)
8. **Plaza Frontage** – Treat north face ground floor of Lot One as a Primary Pedestrian Frontage with Active, Habitable Uses (i.e. treat as the front door to Metro access).

Should you have any questions concerning our review, you may contact Mr. David Snow, Chief of Urban Design, at (305) 416-1474 or dsnow@miamigov.com

Memorandum



Date: November 19, 2021

To: Lourdes M. Gomez, AICP, Director
Department of Regulatory and Economic Resources

From: Rashid Istambouli, P.E.
Department of Regulatory and Economic Resources

A handwritten signature in black ink, appearing to read "Rashid Istambouli".

Subject: Z2021000162-1st Revision
Miami Supertower A LLC and Miami Supertower B LLC
200 NW 1st Avenue and 195 NW 2nd Street
Modification of site plan and reallocation of overall development
program approved under Resolution Z-13-14
(DID Corridor Sub-Zone of the RTZ) (2.7 Acres)
37-54-41

The Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM) has reviewed the above referenced zoning application for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) for potable water service and wastewater disposal. Based on the information provided, this zoning application is approved pursuant to Section 24-43.1 of the Code. With respect to other issues discussed herein DERM does not object to this application provided that all the conditions contained herein are complied with.

Potable Water Service and Wastewater Disposal

Pursuant to the Code and based on the site plan submitted in support of this application, the proposed multi-use development is located within feasible distance to connect to public water and public sanitary sewer. Therefore, the proposed development shall connect to public water and sanitary sewers in accordance with Code requirements.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Please note that some of the collection/transmission facilities, which includes sanitary sewer gravity sewer mains, sanitary sewer force mains and sanitary sewer pump stations, throughout the County do not have adequate capacity, as defined in the Consent Decree between Miami-Dade County, Florida Department of Environmental Protection and the U.S. Environmental Protection Agency case 1:12-cv-24400-FAM. Under the terms of this Consent Decree, this approval does not constitute an allocation or certification of adequate treatment and transmission system capacity. At the time of building permits, DERM will evaluate and may reserve sanitary sewer capacity, through the DERM sanitary sewer certification process, if the proposed development complies with the provisions of the Consent Decree. Building permits for development in sanitary sewer basins that have been determined not to have adequate capacity cannot be approved until adequate capacity becomes available.

Conditions of Approval: None

Stormwater Management

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Pursuant to Section 24-48.1(1)(f) of the Code, the applicant is advised that a Class VI Permit shall be required for the construction of the proposed surface water management system. The applicant is advised to contact the DERM Water Control Section (305-372-6681) for further information regarding permitting procedures and requirements.

Conditions of Approval: None

Tree Preservation

An aerial review of the subject properties indicates the presence of tree resources. Tree Permit #10677 was issued on October 26, 2020, for the subject properties. All approved work shall be performed in accordance with this permit. Section 24-49 of the Code provides for the preservation and protection of tree resources. If any additional trees subject to the tree preservation and protection provisions of the Code are to be removed/relocated and are not associated with tree permit #10677, a new tree removal permit will be required. Additionally, Tree Permit #5722, associated with the subject properties, expired on February 17, 2019. The applicant is advised to contact the Tree and Forest Resources Section at (305) 372-6574 or tfrs@miamidade.gov to discuss tree mitigation and permit closure requirements regarding this expired permit.

A Miami-Dade County Tree Permit is required prior to the removal and/or relocation of any tree that is subject to the tree preservation and protection provisions of the Code. Projects and permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

In accordance with Section 24-49.9 of the Code, all plants prohibited by Miami-Dade County shall be removed from all portions of the property prior to development, or redevelopment and developed parcels shall be maintained to prevent the growth or accumulation of prohibited species.

Please contact Andrea Dopico at Andrea.Dopico@miamidade.gov for additional information or concerns regarding this review.

Conditions of Approval: Compliance with Tree Permit #10677 and Tree Permit #5722

Pollution Remediation

DERM has records of current contamination issues tracked under Flagler Gran Central (DERM file UT-7164). All construction plans (inclusive of drainage) and dewatering plans shall require the review and approval from the Environmental Monitoring and Restoration Division (EMRD) of DERM as it relates to environmental contamination issues. Be advised that the EMRD review of this application does not constitute an approval of any site plans, drainage plans, or development plans that may be included as part of this application.

Any contaminated portion of the site that is proposed to be sold, transferred or dedicated (including, but not limited to, for public right-of-way) to any public entity shall be identified on the tentative and final plat

plans for this development. If any contaminated portion of the site is proposed to be sold, transferred or dedicated to the County, please note that all soil, groundwater or surface water contaminants, solid waste, and methane must be disclosed to the applicable County department at the earliest stage possible. The applicable County departments would include all departments that would receive or manage the proposed property, and for example, would include PROS for a park and DTPW for road right-of-way. Please note that the presence of any such contamination, solid waste, or methane or a delay by the applicant in disclosing such contamination or impacts to the applicable County departments could result in the county declining to accept the proposed dedication. This may in turn result in the need for the developer to reconfigure or change previously approved site plans, or make other changes to the proposed development, which may require approval after public hearing.

If an applicant elects to address soil contamination, groundwater contamination, solid waste and methane via a No Further Action with Conditions, each individual property owner will be required to execute a restrictive covenant. Please note that nothing stated herein may be interpreted to limit or restrict an engineer's or other professional's responsibility to prepare plans accurately and completely for proposed rights-of-way as well as any other projects or plans. Please contact Thomas Kux, P.G. at Thomas.kux@miamidade.gov if you have any questions.

Conditions of Approval: None

Enforcement History

There is one (1) open and no closed enforcement records for violations of Chapter 24 of the Code for the subject property:

Case UT-07164: On January 17, 2017, a Notice of Violation and Orders for Corrective Action (NOV) was issued for failure to submit a Site Assessment Report Addendum (SARA) for the referenced properties to address ongoing soil and groundwater contamination. On March 21, 2018, a follow-up enforcement notice was issued for the non-compliance of the NOV, and on May 18, 2018, a Final Notice Prior to Court Action (FNPTCA) was issued. On June 05, 2019, a Demand Letter was issued for failure to comply with the Notices.

There are no outstanding DERM liens or fines for the subject property.

Concurrency Review Summary

A concurrency review has been conducted for this application and DERM has determined that the same meets all applicable LOS standards for an initial development order as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. This concurrency approval is valid only for this initial development order. Pursuant to Chapter 33G of the Code, a final concurrency statement will be issued at the time of final development order.

If you have any questions concerning the comments or wish to discuss this matter further, please contact Christine Velazquez at (305) 372-6764.

cc: Nathan Kogon, Department of Regulatory and Economic Resources

Memorandum



Date: December 14, 2021

To: Nathan Kogon
Assistant Director
Regulatory and Economic Resource Department

From: Raul A. Pino, PLS
Chief
Regulatory and Economic Resource Department

Subject: DIC 21-162
Name: Miami Supertower A, LLC & Miami Supertower B, LLC
Section 37 Township 54 South Range 41 East

I. PROJECT LOCATION:

The property is located at 220 NW 1 Avenue and 195 NW 2 Street.

II. APPLICATION REQUEST:

This application is requesting to add an additional parcel of land and reallocate the overall development program to increase the number of units and decrease amount of office space and eliminate the hotel keys.

III. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to this site is available from the north and south by NW 1 Avenue and from the east and the west by NW 1 Street.

IV. RECOMMENDATION:

The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections with the condition in Section VI.

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers Trip Generation Manual, 10th Edition)

383 PM Peak Hour trips are generated by the unbuilt portion of the total proposed development.

This application **meets** the traffic concurrency criteria because it lies within the urban infill area and in a municipality where traffic concurrency does not apply.

B. Cardinal Distribution

North	32 %	East	10 %
South	14 %	West	44 %

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

Station F 5047 located on US 1 south of Flagler Street, has a maximum LOS "E+50" of **8,085** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **2,191** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 5047** with its PHP and assigned vehicles is at LOS "C". The **42** vehicle trips generated by this development when combined with the **2,191** and those previously approved through Development Orders, **0**, equal **2,233** and will cause this segment to remain at LOS "" whose range is up to 5,250.

Station F 2162 located on I-95/SR 9A north of US 1, has a maximum LOS "E+50" of **10,785** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **4,847** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 2162** with its PHP and assigned vehicles is at LOS "C". The **122** vehicle trips generated by this development when combined with the **4,847** and those previously approved through Development Orders, **0**, equal **4,969** and will cause this segment to remain at LOS "C" whose range is from 4,121 to 5,540.

Station F 2505 located on I-95/SR 9A south of NW 6 Street, has a maximum LOS "D" of **13,390** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **12,390** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 2505** with its PHP and assigned vehicles is at LOS "D". The **174** vehicle trips generated by this development when combined with the **12,390** and those previously approved through Development Orders, **0**, equal **12,564** and will cause this segment to remain at LOS "D" whose range is from 11,101 to 13,390.

Station F 3030 located on NE 5 Street east of NE 2 Avenue, has a maximum LOS "E+50" of **4131** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **641** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 3030** with its PHP and assigned vehicles is at LOS "C". The **45** vehicle trips generated by this development when combined with the **641** and those previously approved through Development Orders, **0**, equal **686** and will cause this segment to remain at LOS "C" whose range is up to 1254.

The request herein, constitutes an Initial Development Order only, and one or more traffic concurrency determinations will subsequently be required before development will be permitted.

VII. SITE PLAN CRITIQUE:

1. Road closing must be approved prior to final plat.
2. This land **requires** platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications per Miami-Dade Chapter 33-133 and Chapter 28 and/or improvements required will be accomplished thru the recording of a plat.

VIII. STANDARD CONDITIONS:


A letter or a plan containing the following certification signed and sealed by a State of Florida registered engineer shall be submitted as part of the paving and drainage plans: "I hereby certify that all of the roads for the subject project comply with all of the applicable portions of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) regarding: design speed, lane widths, horizontal alignment, vertical alignment, stopping sight distance, sight distance, horizontal clearance, vertical clearance, superelevation, shoulder widths, grades, bridge widths, etc."

Memorandum



Date: August 17, 2021

To: Nathan Kogon, Assistant Director
Development Services
Department of Regulatory and Economic Resources (RER)

From: Maria A. Valdes, CSM, LEED® Green Associate
Chief, Planning & Water Certification Section
Water and Sewer Department (WASD) 

Subject: Zoning Application Comments - Miami Supertower B, LLC
Application No. Z2021000162 - (Pre-App. Z21P-106)

The Water and Sewer Department has reviewed the proposed development for the subject zoning application. WASD has no objections to this application. The information provided below is preliminary and it does not affect the Zoning process.

Application Name: Miami Supertower B, LLC

Location: The proposed project is located on approximately 2.7 acres in two lots. Lot No. 1 is at 195 NW 2nd Street (South Parcel, 1.32 acres), with Folios No. 01-4137-072-0010, 01-4137-072-0130, and 01-0110-060-1080 and lot No. 2 is at 200 NW 1st Avenue (North Parcel, 1.38 acres) with Folio No. 01-4137-072-0020, within the City of Miami. The Property is part of the Brightline/All Aboard Florida - Miami Station development.

Proposed Development: The applicant is requesting a Special Exception to add the property identified by Folio No. 01-0110-060-1080 and reallocate the overall development program to develop a Mixed-Use development. Per the development table provided on submitted plans the development for the Lot No. 1 (South Parcel) will consist of 1,003 apartments and 25,250 sq. Ft. of Retail use and for Lot No. 2 (North Parcel) will consist of 1,004 apartments and 24,384 sq. Ft. of Retail use.

The estimated water demand for the proposed project for Lot No. 1 will be 137,930 gallons per day (gpd) and for Lot No. 2 will be 137,978 gpd. The total water demand for the development with this zoning application will be 275,908 gpd.

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Hialeah - Preston Water Treatment Plant (WTP). Currently, there is adequate treatment and water supply capacity at the WTP, consistent with Policy WS-2 A (1) of the CDMP.

The proposed development with this zoning application is Phase II of a larger development. On July 7, 2021, WASD Agreement No. 22215 was requested for this project (Phase II). Per approved Point of Connection (P.O.C.) dated June 07, 2021, the developer shall connect to an existing 12-inch water main in NW 1st Avenue at NW 1st Street and extend the same 12-inch water main westerly in NW 1st Street to the southwestern corner of the subject property, interconnecting to an existing 20-inch transmission main at that location. Also, as necessary, the developer shall connect to any of the existing 16-inch and 12-inch water main in NW 3rd

Street and NW 1st Avenue, abutting the northern and eastern boundaries of the property, respectively.

If water/fire service is required in NW 2nd Street, thence the developer shall connect to an existing 12-inch water main in NW 1st Avenue at NW 2nd Street and extend the same 12-inch water main westerly in NW 2nd Street as required to provide water service to the proposed development. Only one fire service is allowed on a dead-end water main.

Any public water main extension within the property shall be minimum 12-inch diameter. If two (2) or more fire services are to be connected to a public water main extension, then the water system shall be looped with two (2) points of connections.

A Water Supply Certification (WSC) will be required for the proposed development with this application. Said Certification will be issued at the time the WASD Agreement No. 22215 is offered. The WSC letter shall remain active in accordance with terms and conditions specified in said certification. The WSC is required consistent with Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the WASD's 20-year Water Use Permit.

For more information on the Water Supply Certification Program please go to <http://www.miamidade.gov/water/water-supply-certification.asp>.

In addition, all future development will be required to comply with water use efficiency techniques for indoor water use and with landscape standards in accordance with Sections 8-31, 32-84, 18-A and 18-B of the Miami-Dade County Code and consistent with Policies WS-5E and WS-5F of the CDMP, respectively. Also, please note that Section 8A-381 (c) of the Miami-Dade County Code states that, effective January 1, 2009; all permit applications for new multifamily residential developments shall be required to include a sub-meter for each individual dwelling unit.

For more information about our Water Conservation Program, please go to <http://www.miamidade.gov/conservation/home.asp>

For information concerning the Water-Use Efficiency Standards Manual please go to <http://www.miamidade.gov/waterconservation/library/instructions/water-use-efficiency-standards-manual.pdf>

Sewer: The proposed development is located within the WASD's sewer service area. The wastewater flows for the proposed development will be transmitted to the Central District Wastewater Treatment Plant (CDWWTP) for treatment and disposal. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. Currently, there is adequate sewer treatment and disposal capacity at the WWTP, consistent with Policy WS-2 A (2) of the CDMP.

Per approved Point of Connection (P.O.C.) dated June 07, 2021, the developer shall connect as follows:

Lot No. 1 (South Parcel)

1. A proposed 8-inch sanitary gravity sewer (DS 2017-560), which will discharge into an existing 18-inch sanitary gravity sewer (ES5831-3, M.H. No. 1290 as per Sewer Atlas F-14) in NW 1st Street and NW 1st Avenue.
2. A proposed 8-inch sanitary gravity sewer (DS 2017-560), which will discharge into a proposed 10-inch sanitary gravity sewer (DS 2017-560) and then into an existing 10-inch sanitary gravity sewer (ES5831-3) in NW 2nd Street west of NW 1st Avenue.

Lot No. 2 (North Parcel)

3. A proposed 8-inch sanitary gravity sewer (DS 2017-560), which will discharge into a proposed 10-inch sanitary gravity sewer (DS 2017-560) and then into an existing 10-inch sanitary gravity sewer (ES5831-3) in NW 2nd Street west of NW 1st Avenue.
4. An existing 8-inch sanitary gravity sewer (ES10094-7), which discharges into an existing 10-inch sanitary gravity sewer (ES5831-4, M.H. No. 1408 as per Sewer Atlas F-14) in NW 3rd Street west of NW 1st Avenue.

Please refer to the WASD's approved Point of Connection (P.O.C.) dated June 07, 2021, for the total flow to be discharged in each of the aforementioned POCs.

If unity of Title does not apply, then any gravity sewer within the property shall be public and minimum 8-inch in diameter.

The sewage flow from the proposed development will be transmitted to Pump Station (P.S.) No. 1. The projected sanitary sewer flows from this development will increase the Nominal Average Pump Operating Time (NAPOT) operating hours of said P.S. from 8.45 hrs. to 8.50 hrs. The Moratorium Code status for said pump station is OK.

Connection to the sanitary sewer system is subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request consistent with policy WS-2A(2) of the CDMP. Capacity evaluations of the plant for average flow and peak flows will be required. Connection to the COUNTY'S sewage system will be subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the COUNTY and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Order entered on April 9, 2014 in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

Any public water or sewer infrastructure must be within a public right-of-way, or within a utility easement.

Below please find additional links to the WASD portal, which provides information on the Construction & Development process for water and sewer infrastructure.

<http://www.miamidade.gov/water/construction-development.asp>

<http://www.miamidade.gov/water/construction-service-agreement.asp>

<http://www.miamidade.gov/water/construction-existing-service.asp>

<http://www.miamidade.gov/water/library/forms/service-agreement.pdf>

Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or mavald@miamidade.gov, Alfredo B. Sanchez at (786) 552-8237 or sanalf@miamidade.gov, or Delcy Munoz-Percy at (786) 552-8484 or Delcy.Munoz-Percy@miamidade.gov.

Memorandum



Date: September 15, 2021

To: Nathan Kogon, Assistant Director
RER Development Services

From: Ammad Riaz, P.E.
Chief of Aviation Planning *A. R.*
Aviation Department

Subject: Rapid Transit DIC Zoning Hearing Application No. 21-162
Miami Supertower A LLC & Miami Supertower B LLC
MDAD DN-21-09-3384

As requested by the Department of Regulatory and Economic Resources, the Miami-Dade Aviation Department (MDAD) has reviewed the applicant's request to add an additional parcel and relocate the overall development program in order to increase the total number of residential units and the amount of retail space and to decrease the amount of office space and eliminate hotel keys. The Property is located at 220 NW 1st Avenue (North Parcel) and 195 NW 2nd Street (South Parcel) in Miami, Florida. The North Parcel consists of approximately 59,963 SF (1.38 acres) and the South Parcel consists of approximately 57,476 SF (1.32 acres).

The site is located within HSA Transitional Surface as referenced in the Code of Miami-Dade County, Chapter 33, Article XXXVII Airport Zoning (the Code). The approximate elevations which conform to the Code at this site range between 800-900 feet Above Mean Sea Level (AMSL). Please be advised that since there are no architectural elevation plans associated with this application, MDAD cannot provide a complete analysis at this time. In accordance with Code of Federal Regulation (CFR) Title 14 Part 77, any proposed temporary or permanent structure which reaches or exceeds 200 feet Above Ground Level (AGL) requires filing with the Federal Aviation Administration (FAA) using Form 7460-1 'Notice of Proposed Construction or Alteration'. The form is available on-line and can be "e-filed" through the FAA website: <https://oeaaa.faa.gov>. Alternatively, the form can also be mailed to: Federal Aviation Administration, Southwest Regional Office Obstruction Evaluation Group, 2601 Meacham Blvd, Ft. Worth, TX 76137-0520. The applicant is required to coordinate with MDAD's Aviation Planning Division for a MDAD-issued Airspace / Land-Use Letter of Determination for any permanent structure at the referenced location which reaches or exceeds 200 feet AGL and for a MDAD-issued Permissible Crane Height Determination for any temporary structure at the referenced location which reaches or exceeds 200 feet AGL.

The applicant is required to comply with federal, state and local aviation regulations, including the Code of Miami-Dade County, Chapter 33 as it pertains to airport zoning. All airport zoning resources, are available on our webpage which may be accessed by using the following link: http://www.miami-airport.com/planning_forms_maps.asp.

AR/rb

C: J. Ramos
J. Byers
Jacqueline Ellis, City of Miami Planning & Zoning Department
Efren Nunez, City of Miami Planning & Zoning Department
Jacob Keirn, City of Miami Planning & Zoning Department

Memorandum



Date: September 1, 2021

To: Nathan Kogon, Assistant Director
Development Services Division
Regulatory and Economic Resources Department (RER)

From: Alejandro Zizold, PROS Master Plan Manager *Alejandro Zizold*
Planning & Design Excellence Division
Parks, Recreation and Open Spaces Department (PROS)

Subject: Z2021000162 – FECI Downtown Supertowers

Applicant Name: Javier F. Aviñó on behalf of Miami Supertower A, LLC and Miami Supertower B, LLC.

Project Location: The subject property is approximately 2.7 acres, located at 220 NW 1st Avenue and 195 NW 2nd Street, Folios. 01-4137-072-0020, 01-4137-072-0010, 01-4137-072-0130, 01-0110-060-1080. This project is located on the Rapid Transit Zone, Downtown Intermodal District Corridor.

Proposed Development: The applicant seeks a Special Exception to modify the overall site plan approved pursuant to Resolution Z-13-14 in order to increase total residential units and retail space, and decrease the office and hotel uses. The application proposes 2,823 residential units, 216,926 square feet of office space, 242,852 square feet of retail space, and the All Aboard Florida Train Station.

Impact and Demand: The site is located within the jurisdiction of City of Miami; therefore, the County's Level of Service of Standards do not apply.

Recommendation: PROS offers the following recommendations:

- Please provide landscape and hardscape plans with details of the proposed trees, markings, and signage. PROS recommends adding mature shade trees as feasible on NW 1st Street, NW 3rd Street, and NW 1st Avenue to complement the ground level design of the development, in addition to landscape architecture between the station(s) and the development.
- Please provide details of proposed private recreational amenities in all plans and letter of intent. Amenities include but are not limited to pools, clubhouses, gym, outdoor seating, walking amenities, athletic courts, playgrounds, picnic tables and grills.
- PROS recommends the applicant solicit input from the City of Miami Parks Department for provision of recreation open space to meet local park level of service in the City of Miami. Any proposed park dedications must be approved by the City of Miami.
- PROS recommends continuing coordination with DTPW to design and create seamless connections between the Metrorail station, future All Aboard Florida Station, the development and other access points in the area.
- PROS recommends adding bike racks within the development and other non-motorized access facilities.

These recommendations are based on the following Recreation and Open Space objective in the Comprehensive Development Master Plan (CDMP):

ROS-4G. The Parks, Recreation and Open spaces Department will collaborate with County agencies that oversee funding programs and accounts related to horticulture, arboriculture, environmental mitigation, hazard mitigation, transportation, crime prevention, tourist development, and community and

economic development, which can potentially benefit local residents through the enhancement of parks and recreation programs, should assist with the implementation of the policies in this Element by participating in inter-agency partnerships to address, for example, the following:

v.) Improvements to physical access to parks and recreation facilities and special events through public transportation program.

Objective ROS-8

The Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.

Objective ROS-8G. Miami-Dade County shall implement Urban Design guidelines and standards by incorporating meaningful public spaces in the planning and development of libraries, museums, schools, government buildings, transit stations within Transit-Oriented Developments (TOD) and stand-alone transit stations, and other civic/institutional places.

PROS has no pertinent comments for this application concerning demand on existing County Parks, proposed or budgeted service expansion, nor does PROS perform a concurrency review. Based on our findings described herein, **PROS has no objection to this application.**

Should you need additional information or clarification on this matter, please contact Carlos Lopez, Park Planner 2, by email at carlos.lopez6@miamidade.gov or by phone at (305) 755-7987.

AZ: cl

Memorandum



Date: August 24, 2021
To: Nathan M. Kogon, Assistant Director
Regulatory and Economic Resources
From: Alejandro G Cuello, Principal Planner
Miami-Dade Fire Rescue Department
Subject: Z2021000162

The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in "Energov" on 08/13/21

For additional information, please contact Alejandro Cuello at acuello@miamidade.gov or call 786-331-4545.

OUTSTANDING LIENS AND FINES:

There are no outstanding liens or fines.

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 13 2021
BY: CABR

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Supertower A LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>see attached</u>	

If a **TRUST or ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
JUNE 13 2021
BY: CABR

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: *By: Miami Supertower A LLC*
Kolleen Cobb, VP (Applicant)

Sworn to and subscribed before me this 25th day of June, 2021. Affiant is personally known to me or has produced _____ as identification.

Jessica Perez
(Notary Public)



My commission expires _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 13 2021
BY: CABR

DISCLOSURE OF INTEREST*

If a **CORPORATION** owns or leases the subject property, list principal stockholders and percent of stock owned by each. [Note: Where principal officers or stockholders consist of other corporation(s), trust(s), partnership(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

CORPORATION NAME: Miami Supertower B LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>see attached</u>	

If a **TRUST** or **ESTATE** owns or leases the subject property, list the trust beneficiaries and percent of interest held by each. [Note: Where beneficiaries are other than natural persons, further disclosure shall be made to identify the natural persons having the ultimate ownership interest].

TRUST/ESTATE NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>

If a **PARTNERSHIP** owns or leases the subject property, list the principals including general and limited partners. [Note: Where partner(s) consist of other partnership(s), corporation(s), trust(s) or similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interests].

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: _____

<u>NAME AND ADDRESS</u>	<u>Percent of Ownership</u>

RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 13 2021
BY: CABR

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: _____

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of contract: _____

If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: By: K. P. Cobb
Miami Supertower B LLC
Kollgen Cobb, VP (Applicant)

Sworn to and subscribed before me this 25th day of JUNE, 2021. Affiant is personally known to me or has produced _____ as identification.

Jessica Perez
(Notary Public)



My commission expires _____

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

DISCLOSURE AFFIDAVIT

I, Kolleen Cobb, as the Executive Vice President and Secretary of Florida East Coast Industries, LLC affirm the following:

The attached structure chart for Florida East Coast Industries, LLC shows the ownership of VT Property Holdings LLC, the sole member of Miami Supertower A LLC and Miami Supertower B LLC.

Florida East Coast Industries, LLC is a non-public company and is owned by funds managed by Fortress Investment Group LLC and individuals owning less than 5%.

Witnesses:

[Signature]
Print Name: Maria Vivend Cruz
[Signature]
Print Name: Melissa Vazquez

FLORIDA EAST COAST INDUSTRIES, LLC, a Delaware limited liability company

By: [Signature]
Kolleen O. P. Cobb, Executive Vice President

Address:
700 NW 1st Avenue, Suite 1620
Miami, Florida 33136

STATE OF FLORIDA COUNTY OF MIAMI-DADE

I HEREBY CERTIFY, that on this 10th day of November, A.D. 2021, before me, **by means of** **physical presence** or **online notarization**, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Kolleen Cobb, personally known to me, to be the Executive Vice President and Secretary of Florida East Coast Industries LLC, a Limited Liability Company existing under the laws of the State of Delaware, and in whose name the foregoing instrument is executed and that said member/ managing member/manager severally acknowledged before me that he executed said instrument acting under the authority duly vested by said Limited Liability Company freely and voluntary for the purposes therein expressed.

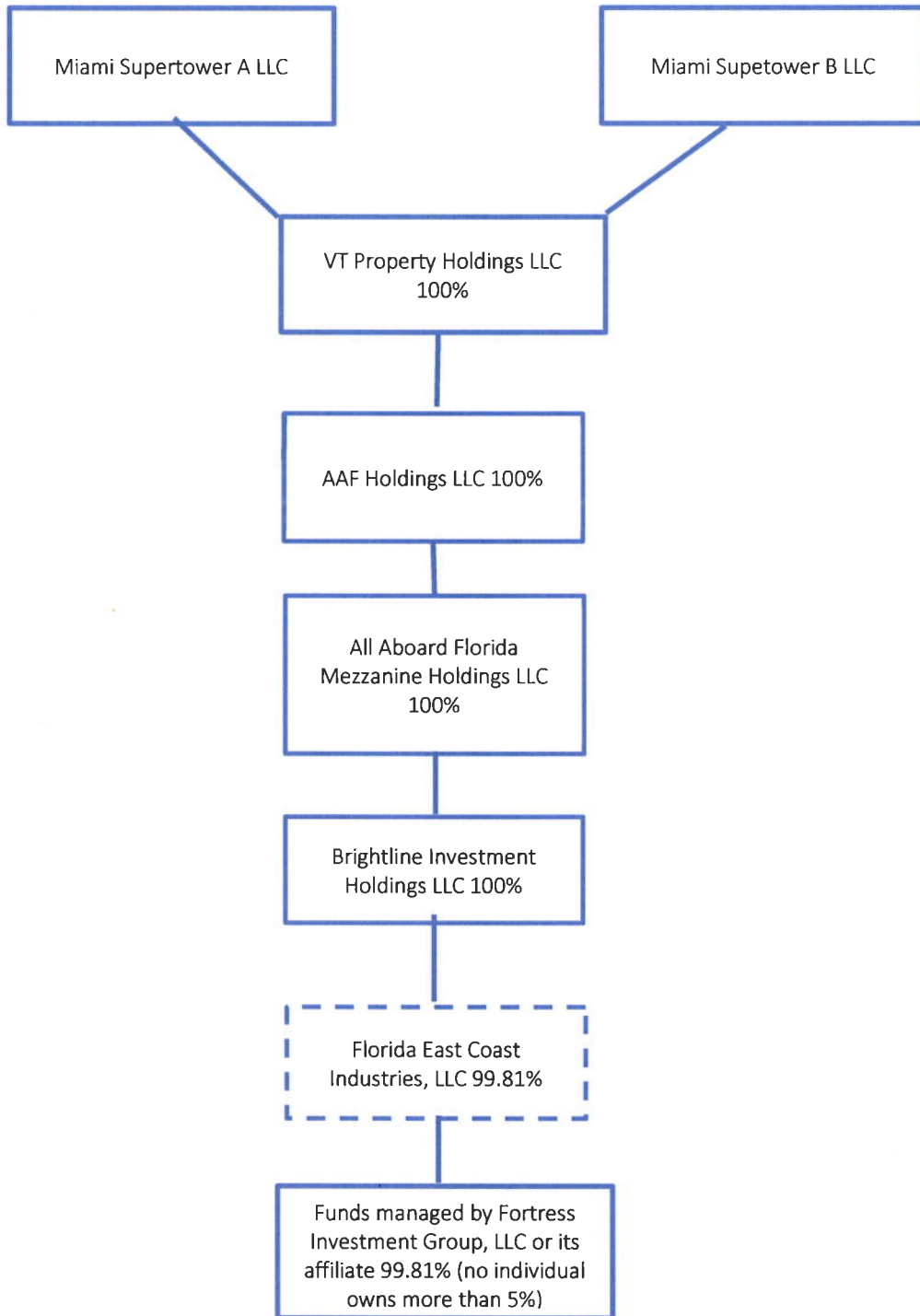
WITNESS my hand and official seal in the County and State aforesaid, the day and year last aforesaid.

[Signature]
Notary Public - State of Florida

(Notarial Seal)



The following chart summarizes the Company's organization structure as of November 10, 2021. This chart is provided for illustrative purposes only and does not represent all holding entities or other affiliates of the Company.



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MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 13 2021
BY: CABR

If there is a **CONTRACT FOR PURCHASE** by a Corporation, Trust or Partnership, list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers, stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or similar entities, further disclosure shall be made to identify natural persons having ultimate ownership interests].

NAME OF PURCHASER: J3T Ventures, LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>Kambiz Damaghi (Executive VP) *</u>	<u>33 1/3 %</u>
<u>Nader Damaghi (President) *</u>	<u>33 1/3 %</u>
<u>Babak Damaghi (Executive VP) *</u>	<u>33 1/3 %</u>
<u>80 Cuttermill Road, Great Neck, NY 11021</u>	

Date of contract: May 21, 2021

*Owners of the ultimate ownership interests in three trusts that own 100% of the membership interest in Purchaser.


If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership or trust:

NOTICE: For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: 
(Applicant) Purchaser

Sworn to and subscribed before me this 9th day of August, 2021. Affiant is personally known to me or has produced _____ as identification.


(Notary Public)

ARLENE RIBADENEYRA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01R16272868
Qualified in Queens County
My Commission Expires 12-02-2024

My commission expires December 2, 2024

*Disclosure shall not be required of: 1) any entity, the equity interests in which are regularly traded on an established securities market in the United States or another country; or 2) pension funds or pension trusts of more than five thousand (5,000) ownership interests; or 3) any entity where ownership interests are held in a partnership, corporation or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership and where no one (1) person or entity holds more than a total of five per cent (5%) of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in a partnership, corporation, or trust consisting of more than five thousand (5,000) separate interests, including all interests at every level of ownership, shall only be required to disclose those ownership interest which exceed five (5) percent of the ownership interest in the partnership, corporation or trust.

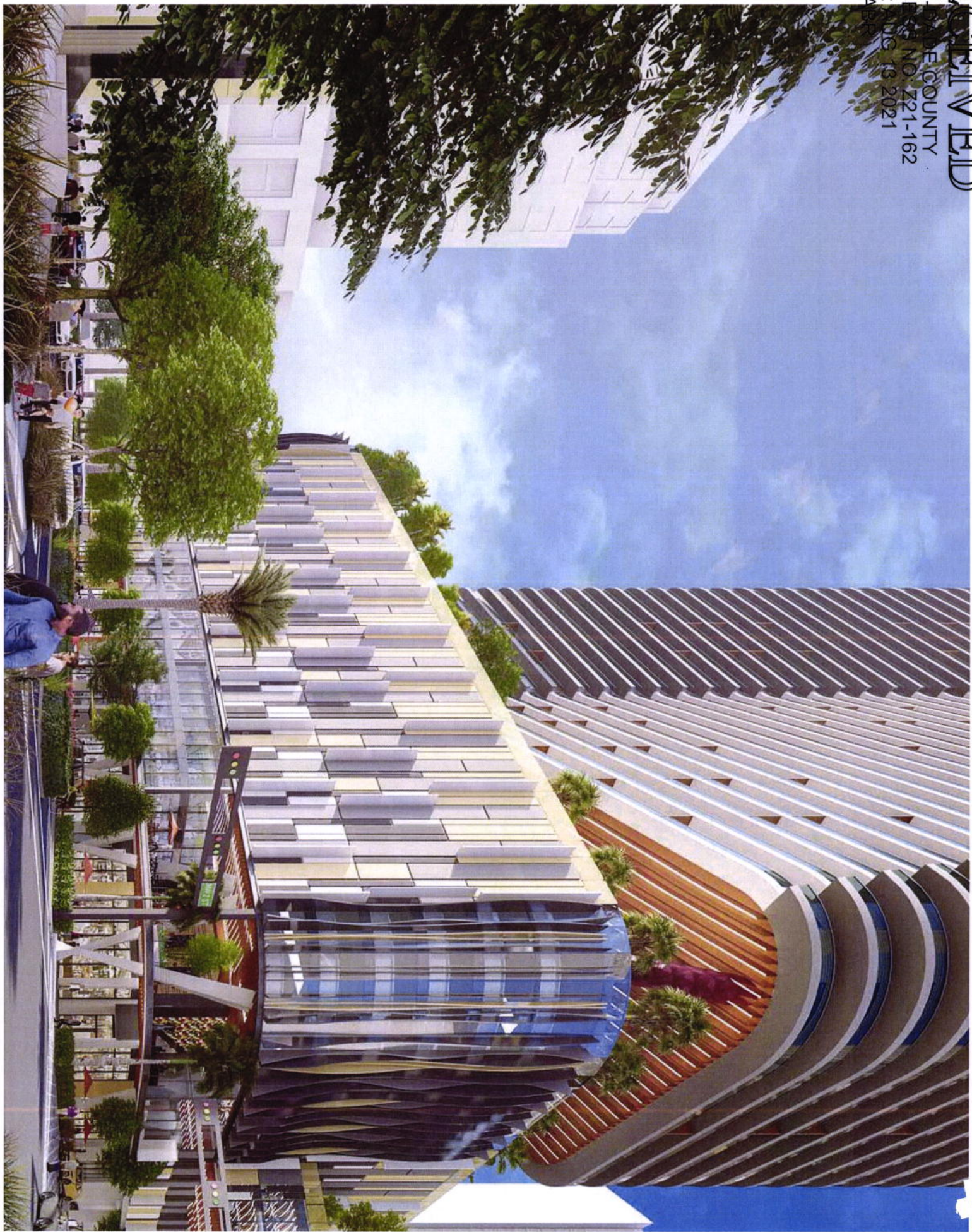
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MIAMI-DADE COUNTY
PROPOSE NO. Z21-162
DATE: AUG 13, 2021
BY: CAOR



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MIAMI DADE COUNTY
PROJECT NO. Z21-162
DATE: AUG 13 2021
BY: CA



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 13 2021
BY: CABR



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z21-162
DATE: AUG 18 2021
BY: CABR



RECEIVED

MIAMI-DADE COUNTY
PROCESS NO: Z211164
DATE: AUG 13 2021
BY: CABR

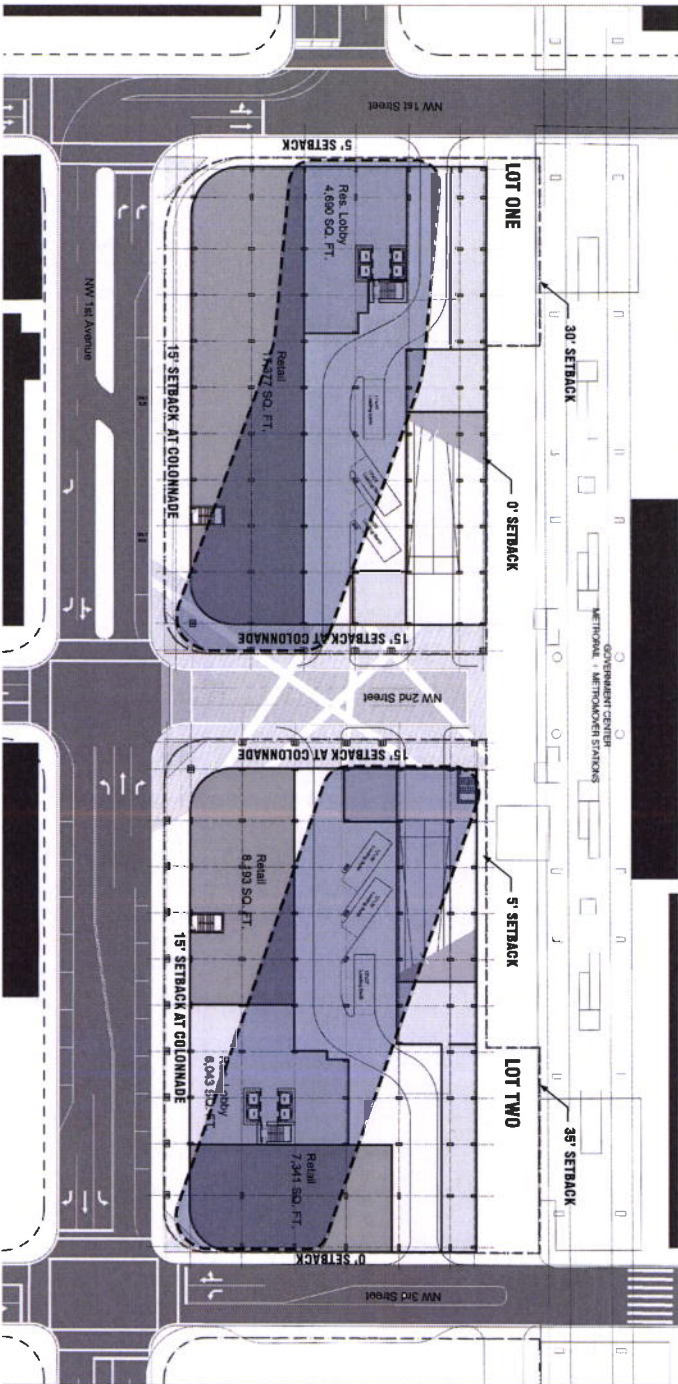


ZONING DISTRICT			
FIXED GUIDANCE RAMP TRANSIT SYSTEM - DEVELOPMENT ZONE			
DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE			
SITE AREA	LOT ONE	57,475 SF	1.32 ACRES
	LOT TWO	59,985 SF	1.38 ACRES
PROGRAM & PARKING SUMMARY			
RETAIL	AREA (GSF)	MIN. RATIO REQ'D.	SPACES PROVIDED
	49,634 SF	1.8 SPACES PER 1000 SF	89
	2007	N/A	2116
SETBACKS			
NW 1st Avenue	MIN. REQ'D.	PROVIDED	
	FOR 30% OF BUILDINGS = 0'	15' MIN WITH COLONNADE	
ALL OTHER STREETS, INTERMODAL PROPERTY LINES, METROPOLITAN & METROPOL RIGHTS-OF-WAY	0	COMPLIES REFER TO SITE PLAN	

ENCROACHMENTS		
ABOVE THE GROUND FLOOR	MAX. ALLOWED	PROVIDED
CLEARANCE FOR STRUCTURES ABOVE STREETS	100%	COMPLIES
CANTILEVERED BALCONIES, AWNINGS, WEATHER PROTECTION ELEMENTS AND SIMILAR FEATURES	AD-EQUATE	17'
	NOT CLOSER THAN 5' FROM THE CURB FACE	COMPLIES
FLOOR AREA RATIO		
LOT ONE	MAX. ALLOWED	PROVIDED
	UNLIMITED	33.2
LOT TWO	UNLIMITED	31.8
TOTAL	UNLIMITED	34.5
LOT COVERAGE		
LOT ONE	MAX. ALLOWED	PROVIDED
	UNLIMITED	91.2%
LOT TWO	UNLIMITED	91.2%
TOTAL	UNLIMITED	91.2%
BUILDING HEIGHT		
MAX. ALLOWED	PROVIDED	
150' MAX. HEIGHT	857'	
OPEN SPACE		
LOT ONE	MIN. REQ'D.	PROVIDED
	15%	COMPLIES
LOT TWO	15%	COMPLIES
TOTAL	15%	COMPLIES

2 DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE

SCALE: 1" = 200'



1 ENLARGED SITE PLAN (SETBACKS & ENCROACHMENTS)

SCALE: 1" = 50'

ENLARGED SITE PLAN Project Number: 04-05-0071 G101	OWNER/SHIP: MAAMI SUPERTOWER A LLC, MAAMI SUPERTOWER B LLC	TRAFFIC: KIMLEY-HORN 355 Abnatta Circle Suite 1400 Coral Gables, FL 33134 T. 305.673.2025
	Architect: Zyscovich 100 N. Biscayne BLVD., 27th Floor Miami, FL 33132-2304 T. 305.372.5222 F. 305.577.4621	Project: FECI DOWNTOWN SUPERTOWER

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Downtown			
Lots	Zones	Lot Area Gross SF	Density
1	RTZ	57,476 SF	1.32
2	RTZ	59,963 SF	1.38
TOTAL		117,439 SF	2.70

Open Space			
Factor	Units	Area	Factor
15%	660	8,621 SF	15%
15%	688	8,994 SF	15%
TOTAL	1,348	17,615 SF	

228 204 1,780

Floors	Building			Retail			Office			Residential			Parking		
	Gross SF	Net SF	Density	Gross SF	Reduction	Net SF	Gross SF	Reduction	Net SF	Gross SF	Reduction	Net SF	Units	Spaces	Area
1	45,658 SF	36,526 SF	18 FT	16,108 SF	4,602 SF	21,204 SF	4,602 SF		21,204 SF			100	34,643 SF		
2	17,302 SF	13,842 SF	14.00 FT	9,142 SF	7,865 SF	21,204 SF	7,865 SF		21,204 SF			100	34,643 SF		
3	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
4	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
5	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
6	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
7	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
8	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
9	0 SF	0 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	143	52,559 SF		
10	26,505 SF	21,204 SF	14.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
11	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
12	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
18	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
19	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
20	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
21	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
22	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
23	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
24	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
25	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
31	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
32	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
33	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
34	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
35	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
36	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
37	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
38	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
39	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
40	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
41	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
42	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
43	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
44	26,505 SF	21,204 SF	10.00 FT			21,204 SF			21,204 SF	80%	4,240 SF	14			
TOTAL	2,024,330 SF	1,513,444 SF	848 FT	25,250 SF	0 SF	1,973,837 SF	1,463,076	1003	1058	384,640 SF					

Required			
Uses	Units	Factor	Total
Residential	1,003	1	1,003
Retail	25,250 SF	0.0018	45
Office	0 SF	0.0006	0
TOTAL			1,048

FECI Downtown

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July 16th, 2021

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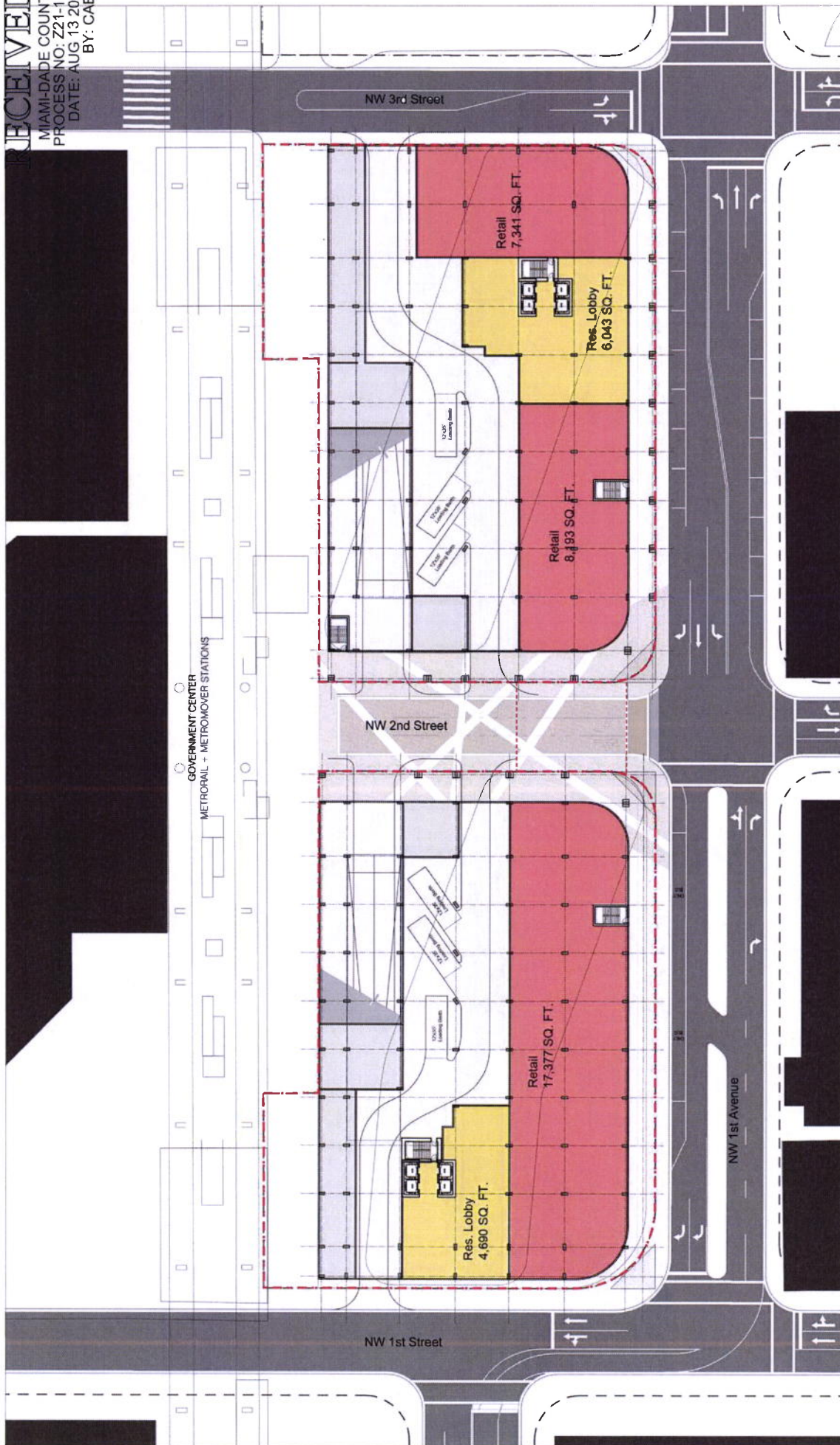
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Data Lot 1

Miami, Florida

52

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Miami, Florida

Ground Level

Scale: 1" = 40'

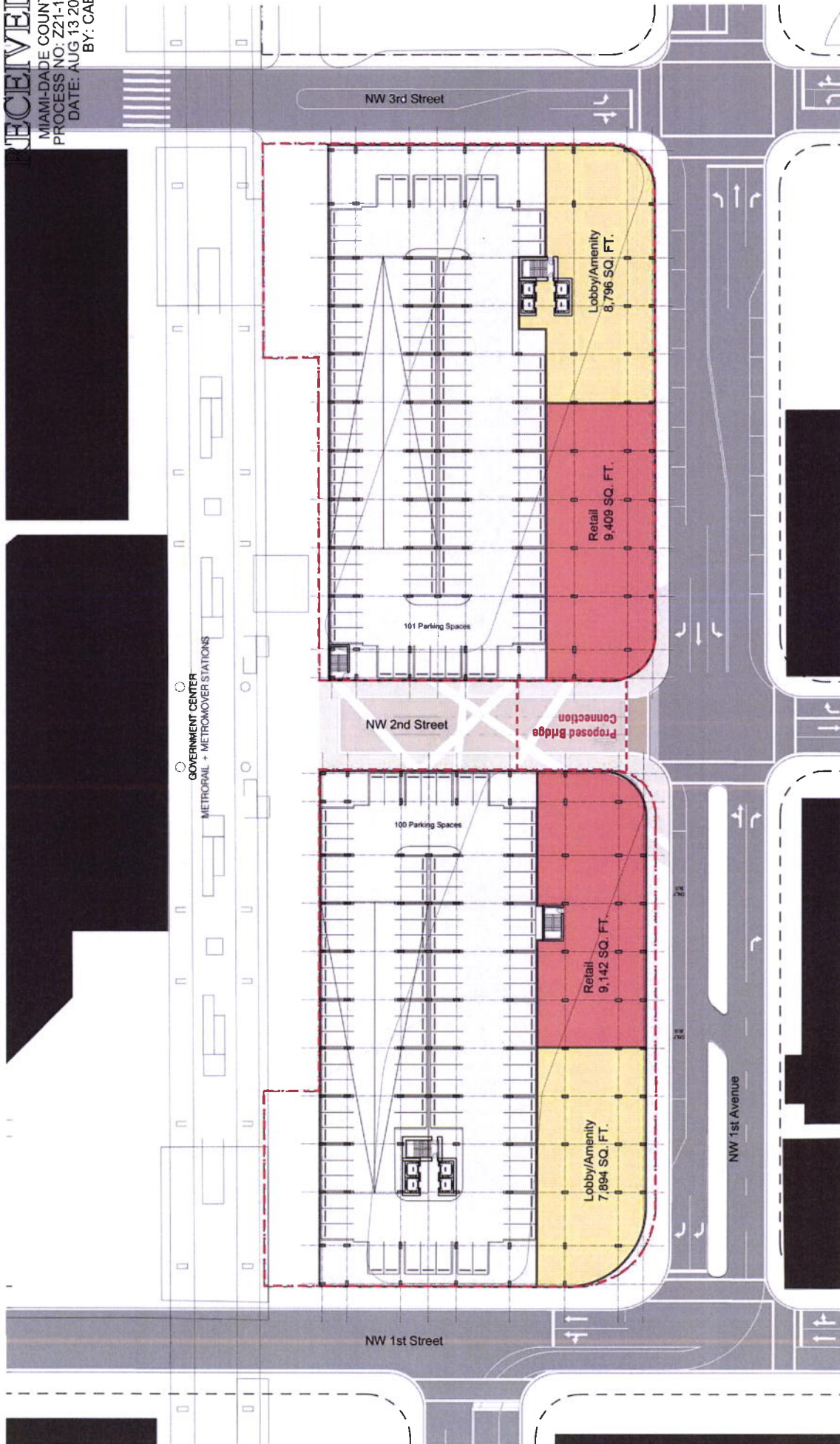
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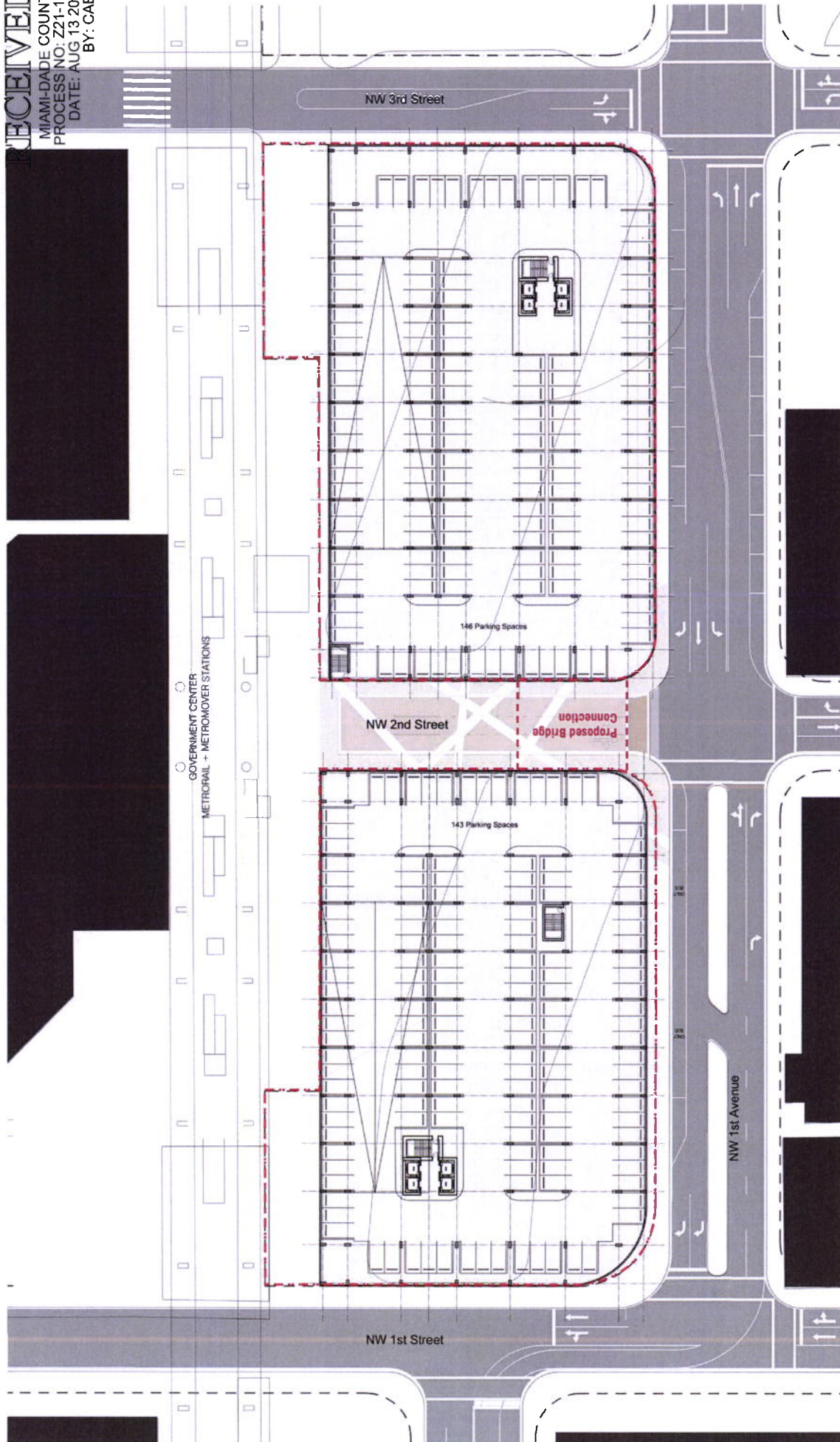
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Miami, Florida

Fourth/Ninth Level

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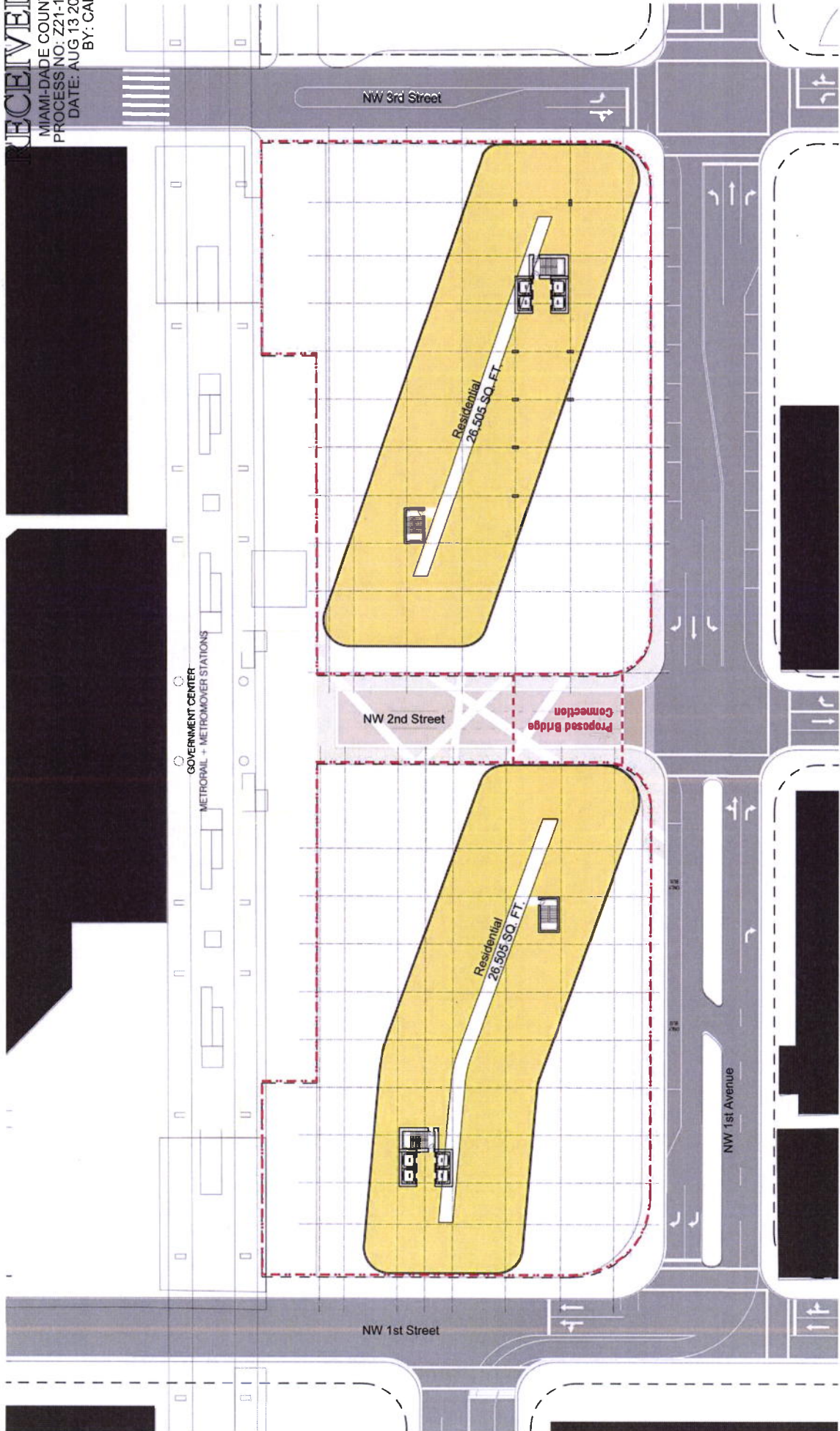
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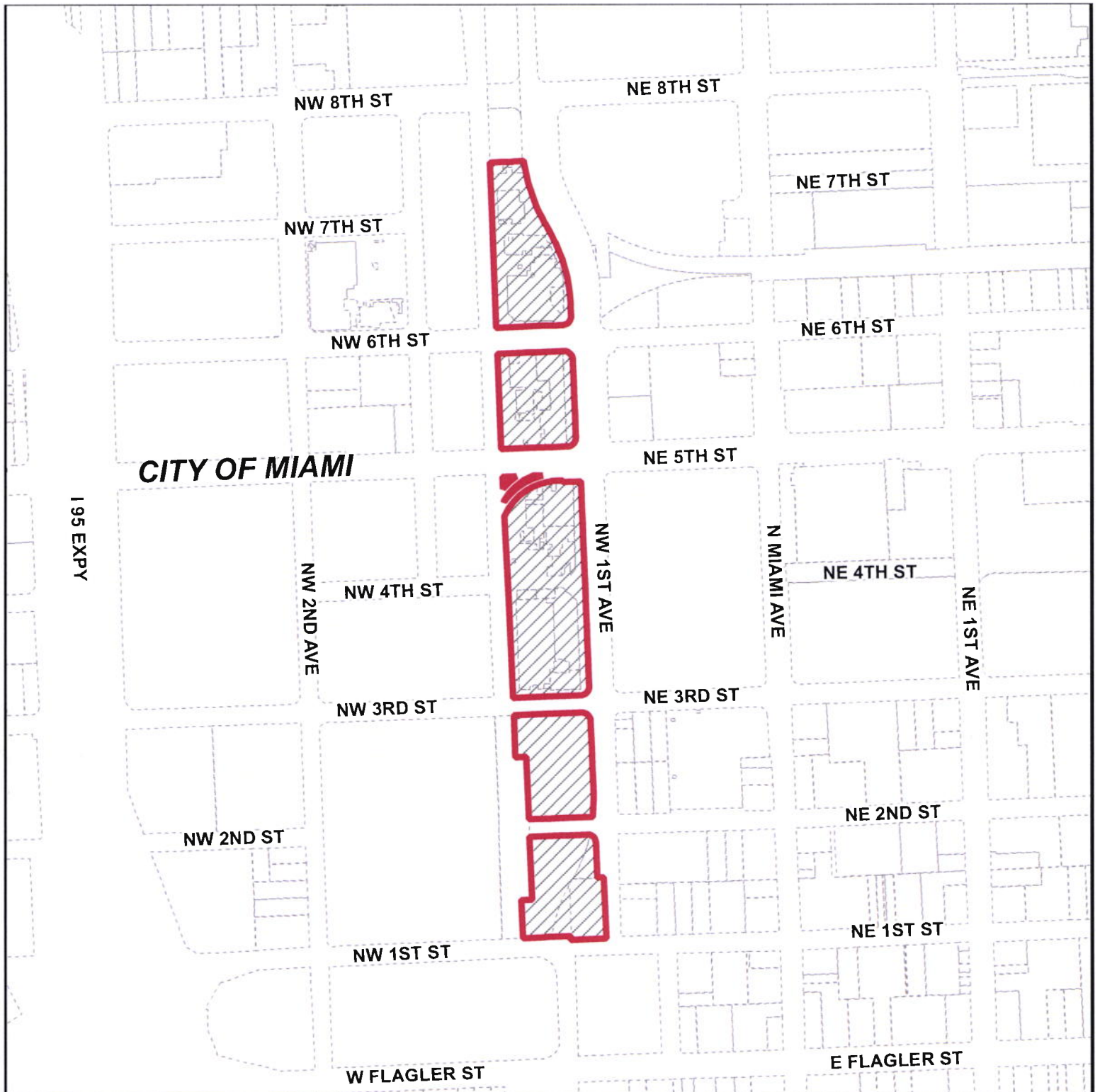
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11th/83rd Level
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July 16th, 2021





MIAMI-DADE COUNTY
HEARING MAP

Process Number
Z2021000162

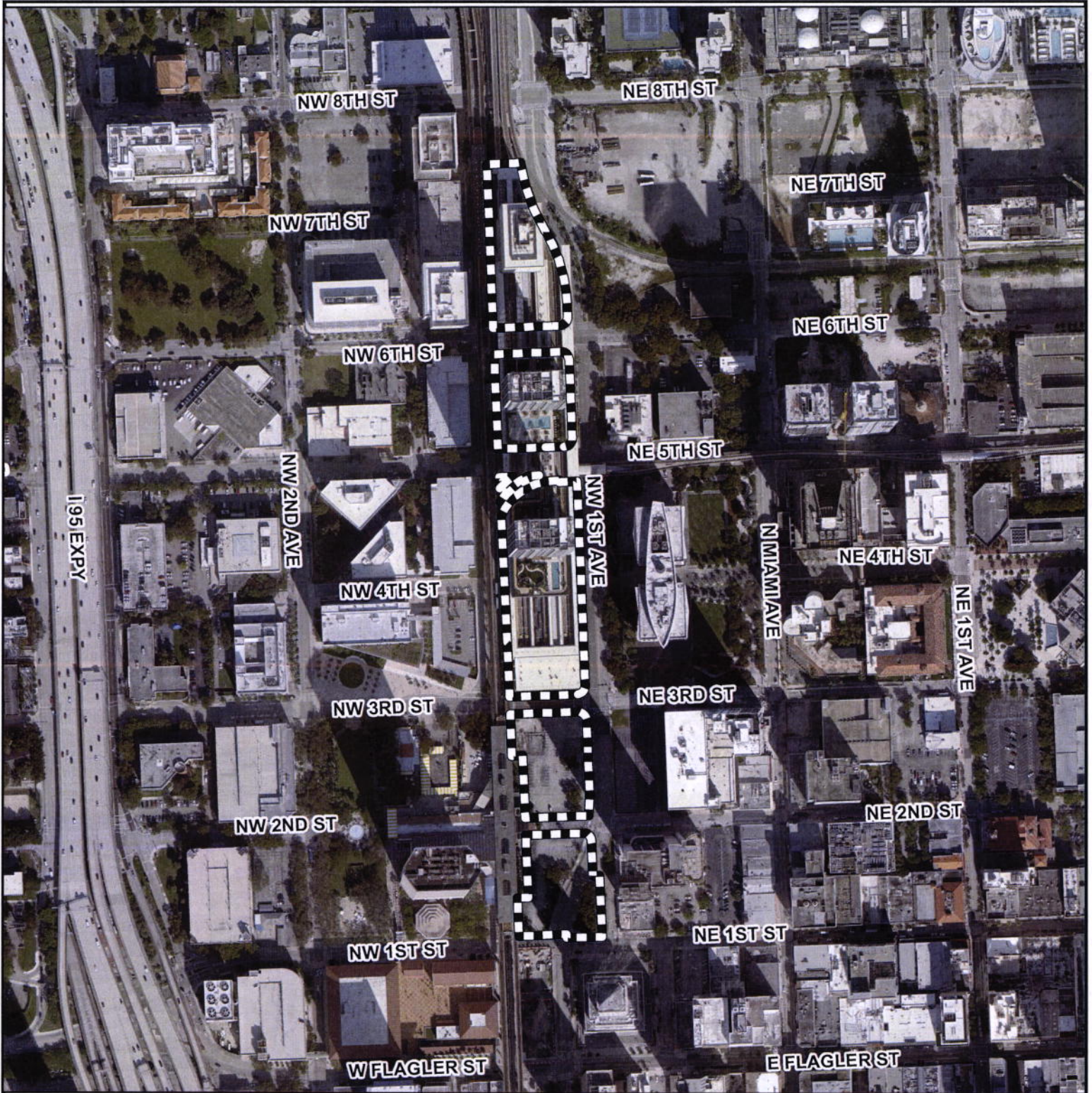
Section: 36 Township: 53 Range: 41
 Section: 01 Township: 54 Range: 41
 Applicant: Miami Supertower B, LLC Miami Supertower B, LLC
 Zoning Board: Board of County Commissioners
 Commission District: 3/5
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS

Legend

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		58



MIAMI-DADE COUNTY
AERIAL YEAR 2021

Process Number
Z2021000162

Legend
 Subject Property



Section: 36 Township: 53 Range: 41
 Section: 01 Township: 54 Range: 41
 Applicant: Miami Supertower B, LLC Miami Supertower B, LLC
 Zoning Board: Board of County Commissioners
 Commission District: 3/5
 Drafter ID: EDUARDO CESPEDES
 Scale: NTS



SKETCH CREATED ON: Thursday, December 9, 2021

REVISION	DATE	BY
		59



MIAMI-DADE COUNTY
RADIUS MAP

Section: 36 Township: 53 Range: 41
 Section: 01 Township: 54 Range: 41

Applicant: Miami Supertower B, LLC Miami Supertower B, LLC
 Zoning Board: Board of County Commissioners




Commission District: 3/5

Drafter ID: EDUARDO CESPEDES

Scale: NTS


Process Number
Z2021000162
 RADIUS: 2640

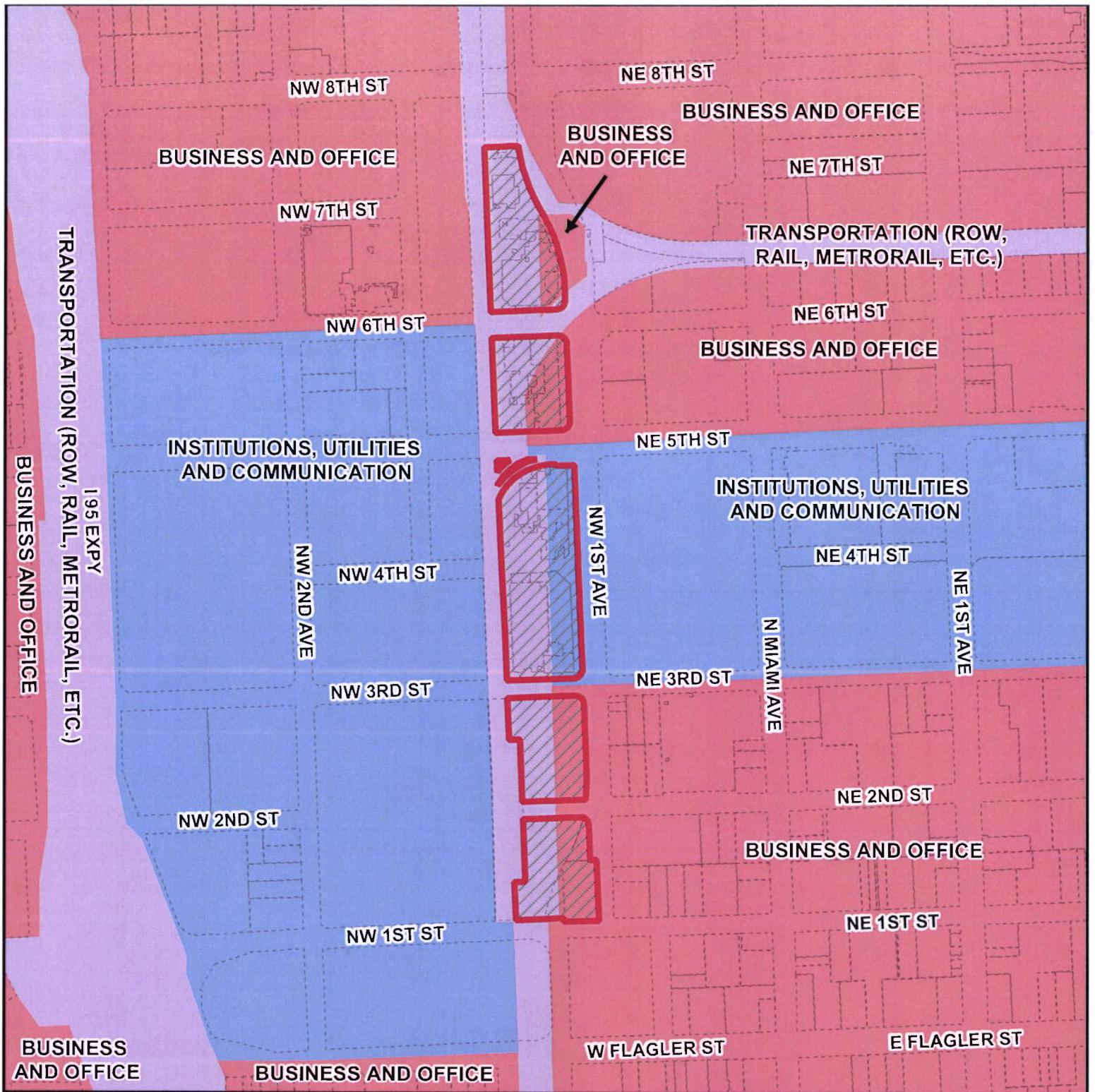
Legend

-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Thursday, December 9, 2021

REVISION	DATE	BY
		



MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2021000162

Section: 36 Township: 53 Range: 41

Section: 01 Township: 54 Range: 41

Applicant: Miami Supertower B, LLC Miami Supertower B, LLC

Zoning Board: Board of County Commissioners

Commission District: 3/5

Drafter ID: EDUARDO CESPEDES

Scale: NTS

Legend

 Subject Property Case



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