

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

**PH: Z22-241**

**June 20, 2024**

**Item No. 1B**

<b>Recommendation Summary</b>	
<b>Commission District</b>	5
<b>Applicant</b>	888 Brickell Owner LLC
<b>Summary of Requests</b>	This application is requesting a special exception to permit approval of an initial review of the general development plans for a subject property located in close proximity to the Tenth Street Metromover Station, and assign to it the permitted uses and development regulations applicable under Section 33C-15 of the County Code for the "Metromover Station Subzone".
<b>Location</b>	Lying on the northwest corner of Brickell Avenue and SE 10 Street, aka 888 Brickell Avenue, City of Miami, Miami-Dade County, Florida.
<b>Property Size</b>	±0.518 Acres
<b>Existing Zoning</b>	T6-48A-O (Miami21)
<b>Existing Land Use</b>	Office building
<b>2030-2040 CDMP Land Use Designation</b>	Regional Urban Center <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the urban center interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33C-15(D)(1) Procedures for approval and development standards, Section 33C-11(G)(1) Initial Review, Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions.</b>

**BOARD OF COUNTY COMMISSIONERS' JURISDICTION:**

This Board has jurisdiction over this application pursuant to Section 33-314(C)(20) which states "Applications for development in the RTZ District, or for review of decisions regarding development in the RTZ District, as provided in Section 33C of this Code."

**PROCEDURAL HISTORY:**

This item was deferred from the May 23, 2024, meeting of the BCC in order for the commissioner of the district to be present for the hearing.

The public hearing on this item has not been held.

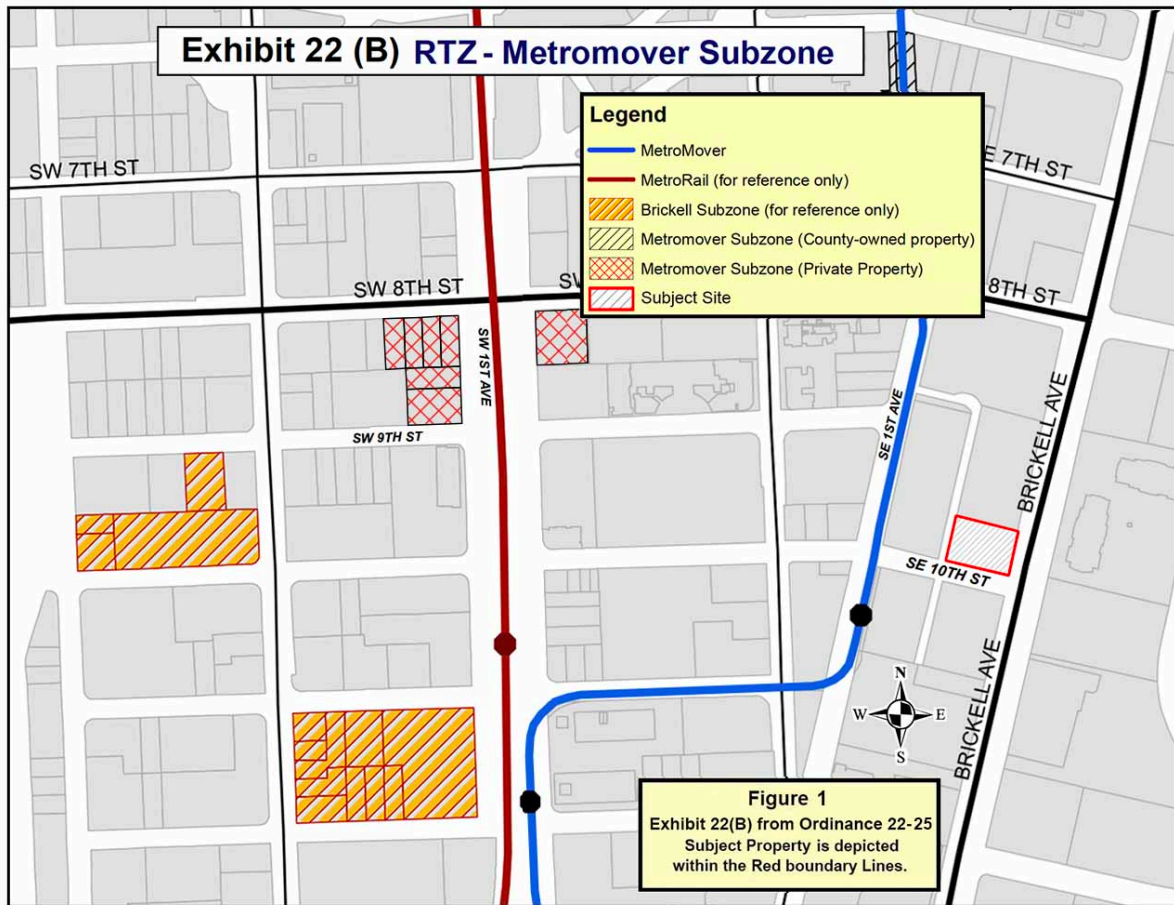
**REQUEST:**

SPECIAL EXCEPTION for a general development plan with the purpose of assigning to the subject property, located in the "Metromover Subzone of the Rapid Transit Zone", the applicable

permitted uses and development regulations for the subzone in accordance with Section 33C-15 of the County Code.

**BACKGROUND AND ANALYSIS:**

The approximately 22,568 sq. ft. (0.518-acre) subject property, under folio 01-0209-090-1570, is located on the north side of SE 10 Street, just west of Brickell Avenue/US-1, and is situated in very close proximity to the Tenth Street Metromover Station. The subject site is currently improved with an existing 7-story office building that was constructed in 1972. Staff notes that the current use on the site does not provide any street front activation, nor provides the level of development density that is ideal for the urban core. The other properties surrounding the subject site are zoned for intense urban development under the terms of City of Miami’s zoning regulations.



**Figure 1**

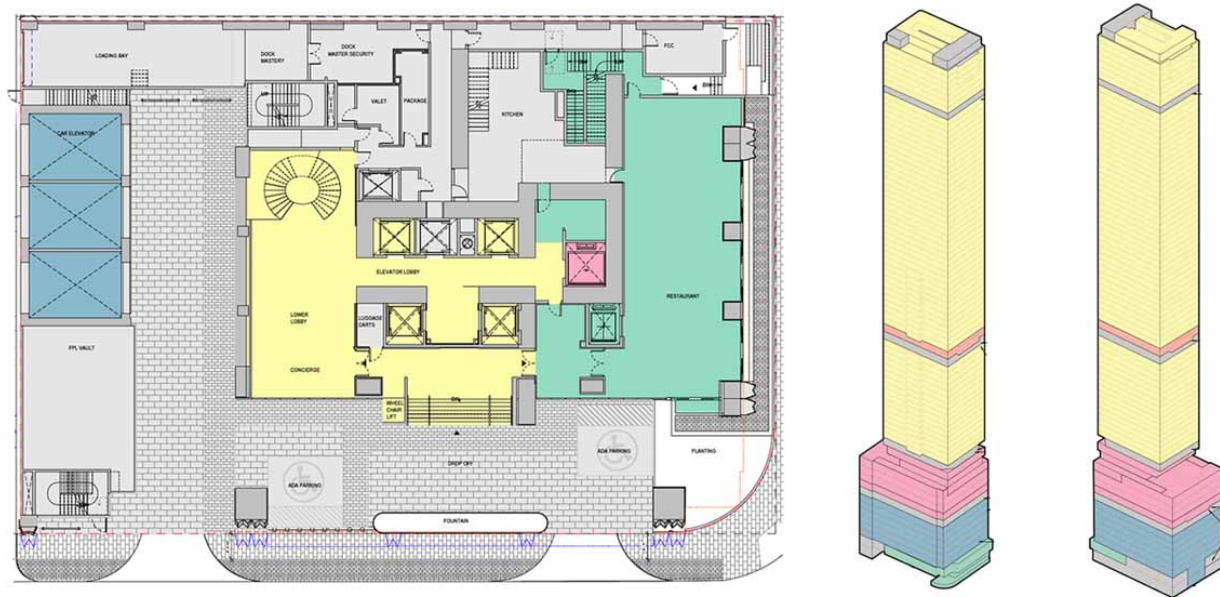
On April 20, 2021, the Board of County Commissioners (BCC) had adopted Ordinance No. 21-33 establishing the “Metromover Subzone” of the Rapid Transit System – Development Zone (RTZ), codified in Section 33C-15 of the County Code. Subsequently, on March 1, 2022, the Board adopted Ordinance No. 22-25, related to the Rapid Transit System- Development Zone (RTZ), which amended section 33C-2 of the Code, and expanded the jurisdictional boundaries of the Metromover Subzone of the Rapid Transit Zone to encompass certain private properties. Ordinance No. 22-25 provided Exhibit 22(B) to include, among other things, the subject property, as shown below in Figure 1. Staff notes that prior to its addition to the Metromover Subzone of

the Rapid Transit Zone, the subject property was under the City of Miami's zoning jurisdiction. Pursuant to section 33C-5(B), *"Until a special exception or other zoning approval for development is approved, lands within the RTZ district shall remain subject to the applicable municipal zoning district regulations that existed prior to the property's inclusion in the RTZ District."* The Metromover Subzone regulations under Section 33C-15 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 the subject property at a future point in time. As per the request, this application consists of the initial review of the subject property.

The County's RTZ primarily consists of properties located within and along the County's Rapid Transit System/Metrorail and Metromover Systems. Properties within the RTZ include the Metrorail Stations, the fixed-guideway path linking the Metrorail and Metromover Stations, the Stations' accessory facilities, and certain developable land. The Metromover Subzone of the RTZ was primarily expanded to include certain County-owned properties between SW 4 Avenue and SW 3 Avenue and between SW 5 Street and SW 6 Street and certain private properties between SW 8 Street and SW 10 Street and SW 1 Avenue and Brickell Avenue. These developable parcels that are privately-owned property such as the subject site (located on the northwest corner of Brickell Avenue and SE 10 Street), and other parcels identified as located within the Metromover Subzone, may be developed with transit-supportive uses in accordance with Chapter 33C of the County Code. Sections of Chapter 33C ("the Chapter"), includes the standards for development of properties surrounding the Metromover Stations with a variety of land uses, residential densities and building intensities consistent with and in conformance with the thresholds of the Miami-Dade County adopted Comprehensive Development Master Plan (CDMP) Urban Center text. Since 1996, the CDMP has provided that "all future rapid transit station sites and their surroundings shall, at a minimum, be developed in accordance with the [CDMP's] Urban Center policies". Since the inception of the RTZ in 1978, the Board has gradually expanded its boundaries to accommodate additional transit-supportive development along the various RTZ's. As provided in Section 33C-2 and Section 33C-5 (see addendum), 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, and *"[u]ntil a special exception or other zoning approval for development is approved, lands within the RTZ district shall remain subject to the applicable municipal zoning district regulations that existed prior to the property's inclusion in the RTZ District."*

Staff research for similar approvals indicates that pursuant to Resolution #Z-28-20, the Board of County Commissioners (BCC) approved a general plan with the purpose of designating 4 County owned properties as the "Brickell Subzone of the Rapid Transit Zone", assigning to them the permitted uses under Section 33C-10 of the County Code. Similarly, pursuant to Resolution #Z-8-23, the BCC approved the general development plans for a subject site that was located in close proximity to the Adrienne Arsht Center Metromover station, and before that, pursuant to Resolution #Z-32-22, approved a special exception for a subject site located in close proximity to the Brickell Metromover station (and Brickell Metrorail Station). Staff also notes that more recently, three properties located in close proximity to the Brickell Metromover station, were granted approvals by the BCC in September 2023 pursuant to Resolutions #Z-34-23, #Z-35-23 and #Z-36-23, for their general development plans and were assigned the permitted uses and development regulations applicable under the County Code for the "Metromover Station Subzone".

Pursuant to Chapter 33C of the County Code, the subject property could be developed with a wide variety of residential, commercial, retail, office, and other uses intended to enhance and support the County's existing mass transit system. Staff notes that the subject property is half a block away from the Tenth Street Metromover Station and that the Metromover Subzone designation would effectively allow the site for additional housing and business opportunities in the highly urbanized Brickell neighborhood and improve the pedestrian environment and promote walkability within that area. Based on the submitted letter of intent and general development plans, the applicant intends to redevelop the 0.518-acre subject site as a mixed-use development with an 81-story high, 259-unit mixed-use building with 38,727 sq. ft. of food and beverage spaces, 52,144 sq. ft. of health/fitness, which would also include 273 parking spaces as structured parking. The accompanying master plan generally depicts a preliminary general development program for the subject parcel and includes site plans; floor plans; building elevations; landscape plans; lot coverage and open space diagrams; aerials; and renderings for the proposed mixed-use development at the subject site (see Figure 2 below). Attached Exhibit A consists of the subject property's general development plan depicting the location of the proposed uses and provides a potential concept plan for the subject property which would be further detailed through the final review process. Staff notes that a different set of configurations of the general development plan may be approvable pursuant to the Metromover subzone development standards.



**Figure 2**

Properties within the Metromover Subzone will be subject to similar development standards as those within the Downtown Intermodal District Corridor, Brickell Station Subzones, and the recently-established Historic Overtown/Lyric Theater Station and Santa Clara Station Subzones in the City of Miami. 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). Those Urban Center policies further provide for mixed-use development at a minimum floor-area

ratio of 4.0 in the designated core and of 2.0 in the designated edge, and at a maximum density of 500 dwelling units per acre. Staff notes that the proposed density of 259-units and a building height of 81-stories would be within the density, massing and floor area ratio threshold that would be allowed under aforementioned regulations. Staff also notes that the Miami-Dade Aviation Department (MDAD) indicate in their memorandum, dated June 2, 2023, that the maximum elevation for the proposed structure conforms to the requirements of the Section 33-333(B)Height/Airspace regulations. Since it is the goal of this application to include the ±0.518-acre subject property within the Metromover Subzone and to assign permitted uses and development regulations, **staff finds the application consistent with the CDMP.**

Staff opines that pertaining to the subject property (see Figure 2), approval of this application would enable the development/redevelopment of the subject parcel in a manner that is **compatible** with that of other development in the balance of the Metromover Subzone and the surrounding area. Staff notes that approval of the request would also authorize for the site all of the applicable permitted uses identified under Section 33C-15(C), subject to the development standards set forth in Section 33C-15 (D) (see Addendum).

Staff notes that Traffic Engineering Division (TED) of the Department of Transportation and Public Works (DTPW) has indicated no objection to the application subject to conditions as specified in their memorandum, dated March 7, 2024. Staff also notes that the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), does not object to the application and indicate in their memorandum, dated November 14, 2022, that the application lies within the urban infill area and in a municipality where traffic concurrency does not apply, but that the application will generate an additional 190 PM peak hour vehicle trips. Further, memoranda submitted by other departments reviewing the application, including the Division of Environmental Resources Management (DERM) of the RER, the Miami-Dade Police Department (MDPD), the Miami-Dade Fire Rescue Department (MDFRD), the Miami-Dade Parks Recreation and Open Spaces (MDPROS) Department, Water and Sewer Department (WASD), and the Miami-Dade Department of Solid Waste Management (DSWM), as well as Miami-Dade County Public Schools, do not indicate that any potential impacts would preclude development in accordance with the Metromover 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.

Additionally, staff notes that pursuant to Section 33C-15(D)(3), approval of a project within the Metromover Subzone may be conditioned on public benefits improvements as the Board may determine to be appropriate to *address the impacts of the new development on rapid transit infrastructure and on other properties or public facilities or infrastructure surrounding the proposed development area.* Under Section 33C-15(D)(2), it is further provided that, when undertaking this public benefits analysis, each reviewing agency shall provide a statement as to the proposed development's impact on public facilities and services. Based on the memoranda issued by DERM, MDPROS, DTPW Traffic Engineering, and DTPW Transit, staff notes that each of these reviewing agencies have recommended additional improvements relevant to this public benefit review in order to address the proposed development's impact on public facilities and services. As such, and in accordance with the aforementioned provision, the applicant has voluntarily proffered a covenant in connection with this application that provides public benefits in the form of a transit station contribution. Staff notes that the transit station contribution proffers that prior to issuance of building permit for development of the property in accordance with the application, owner shall provide the County a one-time payment of four hundred fifty thousand dollars (\$450,000) for the repairs and upgrades to the Tenth Street Metromover Station and vicinity,

including mechanical systems, restrooms, painting, signage, accessibility features, streetscape improvements, and wayfinding support. The Transit Station Contribution shall be made in addition to any permitting and/or impact fees due to the County in relation to the application or the development of the subject property. In the event, however, that the Director determines in writing that any or all of the Transit Station Contribution would be duplicative of impact fees, the Owner may be entitled to an offset to the Transit Station Contribution commensurate to the value of duplicative impact fees paid.

**ACCESS, CIRCULATION AND PARKING:** The submitted general development plans indicate one (1)-ingress only and one (1)-egress only points of direct vehicular and pedestrian access provided along SW 10 Street to facilitate the flow of traffic for the proposed mixed-use development. An existing alleyway on the west side of the property provides additional access. Parking and driveways are internal to the site, with the parking provided as structured parking within the proposed structure. The proposed mixed-use development provides for a total of 273 parking garage spaces, and complies with the code minimums.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:** See attached.


**OTHER:** Not applicable.

**RECOMMENDATION:** Based on the aforementioned analysis, staff recommends approval of this application with conditions.

**CONDITIONS:**

1. That the final site plan must conform to the general development plan dated stamped received 10/11/2022 and 7/25/2023 as approved pursuant to this Special Exception.
2. That the applicant shall submit a recordable covenant on the proffered public benefits improvements and opinion of title in legally sufficient and recordable form before obtaining any subsequent development approvals.
3. That the applicant complies with all applicable conditions, requirements, recommendations, requests, and other provisions of the Traffic Engineering Division (TED) of the Department of Transportation and Public Works (DTPW) as indicated in the memorandum dated March 7, 2024.

ES:JB:JR:SS



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Eric Silva, AICP, Assistant Director  
Development Services Division  
Miami-Dade County Department of  
Regulatory and Economic Resources

# ZONING RECOMMENDATION ADDENDUM

888 Brickell Owner LLC  
PH: Z22-241

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Division of Environmental Resources Management (RER)	<i>No objection</i>
Platting and Traffic Review Section (RER)	<i>No objection</i>
Department of Transportation and Public Works (DTPW)	<i>No objection*</i>
Miami-Dade Fire Rescue (MDFR)	<i>No objection</i>
Miami-Dade Aviation Department (MDAD)	<i>No objection</i>
Water and Sewer Department (WASD)	<i>No objection</i>
Parks, Recreation and Open Spaces Department (PROS)	<i>No objection</i>
Miami-Dade County Public Schools	<i>No objection</i>
Miami-Dade Police Department	<i>No objection</i>
Building and Neighborhood Compliance (BNC)	<i>No objection</i>
<i>*Subject to conditions in their memorandum.</i>	

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

<p><b>Urban Centers</b> (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 <b>Urban Centers</b> 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 <b>Community Centers</b> 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 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</i></p>
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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 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.



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	<p><b>Parking.</b> 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><b>Buildings.</b> 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><b>Density and Intensity.</b> 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: 40%;"></th> <th style="width: 30%;">Average Floor Area Ratios (FAR)</th> <th style="width: 30%;">Max. Densities /Gross Acre</th> </tr> </thead> <tbody> <tr> <td><b>Regional Activity Centers</b></td> <td>greater than 4.0 in the core not less than 2.0 in the edge</td> <td style="text-align: center;"><b>500</b></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>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.</p> <p>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.</p>		Average Floor Area Ratios (FAR)	Max. Densities /Gross Acre	<b>Regional Activity Centers</b>	greater than 4.0 in the core not less than 2.0 in the edge	<b>500</b>	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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<b>Policy LU-4A</b> (Page. I-11)	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.												
<b>Objective LU-7</b> (Page. I-13)	Miami-Dade County shall require all new development and redevelopment in existing and 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.												

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<p><b>Policy LU-7A</b> <b>(Page. I-13)</b></p>	<p><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></p>
<p><b>Policy LU-7B</b> <b>(Page. I-14)</b></p>	<p><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></p>
<p><b>Policy LU-7D</b> <b>(Page. I-13)</b></p>	<p><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></p>
<p><b>Policy LU-7F</b> <b>(Page. I-14)</b></p>	<p><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></p>
<p><b>Policy LU-8A</b> <b>(Page. I-15)</b></p>	<p><i>Miami-Dade County shall strive to accommodate residential development in suitable locations and densities which reflect such factors as recent trends in location and design of residential units; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers; character of existing adjacent or surrounding neighborhoods; avoidance of natural resource degradation; maintenance of quality of life and creation of amenities. Density patterns should reflect the Guidelines for Urban Form contained in this Element.</i></p>

# ZONING RECOMMENDATION ADDENDUM

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PH: Z22-241

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33C-2 Rapid Transit Zone</b></p>	<p>(A) <i>Definition-</i> The “Rapid Transit Zone” consists of all land area, including surface, subsurface, and appurtenant airspace, heretofore or hereafter designated by the Board of County Commissioners as necessary for the construction of the fixed-guideway portion of the Stage 1 Rapid Transit System, <b>including all station sites, parking areas and yard and maintenance shop facilities.</b></p> <p>(B) <i>Designation of land included-</i> The Board of County Commissioners hereby designates all land areas (including surface, subsurface, and appurtenant airspace) shown on Exhibits 1 through 16, bearing the following effective dates: Exhibit 1, July 31, 1998, Exhibits 2 through 9 and Exhibits 11 through 16, July 13, 1979 and Exhibit 10, May 26, 1983, certified by the Clerk of the Board as a portion of this chapter, incorporated hereby by reference, and transmitted to the custody of the Department of Planning and Zoning, as the Rapid Transit Zone for the Stage 1 Fixed-Guideway Rapid Transit System. The Director of the Department of Planning and Zoning shall submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected.</p> <p>(C) <b>Jurisdiction of County-</b> Jurisdiction for purposes of building and zoning approvals (including, but not limited to, site plan approvals, issuance of building permits, building inspections, compliance with the South Florida Building 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), 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 <b>municipality</b> 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.</p> <p>(D) <i>Permitted land uses-</i> The following land uses are permitted within the Rapid Transit Zone and no others:</p> <ol style="list-style-type: none"><li>(1) <i>Fixed guideways for the Rapid Transit System.</i></li><li>(2) <i>Stations for the Rapid Transit System, including such uses as passenger platforms and waiting areas, ticket and information booths, restrooms, utility rooms, in-station advertising displays, stairs, elevators, walkways, concessions, vending machines, and other service-related businesses offering goods and services for sale to passengers, and other similar uses as are necessary for or ancillary to the proper functioning of a rapid transit station.</i></li><li>(3) <i>Parking lots and parking structures.</i></li><li>(4) <i>Bus stops and shelters.</i></li><li>(5) <i>Streets and sidewalks.</i></li><li>(6) <i>Maintenance facilities for the Rapid Transit System, including yard and shops, and associated tracks and facilities.</i></li></ol>
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# ZONING RECOMMENDATION ADDENDUM

888 Brickell Owner LLC  
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	<p>(7) Landscaping.</p> <p>(8) Bikeways, parks, community gardening, playgrounds, power substations and other uses necessary for the construction, operation and maintenance of the Rapid Transit System.</p> <p>(9) (a) Such other uses, including commercial, office and residential uses, as may be appropriate to and <b>compatible</b> with the operation of the <b>Rapid Transit System</b> and the convenience of the ridership thereof.</p> <p>(b) <b>Subzones</b>; development regulations, standards and criteria. In the unincorporated areas of the Rapid Transit Zone, subzones shall be created by separate ordinances which shall become part of this chapter. Said ordinances shall identify the boundaries of the individual subzones and shall establish development regulations and site plan review standards and criteria for those land uses permitted pursuant to subsection (9)(a) herein and approved pursuant to subsection (9)(c) herein.</p> <p>(c) Requests for approval of development of those land uses permitted pursuant to subsection (9)(a) herein within a subzone created pursuant to subsection (9)(b) herein shall be made by filing an application in accordance with the provisions of Section 33-304. Said application shall be considered a special exception for site plan approval to be considered and acted upon directly by the Board of County Commissioners pursuant to the criteria established in Section 33-311(d) and the provisions of the applicable subzone.</p> <p>E) Effect on existing land uses. All land areas included by this section within the Rapid Transit Zone upon which uses other than those specified in subsection (D) of this section were authorized or permitted prior to October 27, 1978 may be used as follows:</p> <p>(1) Existing structures. All existing buildings or structures and all uses for which building permits have already been issued prior to the effective date of this article and which have complied with the applicable provisions of the South Florida Building Code, may be continued or constructed in accordance with the approved plans and specifications therefore. Alterations, improvements, or expansions of existing structures shall be subject to the provisions of paragraph (2) hereof.</p> <p>(2) All other lands. No applications for site or plan approvals and/or building permits shall be issued for new facilities within the Rapid Transit Zone except in the following circumstances:</p> <p>(a) The estimated construction costs does not exceed ten thousand dollars (\$10,000.00) in any consecutive two-year period; or</p> <p>(b) The Miami-Dade Transit Agency certifies that approval of the application will not have an adverse impact upon a material element of the Stage I System. The Miami-Dade Transit Agency shall, with respect to any application for which certification is refused, provide a detailed written explanation supporting the refusal to certify and specifying the corrective actions, if any, which would lead to certification. The decision of the Agency may be appealed to the Board of County Commissioners within thirty (30) days from the date of the written explanation by filing a notice of appeal with the Clerk of the Board of County Commissioners. The Board of County Commissioners, after giving public notice as required by Chapter 33 of the Code, shall hear the appeal and either affirm, deny or modify the decision of the Agency. Appeals from the Board of County Commissioners' action shall be in accordance with Section 33-316 of this Code.</p>
<p><b>Section 33C-5 Rapid Transit Zone ("RTZ") District</b></p>	<p>(B) Existing zoning designations; administrative site plan review required. Until a <b>special exception</b> or other zoning approval for development is approved, lands within the RTZ district shall remain subject to the applicable municipal zoning district regulations that existed prior to the property's inclusion in the RTZ District.</p>

# ZONING RECOMMENDATION ADDENDUM

888 Brickell Owner LLC

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<p><b>Section 33C-15.- Metromover Subzone.</b></p>	<p>(A) <i>Purpose and Intent.</i> The following development review standards and criteria shall govern applications for initial plan approval of the general site development plan, and applications for final site plan review, for all development to be located within the boundaries of the <b>Metromover Subzone</b> established in this section. These standards are consistent with, and support the County's and the City's commitment to, principles of urban planning, including improved mobility, enhanced pedestrian environment, and the reduction of urban sprawl. They are also consistent with the need to provide for the public service and public infrastructure needs of this area, which is within the County's only <b>regional urban center</b> and, as such, is designated for the highest level of development density and intensity in the County.</p> <p>(B) <i>Boundaries.</i> The <b>Metromover Subzone</b> of the <b>Rapid Transit Zone</b> is hereby established; the boundaries of the subzone are identified in <b>Exhibits 22(A)</b> and <b>22(B)</b> of <b>Section 33C-2</b>. The legal description and a full-scale map of the boundaries are on file with the Department.</p> <p>(C) <i>Permitted Uses.</i> Permitted uses shall be in accordance with Section 33C-11(C) relating to the Government Center Subzone, which are incorporated by reference herein.</p> <p>(D) <i>Procedures for approval and development standards.</i></p> <p>(1) Applications for development in the subzone shall be governed by the pre-application and application procedures and development standards relating to the Government Center Subzone, as set forth in Section 33C-11(D), (E), (F), and (G), which are incorporated by reference herein, except as follows:</p> <p>(a) Parking shall be governed by Section 33C-8.</p> <p>(b) Plan review standards regarding public open space may be satisfied with private open space that is open to the public.</p> <p>(c) Development along the Biscayne Bay and Miami River shorelines shall be subject to the following:</p> <p>(i) <i>Purpose and intent.</i> In furtherance of CDMP objectives and policies regarding shoreline management, Chapter 33D, and municipal codes and plans addressing development along these shorelines, it is the intent of the criteria contained herein to promote connectivity and accessibility to bayfront and riverfront properties within this subzone and to maintain pedestrian connectivity along the existing and planned public walkway along the shoreline, referred to as the Miami Baywalk.</p> <p>(ii) <i>Shoreline setback.</i> The setback from the shoreline shall be a minimum of 50 feet as measured from the mean highwater line provided along the applicable water frontage, except that on lots with a depth of less than 200 feet, the setback shall be a minimum of 25 percent of the lot depth.</p> <p>(iii) <i>Visual corridors.</i> To allow visual corridors to open from ground to sky and to allow public access to the waterfront, side setbacks shall be equal in aggregate to a minimum of 25 percent of the water frontage of each lot based on average lot width.</p> <p>(iv) <i>Public shoreline walkway.</i> To maintain pedestrian connectivity along the shoreline, a publicly accessible walkway shall be provided within the shoreline setback. Walkway design and connections to adjacent existing or planned walkway segments shall be consistent with the County's Shoreline Development Review Manual and, if adjacent to properties under the City of Miami's jurisdiction, with the City of Miami's Waterfront Walkway Design Standards.</p>
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# ZONING RECOMMENDATION ADDENDUM

888 Brickell Owner LLC  
PH: Z22-241

	<p>(2) <i>It is further provided that, in the review of an application for public hearing other than for a governmental facility, each reviewing agency shall provide a statement as to the proposed development's impact on public facilities and services, including assessment of impacts beyond minimum concurrency requirements pursuant to Chapter 33G and minimum subdivision requirements pursuant to Chapter 28. The reviewing agency may recommend additional improvements to address such identified impacts.</i></p> <p>(3) <i>Approval of such public hearing application may be conditioned on the provision of improvements recommended by a reviewing agency and of such other public service, public infrastructure, or <b>public benefits improvements</b> as the Board may determine to be appropriate to address the impacts of the new development on rapid transit infrastructure and on other properties or public facilities or infrastructure surrounding the proposed development area. Such improvements may include, without limitation: improvements to rapid transit infrastructure or surrounding roadways; mobility connections to the Rapid Transit System or other buildings or facilities in the surrounding area; emergency services facilities; educational facilities; public parks or public open spaces; tree canopy enhancements; public water and sewer infrastructure; or affordable housing.</i></p> <p>(4) <i>Notwithstanding any other provision to the contrary, for any privately-owned property added to this subzone after April 20, 2021, unless an application for initial review for development approval for such property has been filed in accordance with this section within two years from the effective date of its inclusion in the subzone, the inclusion of such property in the subzone, and the corresponding assertion of County regulatory jurisdiction over it, shall sunset.</i></p> <p>(E) <i>Platting. Separate parcels located within the subzone and made subject to a unity of title or covenant in lieu of unity of title shall not be deemed a subdivision and shall be exempt from the platting requirements of Chapter 28.</i></p> <p>(F) <i>Conflicts. The development review procedures, standards, and criteria set forth in this section shall govern in the event of a conflict with other zoning, subdivision, or landscape regulations of this code or with the Miami-Dade County Public Works Manual.</i></p>
<p><b>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</b></p>	<p><b>Special exceptions</b> (for all applications other than public charter schools), unusual and new uses. <i>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>

*Building and Neighborhood Compliance*

**ENFORCEMENT HISTORY**

ALPHATUR NV%LA PRIMERA

888 BRICKELL AVE  
MIAMI-DADE COUNTY, FLORIDA.

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**APPLICANT**

**ADDRESS**

PENDING

Z2022000241

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**DATE**

**HEARING NUMBER**

**FOLIO No: 01-0209-090-1570**

**REVIEW DATE OF CURRENT ENFORCEMENT HISTORY:**

October 12, 2022

**NEIGHBORHOOD REGULATIONS:**

There are no open/closed cases.

**BUILDING SUPPORT REGULATIONS:**

There are no open/closed cases.

**VIOLATOR:**

ALPHATUR NV%LA PRIMERA

**OUTSTANDING LIENS AND FINES:**


There are no outstanding Liens, Fines, or Fees.

# Memorandum

MIAMI-DADE  
COUNTY

**Date:** May 8, 2024

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

**From:** Lisa M. Spadafina, RER Assistant Director   
Division of Environmental Resources Management

**Subject:** Z2022000241-4<sup>th</sup> Review  
Alphatur NV%LA Primera  
888 Brickell Avenue  
Special Exception for approval of general plan for purpose of re-designating the property as part of the Metromover Subzone of the Rapid Transit Zone. Proposed mixed-use development with apartments and retail.  
(RTZ) (0.52 Acres)  
09-52-42

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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.

#### Potable Water Service and Wastewater Disposal

According to DERM records the existing building is connected to public water and sanitary sewers. Pursuant to the Code and based on the proposed site plan showing new construction, the proposed development is within feasible distance to connect to the abutting public water main and abutting public sanitary sewer mains. Therefore, the proposed development shall connect to public water and sanitary sewers in accordance with Code requirements. To the extent that connection to the public sanitary sewer system is not approved due to a sanitary sewer moratorium, this memorandum shall not be interpreted as written approval from DERM to allow an alternative means of domestic wastewater disposal.

Under section 24-43.4(2)(b)(iii) of the Code, once a property or portion thereof is determined to be within feasible distance, the owner shall record, in the Public Records of Miami-Dade County and at the owner's expense, a covenant in a form acceptable to the Director acknowledging that the property shall be required to connect to the applicable public infrastructure as a condition of any building permit for development on the property or portion thereof.

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 which have been determined not to have adequate capacity cannot be approved, until adequate capacity becomes available.

**Conditions of Approval: That the property owner submits a covenant in accordance with the requirements of section 24-43.4(2)(b)(iii) of the Code.**

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.

**Conditions of Approval: None**

Tree Preservation

An aerial review of the subject property indicates the presence of tree resources, including specimen trees (trees with a trunk diameter at breast height of 18 inches or greater) and non-specimen trees.

A landscape plan entitled "888 Brickell", prepared by O'Donnell Dannwolf & Partners Architects, and dated as received by Miami-Dade County on July 25, 2023, was submitted in support of the subject application, and indicates the removal/relocation of specimen and non-specimen tree resources. DERM Staff has determined that the removal of the specimen trees is allowed pursuant to section 24-49.2(4)(II) of the Code. DERM has no objection to this application provided that the applicant obtains a Miami-Dade County Tree Removal Permit prior to the removal or relocation of the trees on site. Section 24-49 of the Code provides for the preservation and protection of tree resources. The applicant is advised that a tree survey that includes a tree disposition table will be required during the tree removal permit application process. Projects and permits shall comply with the requirements of sections 24-49.2 and 24-49.4 of the Code, including the specimen tree standards.

The applicant is advised to contact the Tree and Forest Resources Section at (305)372-6574 for additional information regarding tree permitting procedures and requirements.

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 Jackelyn Alberdi at Jackelyn.Alberdi@miamidade.gov for additional information or concerns regarding this review.

**Conditions of Approval: None**

Air Quality Preservation

The proposed development would require the demolition of existing structures. Please be advised, prior to DERM approval of a demolition permit, an asbestos survey from a Florida-licensed asbestos consultant is required for renovation activities surpassing the National Emission Standards for Hazardous Air

Pollutants (NESHAP) threshold of suspect regulated asbestos containing materials (RACM), and for all demolition activities. The NESHAP thresholds for RACM are 260 linear feet of RACM on pipes, or 160 square feet of RACM on other facility components. If the corresponding Asbestos Survey indicates that materials (friable or to be made friable during the proposed renovation/demolition activities) are positive for 1% asbestos or over, and the amount of materials is over the regulated thresholds, then those materials must be removed/abated prior to renovation/demolition activities by a Florida-licensed asbestos abatement contractor. Additionally, an Asbestos Renovation Notification must be filed, and obtain approval, with the Air Quality Management Division (AQMD) of DERM for abatement work at least 10 working days (14 calendar days) prior to starting the abatement work. Regardless of asbestos content, an Asbestos Demolition Notification must also be submitted, and approved, within the same timeframes mentioned above, prior to demolition work.

Keep in mind that the NESHAP regulations define “Demolitions” as the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations, or the intentional burning of any facility. For question regarding asbestos surveys and notifications, please contact the AQMD via email at [asbestos@miamidade.gov](mailto:asbestos@miamidade.gov).

#### Enforcement History

There are no open or closed enforcement records for violations of Chapter 24 of the Code for the subject property. There are no outstanding DERM liens or fines for the subject property.

#### Additional Impacts on Public Facilities and Services

DERM notes that development in urban areas can increase impervious areas and contribute to the heat island effect. Trees tend to help reduce urban flooding, improve air quality, and lower surface and air temperatures in urban areas. As an additional improvement to mitigate impacts of this development, additional tree canopy should be provided in the vicinity of the proposed development.

#### 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 Ninfa Rincon at (305) 372-6764.


cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** October 26, 2022

**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 - 888 Brickell Owner LLC  
Application No. Z2022000241- (Pre-App. No. Z22P-078)

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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: 888 Brickell Owner LLC

Location: The proposed project is located at 888 Brickell Avenue, in approximately 0.52 acres, with Folio No. 01-0209-090-1570, within the City of Miami. The site is located within the RTZ Metromover Sub-Zone a Metropolitan Urban Center.

Proposed Development: The applicant is proposing to develop a mixed-use project with 259 Apartment units (High Density) and 120,000 S.F. Retail, per submitted project data plan.

The estimated total water demand for the proposed project will be 46,965 gallons per day (gpd).

Water: The proposed development is located within the WASD's water service area. The water supply will be provided by the Alexander-Orr 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.

There is a WASD Agreement No. 31518 that was offered on July 7, 2022, for the subject development; however, this Agreement has expired, and the applicant must request to re-activate said Agreement. In addition, said Agreement must be revised to reflect the proposed development with this zoning application.

As per approved points of connection (P.O.C) dated June 13, 2022, the developer may connect as follows:

The developer shall connect to an existing 12-inch water main, abutting the southern boundary of the property, along SE 10<sup>th</sup> Street to provide water service.

If, the Fire Department requires a new fire hydrant and/or fire lines and/or if services are required from Brickell Avenue, connect to the existing 12-in water main in SE 10<sup>th</sup> Street and Brickell Avenue and extend the same, northerly in Brickell Avenue as required to provide such service, interconnecting to an existing 6-inch water main (E68-2) at that location.

Any public water main extension within the property shall be 12-inch minimum in diameter. If two (2) or more fire hydrants/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) was issued at the time the WASD Agreement No. 31518 was offered. Said Certification will be re-issued at the time the WASD Agreement is re-activated. 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, consistent with Policies WS-5E and WS-5F of the CDMP. Also, per Section 8A-381 (c) of the Miami-Dade County Code, 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.

As per approved points of connection (P.O.C) dated June 13, 2022, the developer may connect as follows:

According to as-built ES 5960-1, there is a previous existing sewer service laterals for this property. Therefore, if this site requires a new connection, then connect to an existing 8-inch gravity sewer system in Flannigan's Alley, abutting the northwestern boundary of the property, and/or connect to an existing 10-inch gravity sewer in Brickell Avenue and extend an 8-inch gravity sewer, northwesterly across Brickell Avenue as required to provide service to this property.

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

The sewage flow from the proposed development will be transmitted to Pump Station (PS) No. 3. Said pump station is currently in OK Moratorium Code Status. Below is the existing and projected Nominal Average Pump Operating Time (NAPOT) for this pump station.

P.S. 3

Existing NAPOT: 5.17 hrs.  
Proposed Development: 46,965 gpd  
Proposed Projected NAPOT: 5.24 hrs.

The subject application is located within the Brickell Basin II which has a sanitary sewer special connection charge of \$3.90 per gallon. WASD will collect this special connection charge from property owners. The special connection charge is for the expansion of the sewer facilities in the Brickell Basin II Area.

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>

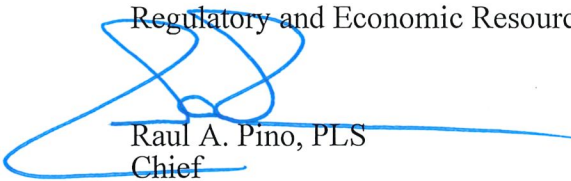
Should you have any questions, please contact Maria A. Valdes, Chief, Planning & Water Certification Section at (786) 552-8198 or [mavald@miamidade.gov](mailto:mavald@miamidade.gov), Alfredo B. Sanchez at (786) 552-8237 or [sanalf@miamidade.gov](mailto:sanalf@miamidade.gov), or Benita Ramirez at (786) 552-8121 or [benram@miamidade.gov](mailto:benram@miamidade.gov).

# Memorandum



**Date:** November 14, 2022

**To:** Nathan Kogon  
Assistant Director  
Regulatory and Economic Resource Department

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

**Subject:** DIC 22-241  
Name: 888 Brickell Owner, LLC  
Section 09 Township 50 South Range 42 East

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I. PROJECT LOCATION:

The property is located approximately at 888 Brickell Avenue.

II. APPLICATION REQUEST:

This application is requesting the approval of a mixed-use, residential and commercial project.

III. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to this site is available from the north and south by SE 1 Avenue and Brickell Avenue and from the east and the west by SE 10 Street.

IV. RECOMMENDATION:

**The Department of Regulatory and Economic Resources Platting and Traffic Review Section has reviewed the subject application and has no objections.**

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers Trip Generation Manual, 11<sup>th</sup> Edition)

This application will generate approximately an additional **190 PM** Peak Hour trips.

*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.*

Notes: PM =Post Meridiem

The PM peak hour refers to the highest hour of vehicle trips generated during the afternoon peak hours of 4-6 PM

A. Cardinal Distribution

North	41 %	East	7 %
South	7 %	West	44 %

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

**Station F 5042** located on Brickell Avenue south of SE 8 Street, has a maximum LOS "E+50" of **4,560** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1,342** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 5042** with its PHP and assigned vehicles is at LOS "D". The **46** vehicle trips generated by this development when combined with the **1,342** and those previously approved through Development Orders, **0**, equal **1,388** and will cause this segment to remain at LOS "D" whose range is from 1,311 to 2,920.

**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 **11,921** 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 **92** vehicle trips generated by this development when combined with the **11,921** and those previously approved through Development Orders, **0**, equal **12,013** and will cause this segment to have LOS "D" whose range is from 11,101 to 13,390.

**Station F 0086** located on SE 13 Street west of US 1, has a maximum LOS "E+20" of **4,296** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1,351** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F 0086** with its PHP and assigned vehicles is at LOS "C". The **52** vehicle trips generated by this development when combined with the **1,351** and those previously approved through Development Orders, **0**, equal **1,403** and will cause this segment to remain at LOS "C" whose range is up to 3,420.

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.

# Memorandum



**Date:** November 20, 2023

**To:** Nathan M. Kogon, Assistant Director  
Regulatory and Economic Resources

**From:** Alejandro G Cuello, Principal Planner  
Miami-Dade Fire Rescue Department

**Subject:** Z2022000241

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The Miami-Dade Fire Rescue Department has **no objection** to the site plan uploaded in “EnerGov” on 07/25/2023. Note approval based on plan sheet LS-000.1 uploaded on 10/11/2022.

MDFR’s review of this zoning application is limited to assessing fire department access and does not effectuate an approval of the building design. The future building’s design must be in compliance with the applicable requirements for the proposed use:

Florida State Statute Chapter 633 (Fire Prevention & Control)  
Florida Administrative Code 69A  
Florida Fire Prevention Code (NFPA 1 and NFPA 101 (2018 edition))  
Applicable adopted NFPA Standards  
County Code Chapter 14

For additional information, please contact [acuello@miamidade.gov](mailto:acuello@miamidade.gov) or call 305-775-3357.



# Memorandum



**DATE:** October 25, 2022

**TO:** Amina Newsome  
Sr. Division Chief – Development Services Division  
Department of Regulatory and Economic Resources (RER)

**FROM:** Francisco Arbelaez, AICP, LEED Green Associate  
Principal Planner, Infrastructure Planning Division  
Department of Transportation and Public Works (DTPW)

**SUBJECT:** Review of DIC Project No. Z2022000241  
888 Brickell Owner, LLC.  
DTPW Project No. OSP173

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This report analyzes the impact of the proposed development to the Level-of-Service as they apply to transit services. The following application is for Development Impact Committee Review of the subject property. Data and information were updated as of December 2020 and is current to the proposed start of fiscal year 2022- 2031, as presented in the FY 2021 Transit Development Plan Annual Report (TDP).

## **Project Description**

The applicant, 888 Brickell Owner, LLC is requesting a special exception for the approval of general plan of the property located at 888 Brickell Ave, Miami, FL, 33131, and has a size totaling approximately 0.51 acres. The property is currently developed with an existing office building. The applicant proposes to build a mixed-use residential and commercial project consisting of 259 residential dwelling units along with associated amenities and ground floor retail space in an eighty-one (81) story tower. The subject property is in the City of Miami, Miami-Dade County, Florida. The subject property is also located within the Urban Development Boundary (UDB) and in the Urban Infill Area (UIA).

## **Existing Service**

The property is served by Metrobus Routes 8, 207 and 208 at a bus stop located approximately 0.23 miles away (less than five-minute walk) along SW 1st Avenue at the east side of the Brickell Metrorail Station. The property is also served by Metrobus Routes 102 and 24 at a bus stop that is located approximately 0.25 miles away (a six-minute walk) along SW 1<sup>st</sup> Avenue at the west side of the Brickell Metrorail Station.

The 10th Street/Promenade Metromover Station is approximately 350 feet away (a two-minute walk) which provides access to the free Metromover system. The Brickell Metrorail Station is located approximately 0.23 miles away (a six-minute walk) and provides access to the Metrorail Green and Orange Lines. The property is also served by the City of Miami Brickell Trolley at a stop adjacent to the property located SE 10<sup>th</sup> Street and Brickell Avenue which serves the Brickell Metrorail and 10<sup>th</sup> Street/Promenade Metromover stations.

<b>Metrobus Route, Rail Service and Metromover Summary DIC Project No. Z2022000241</b>							
Route	Peak (am/pm)	Off-peak (midday)	Evening (at 8 pm)	Over night	Saturday	Sunday	Type of Service
8	15	30	30	n/a	30	30	L/F
24	20	60	60	n/a	30	30	L/F
102 (Route B)	8/15	30	30	n/a	30	30	L/F
207 (Little Havana Connection CW)	15	30	20	n/a	30	30	L/F
208 (Little Havana Connection CCW)	15	30	20	n/a	30	30	L/F
Metrorail	5	15	15	n/a	15	15	n/a
Metromover	4.5	9	9	n/a	9	9	n/a
Note: <i>L means Metrobus local route service.</i> <i>F means Metrobus feeder service to Metrorail.</i> <i>E means Express or Limited-Stop Metrobus route service</i>							

Source: Miami Dade Department of Transportation and Public Works, Dec. 2020 Line Up.  
 While the service above is in place, the operation of the system at the time of the review is scaled back to meet the current demands, due to COVID-19 pandemic.

### Recent Service Changes

According to the TDP, there are no recent service changes planned for this year for Metrobus routes mentioned in the Existing Service section of this Memo. The stops nearest to the subject property will continue to be served by Metrobus service as a part of the Better Bus Project. The Board of County Commissioners (BCC) adopted the Better Bus Project in October 2021. The Better Bus Project is expected to be implemented in Spring 2023.

### Future Transportation/Transit Needs and Planned Improvements

According to the TDP, there is a SMART Plan Demonstration Project within the area of the subject development. Smart demonstration project for El Portal would provide Express Bus Service from Village of El Portal to MiamiCentral Station located approximately 0.75 miles away from the property. The TDP identifies two Funded Transit Operations Projects. The SR 836 Express Bus A Line Express project will provide Premium Express transit service along SR 836 from Tamiami Station to the Downtown Miami Intermodal Terminal. The SR 836 Express Bus C Line Express project provides premium express transit service along SR 836 from the Dolphin Station to Downtown Miami Government Center.

The TDP identified four Unfunded Transit Operations Projects:

- The Beach Express South (BERT) project will provide Express bus service from Miami Central Station to the Miami Beach Convention Center.
- The I-95 Express Improvements project will implement Express Bus on express Lanes (Turnpike and I-95) from Unity Station to Miami Central Business District.
- The I-95/27 Ave Express project will implement Express Bus service on express Lanes during AM/PM peak hours from Unity Station to Government Center Metrorail Station.
- The Dolphin-Brickell Express project will implement Express Bus service on express Lanes during AM/PM peak hours from Dolphin Station to Brickell Station.

The TDP identifies three Funded Capital Projects:

- The Underline Phase I – Brickell Backyard Project which was set to start in November 2019 and was completed in Spring 2021. Brickell Backyard is directly adjacent to the subject property.
- The Underline Phase II – Hammock Trail project is approximately 2.14 miles long and extends from SW 13th Street to SW 19th Avenue. The design/build criteria package was finalized in July 2018 and is under design.
- The last funded project is throughout the county, all Metrorail Stations will be refurbished as needed.

According to the TDP there are two Partially Funded Capital Projects:

- The Northeast Corridor project seeks to provide Commuter Rail service from Miami Central Station to Aventura Station within Miami-Dade County and continues to provide County residents to access to Broward and Palm Beach Counties.
- The Flagler Corridor BERT project seeks to implement Bus Rapid Transit service along Flagler Street from Tamiami Station to Downtown Intermodal Terminal.

The TDP identifies two Unfunded Capital Projects. The Downtown Intermodal Terminal (SMART/BERT Terminal) project at 112 NW 3rd Street, seeks to build a new Terminal with approximately 27 bus bays, customer service and passenger waiting areas, a kiss-and-ride, bicycle parking and eight parking spaces for transit staff. Also includes a conversion of NW 1st Street to bus drop-off area with 7 saw tooth bus bays, taxi/jitney areas, and unified directional signage. The Metromover Brickell Loop Extension project seeks to extend Metromover service in the Brickell area from the Financial District Metromover Station.

According to the TDP, there are three 2031 and Beyond Transit Vision Plan projects:

- The Government Center Station project at 101 NW 1st Street, will preserve existing transit facilities and equipment, improving service reliability, safety, quality, convenience, and comfort.
- The Brickell Metrorail Station project at 1001 SW 1<sup>st</sup> Avenue, will enhance passenger and pedestrian access. The project includes additional bus passenger pickup/drop areas, additional shuttle pick-up/drop off capacity, a new designated kiss-n-ride area, upgrade

pedestrian connections and improve passenger convenience through way finding, upgrade/ADA.

- The SW 11th St project will provide bicycle/pedestrian improvements from Brickell Plaza to SW 1<sup>st</sup> Avenue.

### **DTPW Comments/Recommendations**

DTPW encourages the developer to support and enhance pedestrian and bicyclist connections to the bus stops, the Brickell Metrorail and Metromover Station, and the Tenth Street Metromover Station, as feasible. The applicant is encouraged to incorporate pedestrian accessibility into the overall site plan of the mixed-use development design to enable safe pedestrian access to neighboring properties, adjacent transit stops, and planned future rapid transit stations. As noted in the exiting service section of this memorandum, the subject property is situated within 500 feet of Tenth Street Metromover Station and within 1,500 feet of the Brickell Metrorail and Metromover Stations. DTPW is currently undertaking multiple renovation and upgrade projects at these three facilities.

Upon DTPW's review for mass transit concurrency, the application is found to meet the Level-of-Service concurrency with the adopted mass transit level-of-service standard contained in CDMP Policy MT-1A.

### **Development of this site requires that the following outstanding comments for this application (Z2022000241) be addressed prior to approval of Administrative Site Plan Review (ASPR):**

1. The applicant shall coordinate with the Strategic development and Service Planning sections of DTPW on the proposed solutions to provide adequate space for Transit on-demand services and micro-mobility options.
  - a. Due to the proposed density of the project, the applicant should provide dedicated spaces for the addition of bicycle and micro-mobility device parking near the entrances to the residential building.
2. The applicant shall coordinate with the Design and Engineering section of DTPW to ensure wayfinding to all transit options available is provided.
3. The Applicant shall coordinate with the City of Miami Transportation and Roadways Department to determine if the existing City of Miami Trolley stop can be relocated as proposed. If not, plans must be revised to show the existing City of Miami Trolley stop along SE 10th Street and Brickell Avenue and its associated amenities.
4. The applicant shall coordinate with the Innovation and Mobility Services section of DTPW on the proposed solutions to provide adequate space for Transit on-demand services and micro-mobility options.
5. The Applicant shall ensure that the sidewalk along SE 10<sup>th</sup> Street be maintained in good, operable condition and accessible throughout the duration of construction at the development site as to not impede public access to the existing bus stops mentioned in the Existing Service section of this Memo.

6. The applicant is encouraged to provide wider sidewalks and enhanced bike lanes to allow for the higher than usual bicycle, pedestrian, and micro-mobility demand at this location. The following recommendations are consistent with the Downtown Miami Pedestrian Priority Zone resolution and will improve accessibility to transit options:
  - a. Crosswalks at SE 10th Street and Brickell Avenue should be high-emphasis crosswalks or enhanced crosswalks to ensure high visibility of pedestrians.
  - b. The applicant should provide pedestrian level signage indicating indoor and outdoor transit users, the best path to Brickell Metrorail Station and 10<sup>th</sup> Street Metromover Station entrances.
8. Pick-up and drop-off areas may be used for ridesharing services and transit on demand services. Valet service should have a dedicated area and not be occurring within the public right-of-way.

### **Additional impacts on Transit Service**

As per code Section 33C-15 (D.2), below are additional improvements which DTPW identified as a preliminary review of the subject development. Please note that these improvements may be modified after the review of a detailed site plan is completed or DTPW acquires additional information on improvement costs.

According to the traffic impact analysis provided by the applicant, the proposed development will account for more trips than the existing building. The trips generated are calculated for AM and PM Peak hour using the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11<sup>th</sup> Edition. DTPW's suggests the traffic study include averages for Weekday trips for the same land use codes described in the traffic impact analysis. According, according to the study, the project is expected to be completed by 2025.

DTPW analyzed the Mode Shares provided by the Miami-Dade County Transportation Planning Organization (TPO) for the years 2015 and 2045. The TPO manages Southeast Florida Regional Planning Model (SERPM) for the County. The SERPM data is provided at the TAZ level. TAZ589 was noted as the TAZ to be used in the traffic study and was also used in the analysis described in this section. DTPW calculated the Mode Shares for the anticipated build-out date of 2025 based 2015 and 2045 values in SERPM. The projected 2025 mode shares for the following modes are as follows: Automobile 53.91%, transit 11.98 %, Bike 7.92 %, pedestrian 26.13% and TNC 0.03%. Transit percentages in SERPM include Metrorail, Metromover, and Metrobus services. DTPW facilities like Bicycle lanes and sidewalks within the neighborhood will also see an increase in their mode share as the area continues to grow.

The proposed project will undoubtedly have a higher impact on the Underline than all three transit systems (Metrorail, Metrobus, Metromover) provided by DTPW in the area. The Transportation Enhancements section of DTPW has identified a need to build a natural, oolite stone type of amphitheater that fits within the land contours and can be

used for waiting parents and the school. This portion of the site was not improved by The Underline and has potential to provide enhance amenities to the neighborhood. Another need identified along the Underline is the installation of dividers on top of the green and cast in place curved walls installed at the Brickell Backyard Phase of The Underline.

Possible improvements for the three transit modes includes, upgrading bus stops mentioned in the “Existing Service” section of this Memo to have covered waiting and loading areas. As noted in the transit projects noted in the Future Transit Needs” section of this Memo, the TDP, the Brickell Metrorail station and Metromover station are both in need of upgraded elevators and safety improvements. DTPW has identified the need bike improvements along South Miami Avenue from SW 7<sup>th</sup> Street to SW 3<sup>rd</sup> Street. Other improvements are identified in the FDOT Bike Connectivity Plan and The Downtown Miami Micro mobility Project.

Since this is a highly pedestrian area, it is recommended that wider sidewalks be instituted throughout the neighborhood as well as mid-block crosswalks where possible. The installation of shade trees throughout the neighborhood will benefit transit users as well as cyclists and pedestrians. Bicycle and Pedestrian usages are expected to increase at a higher rate than transit users in this area of the County.

c: Lisa Colmenares, AICP, Chief Planning Officer, DTP  
Jie Bian, Ph.D., Chief, Infrastructure Planning, DTPW  
Irene Hegedus, Chief, Transportation Enhancements, DTPW  
Linda Morris, AICP Chief, Transit Service Planning, DTPW  
Eric Zahn, Transit Planning Section Supervisor, Transit Service Planning, DTPW  
Javier Bustamante, Chief, Right of Way, Utilities & Joint Development Division, DTPW

# Memorandum



**Date:** Thursday, March 7, 2024

**To:** Eric Silva  
Assistant Director, Zoning Division  
Department of Regulatory and Economic Resources (RER)

**From:** Miguel Soria, P.E.  
Assistant Director Highway Engineering  
Department of Transportation and Public Works

**Subject:** Review Type: Z2022000241  
Applicant Name: 888 Brickell Owner LLC

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## PROJECT DESCRIPTION:

The applicant is seeking to develop 259 residential units, 52,144 square feet of health/fitness, and 38,727 square feet of food and beverage spaces.

### I. PROJECT LOCATION:

The property is located at 888 Brickell Avenue within City of Miami.

## COMMENTS/RECOMMENDATION:

Miami-Dade County Department of Transportation and Public Works (DTPW) Traffic Engineering Division has reviewed the subject application and has no objections to this application, subject to the following conditions:

### I. CONDITIONS:

- Provide an exclusive eastbound left-turn lane at the signalized intersection of SE 10 Street and Brickell Avenue.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Miguel Soria at (305) 375-2130.







# 3-7-2024\_DTPW Traffic Engineering DIC Memorandum\_Z2022000241

Final Audit Report

2024-03-07

Created:	2024-03-07 (Eastern Standard Time)
By:	Yelenys Eymil (yelenys.eymil@miamidade.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqftJIRO6CFuZ4RGz8q_Q7MYNa_Q2KXY_
Number of Documents:	1
Document page count:	1
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Supporting files page count:	0

## "3-7-2024\_DTPW Traffic Engineering DIC Memorandum\_Z2022000241" History

-  Document created by Yelenys Eymil (yelenys.eymil@miamidade.gov)  
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-  Document emailed to miguel.soria@miamidade.gov for signature  
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-  Agreement viewed by miguel.soria@miamidade.gov  
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-  Signer miguel.soria@miamidade.gov entered name at signing as Miguel Soria  
2024-03-07 - 3:01:39 PM EST
-  Document e-signed by Miguel Soria (miguel.soria@miamidade.gov)  
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# Concurrency Management System (CMS)

Miami-Dade County Public Schools

## Miami-Dade County Public Schools

### Concurrency Management System Preliminary Concurrency Analysis

MDCPS Application Number: **PH0123100300502** Local Government (LG): **Miami**  
 Date Application Received: **10/3/2023 11:33:24 AM** LG Application Number: **Z2022000241**  
 Type of Application: **Public Hearing** Sub Type: **Public**  
 Applicant's Name: **888 Brickell Owner LLC (Z2022000241)**  
 Address/Location: **888 Brickell Av**  
 Master Folio Number: **0102090901570**  
 Additional Folio Number(s):

PROPOSED # OF UNITS **259**  
 SINGLE-FAMILY DETACHED UNITS: **0**  
 SINGLE-FAMILY ATTACHED UNITS: **0**  
 MULTIFAMILY UNITS: **259**



#### CONCURRENCY SERVICE AREA SCHOOLS

CSA Id	Facility Name	Net Available Capacity	Seats Required	Seats Taken	LOS Met	Source Type
5321	SOUTHSIDE ELEMENTARY (ELEM COMP)	116	8	8	YES	Current CSA
6841	SHENANDOAH MIDDLE	-85	4	0	NO	Current CSA
6841	SHENANDOAH MIDDLE	116	4	4	YES	Current CSA Five Year Plan
7791	BOOKER T WASHINGTON SENIOR	-8	4	0	NO	Current CSA
7791	BOOKER T WASHINGTON SENIOR	0	4	0	NO	Current CSA Five Year Plan

#### ADJACENT SERVICE AREA SCHOOLS

7301	MIAMI EDISON SENIOR	771	4	4	YES	Adjacent CSA
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\*An Impact reduction of **32.58%** included for charter and magnet schools (Schools of Choice).

MDCPS has conducted a preliminary public school concurrency review of this application; please see results above. A final determination of public school concurrency and capacity reservation will be made at the time of approval of plat, site plan or functional equivalent. **THIS ANALYSIS DOES NOT CONSTITUTE PUBLIC SCHOOL CONCURRENCY APPROVAL.**

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7285 / concurrency@dadeschools.net

# Memorandum



**Date:** June 12, 2023

**To:** Nathan Kogon, Assistant Director  
Development Services Division  
Regulatory and Economic Resources Department

**From:** FOR Alejandro Zizold, Chief, Planning and Research *Alissa Turteltaub*  
Planning & Design Excellence Division  
Parks, Recreation and Open Spaces Department

**Subject:** Z2022000241 – 888 Brickell Avenue (Associated Application: Z2022P00078)

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**Applicant Name:** 888 Brickell Owner, LLC.

**Project Location:** The subject property is ±0.52 acres and it is located 888 Brickell Avenue in the Municipality of Miami, Florida (Folios: 01-0209-090-1570). The project is located within the Rapid Transit Metromover Station Subzone (33C-15).

**Proposed Development:** The applicant seeks a pre-application Rapid Transit Development Impact Committee Review. The development consists of an eighty-one-story mixed-use residential and commercial building. The development will also include a pool deck, bar and two restaurants.

**Current Park Benefit District Area Conditions:** County-owned park and recreation facilities, both areawide parks and local parks, serving Park Benefit District 2 (PBD 2) are shown on the attached map in Figure 1.

**Impact and Demand:** The proposed residential component impact does not apply to Miami-Dade County local parkland when analyzed using Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space.

**Additional Impacts on Public Facilities and Services:** While the proposed development is located within the Miami-Dade County's RTZ Metromover Subzone, this particular development has no impact on Miami-Dade County's park facilities, and therefore PROS has no additional considerations for community benefit. Contact Department of Transportation and Public Works (DTPW) to further understand their requirements for Community Benefit as it pertains to impacts on The Underline and its facilities. In addition, coordinate with nonprofit organization, Friends of the Underline, on the project's pedestrian connection points, or related signage.

**Recommendations:**

- PROS recommends the palm trees along Brickell Avenue be replaced with shade trees such as Allspice (*Pimenta dioica*), or other species recommended for shade in the Miami-Dade County Street Tree Masterplan. Also please provide additional shade trees along SE 10<sup>th</sup> Street where feasible per the Great Streets Vision of the Miami-Dade County Open Space Master Plan (OSMP).
- PROS recommends highly visible bicycle parking stations are provided as part of the development to encourage use of Municipal and County trail networks, and promote non-motorized transportation.

These recommendations are based on the following Recreation and Open Space policies and objectives in the CDMP:

Objective ROS-1

*Provide a comprehensive system of public and private sites for recreation, including but limited to public spaces, natural preserve and cultural areas, greenways, trails, playgrounds, parkways, beaches and public access to beaches, open space, waterways, and other recreational facilities and programs serving the entire County; and local parks and recreation programs adequately meeting the needs of Miami-Dade County's unincorporated population.*

ROS-3B

*The County shall improve and promote non-motorized access to existing park and recreation open spaces by implementing the North Miami-Dade Greenways Master Plan and South Miami-Dade Greenway Network Master Plan, as well as improved sidewalks and trails, to improve connectivity between parks and residences, schools, activity centers, and transportation nodes.*

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 community.*

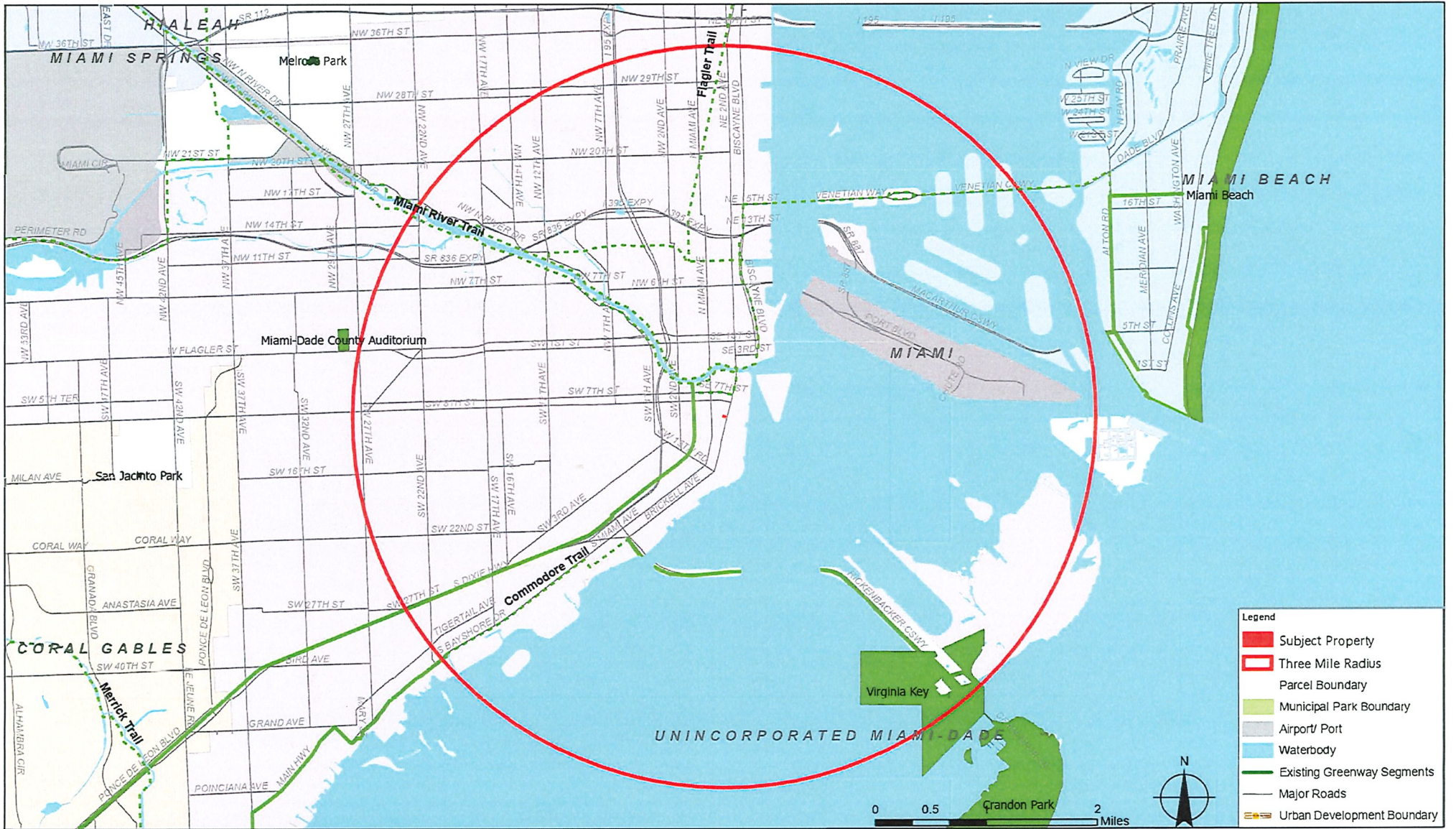
Based on our findings described herein, **PROS has no objection to this application.**

If you need additional information or clarification on this matter, please contact Sol Kohen, Park Planner II, at (305) 755-7821 or [sol.kohen@miamidade.gov](mailto:sol.kohen@miamidade.gov).

AZ: at sk <sup>AT</sup>

Attachments

**FIGURE 3: Z2022000Z41 - 888 BRICKELL AVENUE  
 MIAMI-DADE COUNTY PARKS, RECREATION AND OPEN SPACES DEPARTMENT ANALYSIS**








# Z2022-241 888 Brickell Avenue

Final Audit Report

2023-06-13

Created:	2023-06-12 (Eastern Daylight Time)
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## "Z2022-241 888 Brickell Avenue" History

-  Document created by Sol Kohen (sol.kohen@miamidade.gov)  
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2023-06-13 - 8:59:25 AM EDT



**Miami-Dade Aviation Department**

P.O. Box 025504  
Miami, Florida 33102  
T 305-876-7000 F 305-876-0948  
www.miami-airport.com

**Commercial Airport:**

Miami International Airport

[miamidade.gov](http://miamidade.gov)

**General Aviation Airports:**

Dade-Collier Training & Transition Airport

Miami Homestead General Aviation Airport

Miami Executive Airport

Miami-Opa Locka Executive Airport

June 2, 2023

Carli Koshal, Esq.  
Bercow Radell Fernandez Larkin & Tapanes  
200 South Biscayne Boulevard, Suite 300  
Miami, Florida 33131

**RE: Determination Number DN-23-05-3886 Land-Use/Airspace Analysis for the proposed 888 Brickell Avenue project located at 888 Brickell Avenue in Miami, Florida (Folio No. 01-0209-090-1570)**

Dear Ms. Koshal:

The Miami-Dade Aviation Department (MDAD) is in receipt of your submittal for a land-use/airspace analysis and determination for the proposed 888 Brickell Avenue project, a residential and commercial high-rise building with a maximum elevation of 1,049 feet Above Mean Sea Level (AMSL) / North American Vertical Datum of 1988 (NAVD88). The site is located at 888 Brickell Avenue in Miami, Florida.

**Land Use Review:**

Subject to the comments below and pending review by the Federal Aviation Administration (FAA), the proposed use at this location conforms to Code of Miami-Dade County, Chapter 33, Article XXXVII Airport Zoning, Section 33-333 (A) Land use Compatibility Regulations.

**Airspace Review:**

Our review of the plans and data provided finds that the maximum elevations (as referenced in the table below) for the proposed permanent structure at the referenced locations conform to the requirements of Code of Miami-Dade County, Chapter 33, Article XXXVII Airport Zoning, Sec. 33-333 (B) Height/Airspace Regulations.

AIRSPACE REVIEW TABLE			
POINT	LATITUDE	LONGITUDE	MAXIMUM ALLOWABLE HEIGHT (AMSL / NAVD88)
Point 1	25° 45' 51.90"	-80° 11' 30.77"	1,049 Feet AMSL
Point 2	25° 46' 53.09"	-80° 11' 30.46"	1,049 Feet AMSL
Point 3	25° 46' 52.68"	-80° 11' 28.52"	1,049 Feet AMSL
Point 4	25° 46' 51.49"	-80° 11' 28.83"	1,049 Feet AMSL

MDAD is in receipt and does not object to the FAA’s Letters of Determination, Aeronautical Study Numbers 2022-ASO-12492 through 12495-OE, issued for this structure for “Determinations of No Hazard to Air Navigation”. Please be advised that in accordance with Code of Federal Regulation (CFR) Title 14 Part 77, any construction cranes or equipment for this project reaching or exceeding 200 feet Above Ground Level (AGL) at this location will also need to be filed by the construction contractor using FAA form 7460-1. The form is available through the FAA website: <https://oeaaa.faa.gov> where the contractor may “e-file” the information. This office will also need to review and approve the construction crane heights and locations associated with this construction project, if the crane heights reach or exceed 200 feet AGL. You may file by completing the “MDAD [Permissible Crane Height Determination Form](#)” available through this office or our website, [http://www.miami-airport.com/planning\\_forms\\_maps.asp](http://www.miami-airport.com/planning_forms_maps.asp).

In accordance with FAA requirements, it is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned and at least 10 days prior to the start of construction (7460-2, Part 1) and within 5 days after the construction reaches its greatest height (7460, Part 2). Upon completion of this project, MDAD’s Aviation Planning, Land-Use and Grants Division must receive a copy of the surveyor’s maximum height certificate. No Certificate of Use or Certificate of Occupancy shall be issued by a municipal building official or Miami-Dade County until approval is obtained from this office after certifying that the structure was built no higher than the height approved by this letter. The approval shall be issued by this office after submission of the required information including as-built elevations certified and prepared signed and sealed by a State of Florida licensed surveyor, architect or engineer. Such elevation as-built certification shall be 8.5” x 11” in size and contain an elevation view of as-built certification with Latitude and Longitude Coordinates in NAD 83 (in degrees, minutes, seconds format with at least 2 decimal places accuracy for the seconds number) noted for the height of the structure and the height of any appurtenances. The height shall also be indicated for the point closest to the airport.

The analysis in this letter is based, in part, on the information you provided which includes specific building locations and heights. Any changes in building locations/layouts or heights will void this analysis. Any future construction or alteration, including an increase to heights requires separate notice to the FAA and MDAD.

Carli Koshal, Esq.  
June 2, 2023  
Page 3

This determination expires one year from the date of issuance unless extended, revised or terminated by MDAD's Aviation Planning, Land-Use and Grants Division. Any requests for an extension of the effective period of this determination must be submitted by the applicant prior to the expiration date. At such time, staff will re-evaluate the application or structure to determine if any significant changes to the structure and/or to the review criteria have occurred. MDAD's Aviation Planning, Land-Use and Grants Division will then decide if the determination in this letter may be eligible for an extension of the effective period.

Should you have any questions, please feel free to contact me at 305-876-7036.

Respectfully,



Ammad Riaz, P.E.  
Chief of Aviation Planning

AR/rb

C: J. Ramos  
Lakisha Hull, City of Miami Planning Department  
David Snow, City of Miami Planning Department  
Ace Marrero, City of Miami Building Department  
Maurice Pons, City of Miami Building Department  
Jacob Keirn, City of Miami Planning Department




# Memorandum



**Date:** October 21, 2022

**To:** Nathan Kogon, Assistant Director  
Development Services Division  
Department of Regulatory and Economic Resources

**From:** Alfredo "Freddy" Ramirez III, Director   
Miami-Dade Police Department

**Subject:** Review - Zoning Application - Case: No. Z2022000241888 Brickell Owner, LLC

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## **APPLICATION:**

The applicant, 888 Brickell Owner, LLC, request approval for a mixed-use development consisting of hotels, commercial uses, office space, bars and restaurants, multifamily development, and healthcare uses. The 0.52 acre property is located at 888 Brickell Avenue, in Miami, Florida, inside the Metromover Subzone of the Rapid Transit System.

## **CURRENT POLICE SERVICES:**

The project is in the city of Miami and serviced by the Miami Police Department. Incidents that occur requiring law enforcement services on the neighboring Metrorail will be handled by the Miami-Dade Police Department, Police Operations Section, located at 601 NW 1 Court, Miami, Florida. Current staffing allows for an average emergency response time of eight minutes or less.

## **APPLICATION REVIEW:**

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's resources, and impact that the location could have on the proposed zoning modification changes. Since the location is serviced by the Miami Police Department, the Miami-Dade Police Department does not object to the proposed zoning modifications to complete this project at this time.

Should you require additional information, please contact Executive Senior Bureau Commander Jorge Bello, of our Fiscal Administration Bureau, at 305-471-2520, or via e-mail at [j.bello@mdpd.com](mailto:j.bello@mdpd.com).

AR/jhb  
Attachment

# Memorandum



**Date:** Oct 15, 2022

**To:** Nathan Kogon, Assistant Director  
Regulatory and Economic Resources Department

**From:** Michael J. Fernandez, Director   
Department of Solid Waste Management

**Subject:** 888 Brickell Avenue (Z2022000241, RTZ)

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The Department of Solid Waste Management's review of the above-referenced item is provided below. Additional comments will be provided as needed. **The DSWM has no objections to the proposed application.**

**Application:** The applicant, 888 Brickell Owner LLC, is requesting approval of an eighty-one story a mixed-use, residential and commercial project. As the Property is located in the Rapid Transit Zone ("RTZ"), jurisdiction over land development-related requests is retained by the County pursuant to Chapter 33C of the County Code.

**Size:** The subject property is approximately .51 acres in size.

**Location:** The property is located on the north side of SE 10 Street, just east of Brickell Avenue/US-1, in the City of Miami.

## **Analysis:**

### 1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Department of Solid Waste Management (DSWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2022, which is valid through September 30, 2023, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Regulatory and Economic Resources Department is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed. There are no solid waste facilities (collection or disposal) within 2.5 miles of this

### 2. Garbage and Trash Collection Services

Should the request be approved and built as proposed, the resulting development would meet the definition of a “commercial establishment”, as described in Chapter 15 of the Code of Miami-Dade County. Per the Code, the following is required of commercial establishments located in areas under the County’s jurisdiction:

"Every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." The landlord or property owner is required to arrange for waste and recycling collection services and multi-family and commercial establishments located outside of the DSWM waste collection service area typically work with either a municipal hauler (if applicable) or a permitted private hauler to provide both (waste and recycling) in one contract.

### 3. Recycling

Regarding multi-family units, **Section 15-2.2(a)** of the Code requires “every multi-family residential establishment shall provide for a recycling program which shall be serviced by a permitted hauler or the appropriate governmental agency and shall include, at a minimum, the five (5) materials listed in Section 15-2.2 below.”

- 1) Newspaper
- 2) Glass (flint, emerald, amber)
- 3) Aluminum cans
- 4) Steel cans
- 5) Plastics (PETE, HDPE-natural, HDPE-colored)

**Section 15-2.2(b)** of the Code states the failure of a multi-family residential establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner(s) shall be liable, provided, however, that in the case of a condominium or cooperative apartment having a condominium association or cooperative apartment association, said association, rather than individual unit owners, shall be liable for any such violation.

Applicants are required to incorporate adequate space and facilities in their building plans to accommodate the required recycling program (i.e., somewhere for residents / tenants to store their recycling carts or bins, or in the case of centralized waste collection with dumpster containers, a permanent space for recycling carts or larger receptacles).

**Sec. 15-4(2)(a)** Before building permits may be issued for construction of commercial establishments, multi-family residential establishments, and residential units located in the unincorporated area, building plans for storage and collection of recyclable materials must be approved by the Director as to location, accessibility, number or adequacy. (b) For properties in incorporated areas, municipalities are requested to require that building plans for commercial establishments, multi-family residential establishments, and residential units be prepared so as to include sufficient space for storage and collection of recyclable materials, but not to prohibit curbside collection of recyclable materials where otherwise permitted in residential districts.

Requests for approval of modified recycling programs must be made directly to the Department. The application regarding modified recycling programs may be found on the website at <http://www.miamidade.gov/solidwaste/business-recycling.asp>.

### 4. Recycling and Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of recyclables and solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of recycling and solid waste collection and storage facilities.

#### 5. Site Circulation Considerations

It is required that development plans associated with this project incorporate at least one of the following traffic circulation criteria to minimize the reversing of waste vehicles and hence, provide for the safe circulation of service vehicles:

- a. Cul-de-sac with a minimum 49 foot turning radius (no "dead-ends")
- b. "T" shaped turnaround 60 feet long by 10 feet wide
- c. Paved throughway of adequate width (minimum 15 feet)

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. There should be no "dead-end" alleyways developed. A sufficient waste set-out zone should be preserved between the edge of the pavement and any possible obstructions (such as parked cars, fencing, etc.) that would interrupt or preclude waste collection. Developments requiring that solid waste haulers use private roads in order to service properties within the community shall hold the haulers, including the Department, harmless for any and all road damage occurring as a consequence of normal use of these roads. Failure to maintain any private roads used to provide solid waste collection services in adequate condition may, with provision of advance notice, result in removal of waste collection services provided by the DSWM.

# Memorandum



**Date:** November 30, 2022

**To:** Nathan Kogon, Assistant Director for Development Services  
Regulatory and Economic Resources Department

**From:** Sarah Cody, Historic Preservation Chief  
Department of Regulatory and Economic Resources

**Subject:** Zoning Application Z2022000241 – 888 Brickell Owner LLC

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The Office of Historic Preservation (OHP) has reviewed the above referenced application and offers the following comments:

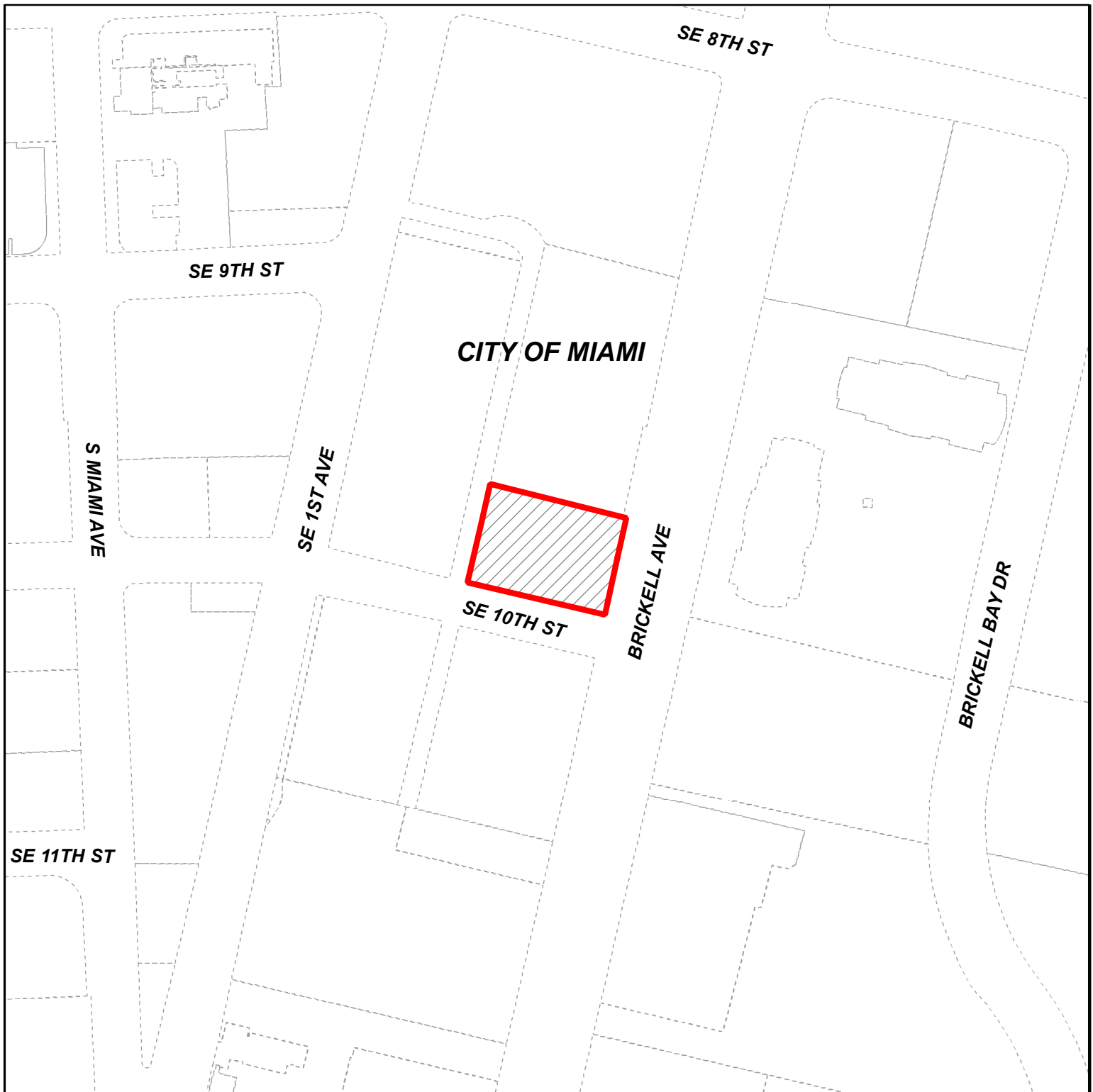
Miami-Dade County has planning, zoning and permitting jurisdiction for the site through an Interlocal Agreement and County Code 33C-10. Per CDMP Policy LU-6A, Miami-Dade County shall continue to identify, seek appropriate designation, and protect properties of historic, architectural, cultural and archaeological significance.

OHP has identified a structure within the application area constructed more than 50 years ago. OHP requests that the applicant fills out and submits a Florida Master Site File Form prior to demolition of the structure within the application area that meet the 50-year benchmark for historic resource eligibility.

OHP has further identified that the application is within an area evaluated for moderate probability for archaeological significance. OHP shall require a Certificate to Dig (CTD) and all ground-disturbing work shall be monitored by an archaeological consultant who furnishes an archaeological monitoring report to OHP within 30 days of the completed work.

Please contact Sarah Cody for the CTD application and any additional information:

Sarah Cody, Chief, MDC Office of Historic Preservation  
[scody@miamidade.gov](mailto:scody@miamidade.gov)  
(305) 375-4438





**MIAMI-DADE COUNTY**  
**HEARING MAP**

Process Number  
**Z2022000241**



Section: 12 Township: 54 Range: 41  
 Applicant: 888 Brickell Owner LLC  
 Zoning Board: Board of County Commissioners  
 Commission District: 5  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

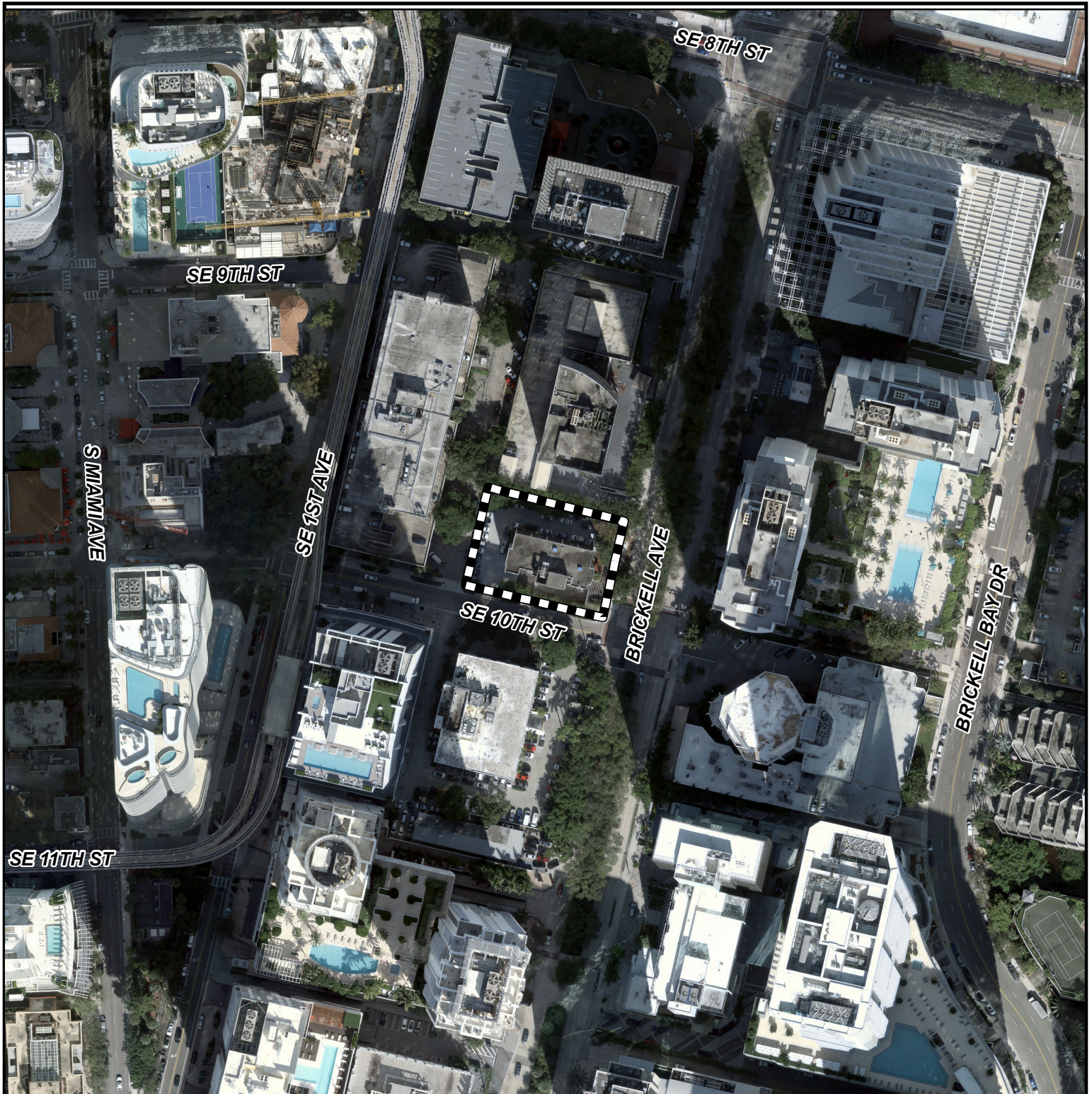
**Legend**

-  Subject Property Case
-  Zoning




SKETCH CREATED ON: Wednesday, October 12, 2022

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2021**

**Process Number**  
**Z2022000241**

**Legend**  
 Subject Property

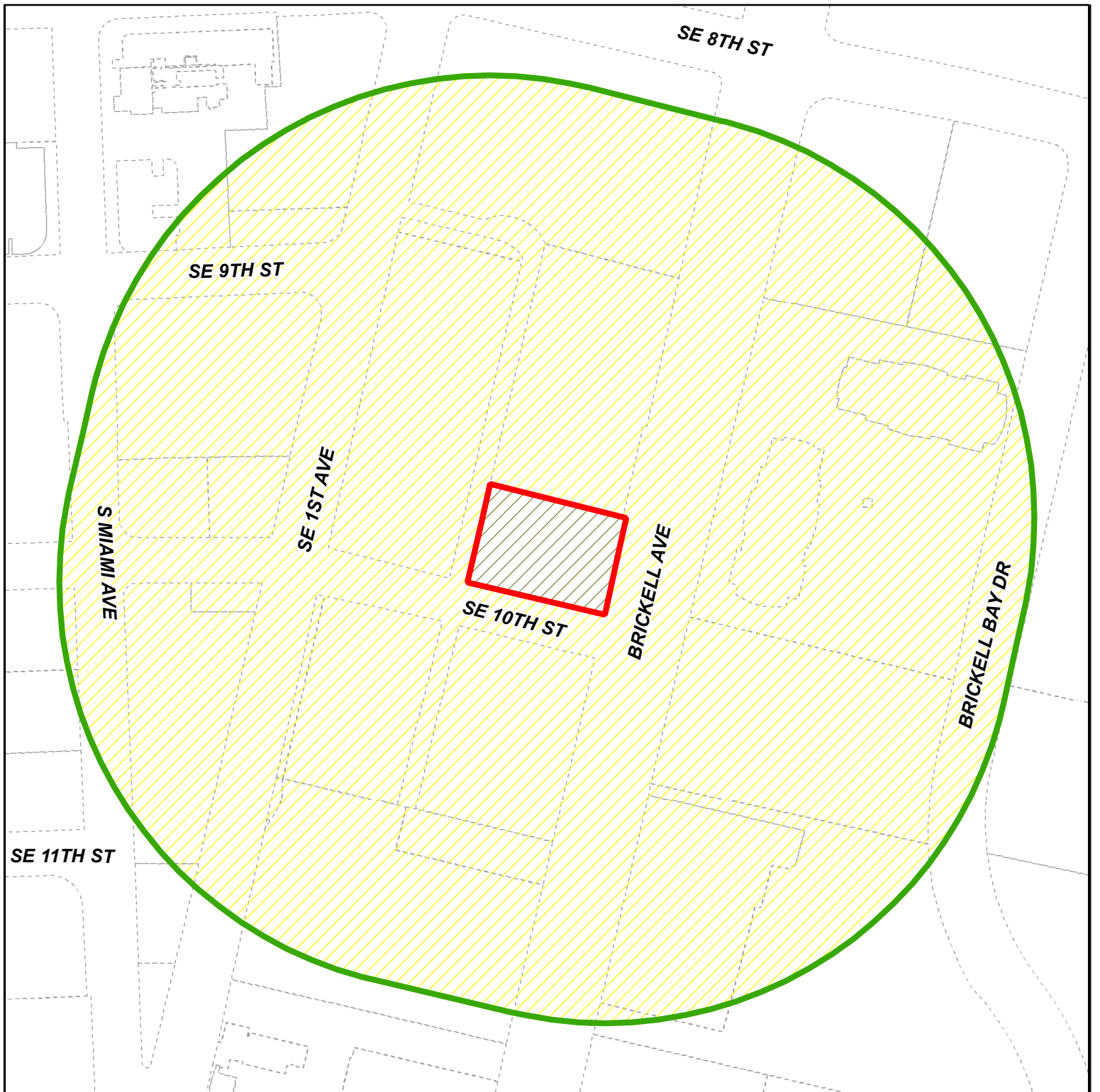


**Section: 12 Township: 54 Range: 41**  
**Applicant: 888 Brickell Owner LLC**  
**Zoning Board: Board of County Commissioners**  
**Commission District: 5**  
**Drafter ID: EDUARDO CESPEDES**  
**Scale: NTS**



SKETCH CREATED ON: Wednesday, October 12, 2022

REVISION	DATE	BY






**MIAMI-DADE COUNTY**  
**RADIUS MAP**

Section: 12 Township: 54 Range: 41  
 Applicant: 888 Brickell Owner LLC  
 Zoning Board: Board of County Commissioners  
 Commission District: 5  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2022000241**  
 RADIUS: 500

**Legend**

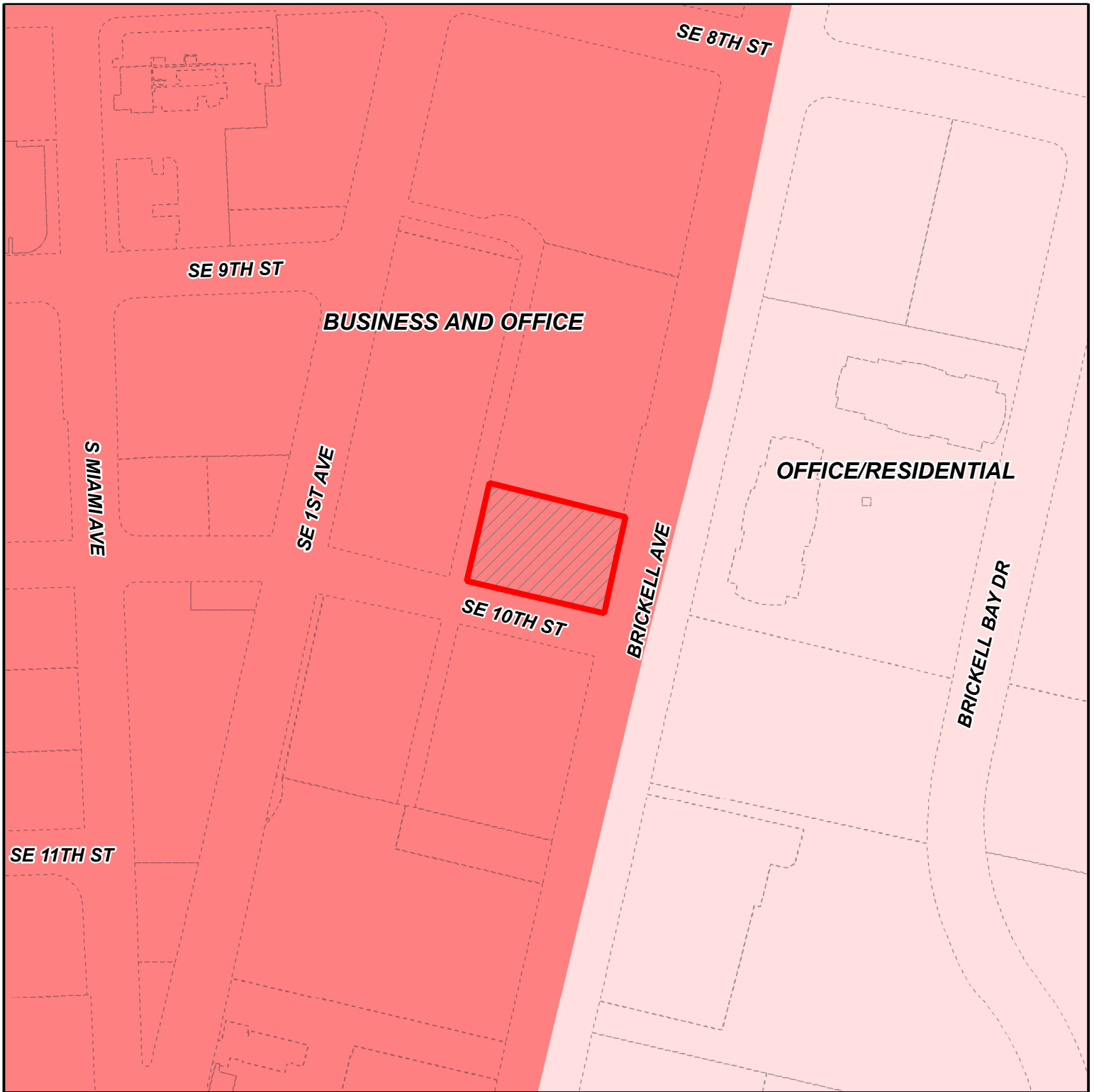
-  Subject Property
-  Buffer
-  Property Boundaries



SKETCH CREATED ON: Wednesday, October 12, 2022

REVISION	DATE	BY





**MIAMI-DADE COUNTY**

**CDMP MAP**

Section: 12 Township: 54 Range: 41  
 Applicant: 888 Brickell Owner LLC  
 Zoning Board: Board of County Commissioners  
 Commission District: 5  
 Drafter ID: EDUARDO CESPEDES  
 Scale: NTS

Process Number  
**Z2022000241**

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, October 12, 2022

REVISION	DATE	BY



# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL

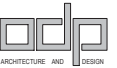


**MAJOR.**

**JDS**  
 DEVELOPMENT  
 GROUP

**STUDIO**  
**SOFIELD**

**BUILDING DESIGNER**  
 STUDIO SOFIELD  
 1000 BAYVIEW BLVD  
 SUITE 1000  
 MIAMI, FL 33133



**ARCHITECTURE AND DESIGN**  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**ARCHITECT OF RECORD**

OSWELL DANNOLOFF & PARTNERS ARCHITECTS  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**STRUCTURAL ENGINEER**

MEY ENGINEERS  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**MECHANICAL, ELECTRICAL, PLUMBING ENGINEER**

MEY ENGINEERS  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**CONCRETE CONSULTANT**

LANDSCAPE ARCHITECTS  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**LANDSCAPE ARCHITECT**

LANDSCAPE ARCHITECTS  
 1000 BAYVIEW BLVD, SUITE 1000  
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**VERTICAL TRANSPORTATION**

DANNING CONSULTANT  
 1000 BAYVIEW BLVD, SUITE 1000  
 MIAMI, FL 33133

**ENVIRONMENTAL ENGINEERING**

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**ENVIRONMENTAL ENGINEERING CONSULTANT**

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**POOL CONSULTANT**

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**SCAFFOLDING CONSULTANT**

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**LIGHTING DESIGNER**

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 MIAMI, FL 33133

**888 BRICKELL**  
 888 BRICKELL AVENUE  
 MIAMI, FL 33131



**10th STREET**

**BRICKELL AVENUE**

**SITE DIAGRAM**

**10th STREET**

**BRICKELL AVENUE**

**SITE DIAGRAM**

**10th STREET**

**BRICKELL AVENUE**

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**10th STREET**

**BRICKELL AVENUE**

**SITE DIAGRAM**

**NOT FOR CONSTRUCTION**

**PROJECT RENDERS**

**SCALE AND SIGNATURE**

**DATE: 10/05/22 11:03 AM**

**PROJECT NO: Project Number**

**DESIGN BY: Author**

**CHECKED BY: Checker**

**DATE: 10/05/22**

**DRAWING NUMBER**

**A-005.02**

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL



VIEW 4 - SE 10TH STREET AND BRICKELL AVENUE



VIEW 5 - BRICKELL AVENUE/US-1



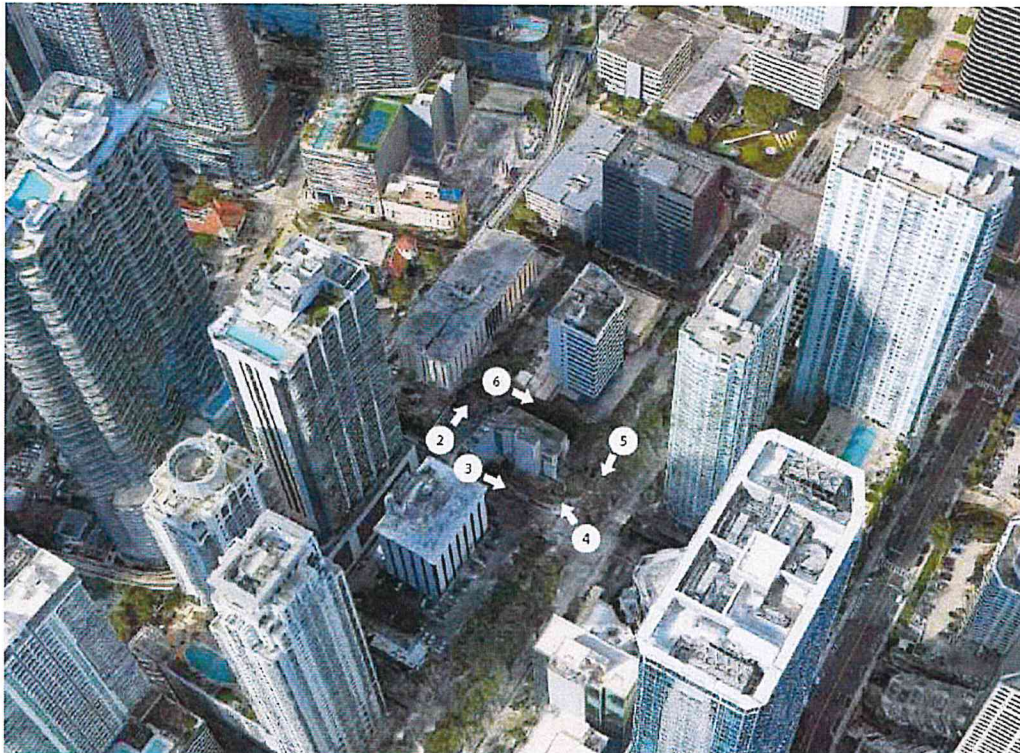
VIEW 6 - ALLEY 2



VIEW 3 - SE 10TH STREET



VIEW 2 - ALLEY 1



VIEW 1 - CONTEXT VIEW - LOOKING NORTH WEST

**MAJOR.**

**JDS**  
 DEVELOPMENT  
 GROUP

STUDIO  
**SOFIELD**

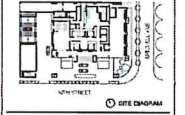
**odp**  
 ARCHITECTURE AND DESIGN

PROJECT NO: 2022-001  
 CLIENT: JDS DEVELOPMENT GROUP  
 PROJECT: 888 BRICKELL AVENUE  
 DATE: 10/11/2022

NO.	DESCRIPTION	DATE
1	CONCEPT DESIGN	10/11/2022
2	SCHEMATIC DESIGN	10/11/2022
3	PRELIMINARY DESIGN	10/11/2022
4	FINAL DESIGN	10/11/2022
5	CONSTRUCTION ADMINISTRATION	10/11/2022
6	POST-CONSTRUCTION	10/11/2022



**888 BRICKELL**  
 888 BRICKELL AVENUE  
 MIAMI, FL 33131



NO.	DATE	REVISION

NOT FOR CONSTRUCTION

DRAWING TITLE  
 CONTEXT & STREET VIEWS

DATE: 10/11/2022  
 PROJECT NO: 2022-001  
 DRAWING NO: 001  
 DESIGNER: [Name]  
 CHECKER: [Name]  
 APPROVED: [Name]  
 A-005.10







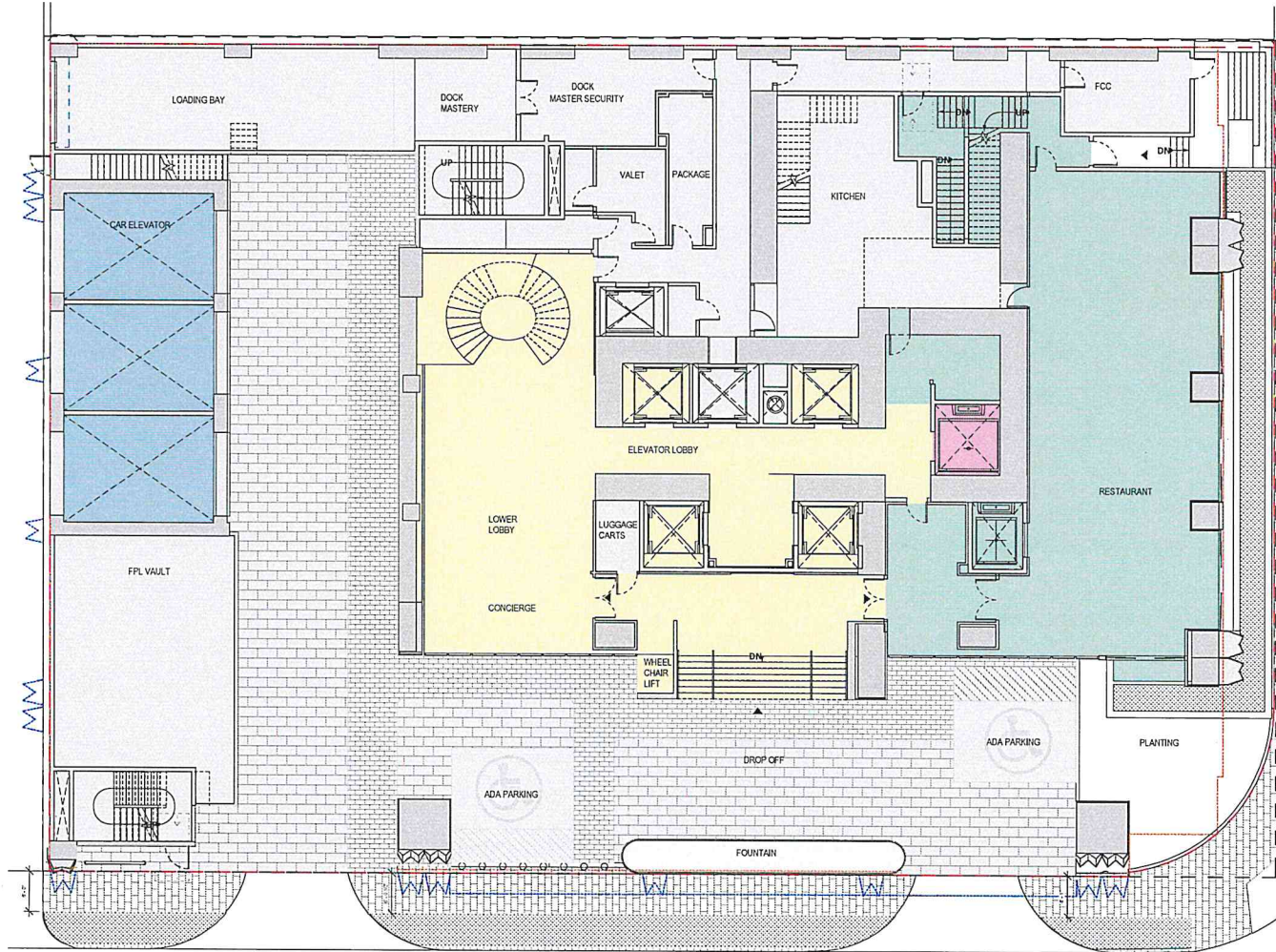






RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO.: Z22-241  
 DATE: JUL 25 2023  
 BY: GONGOL



- RESIDENTIAL
- RESIDENTIAL AMENITY
- MEMBER AMENITY
- COMMERCIAL
- PARKING
- MEP/BOH

NOTES

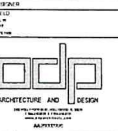
1. USES, UNIT DISTRIBUTIONS, UNIT SIZES, ARE SUBJECT TO CHANGE THROUGH THE ASPR AND PERMITTING PROCESSES. IDENTIFIED USES MAY BE INTERCHANGED CONSISTENT WITH PROJECT TRIP GENERATION EQUIVALENCY MATRIX TABLES 1 AND 2
2. PARKING REQUIREMENTS ARE AS INDICATED ON SHEET A-005.11.
3. THE PURPOSE OF THE GENERAL PLANS IS TO CLARIFY CONCEPTUAL INTENT. MINOR CHANGES AND ADJUSTMENTS MAY BE INCORPORATED THROUGH THE ASPR AND PERMITTING PROCESSES.

- PROPERTY LINE
- BASE BUILDING LINE
- EXTENT OF ARCHITECTURAL FACADE ENCROACHMENT
- EXTENT OF BUILDING OUTLINE ABOVE

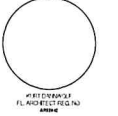
**MAJOR.**

**JDS DEVELOPMENT GROUP**

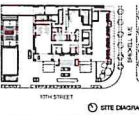
**STUDIO SOFIELD**



PROJECT INFORMATION		
PROJECT NAME	888 BRICKELL	
PROJECT ADDRESS	888 BRICKELL AVENUE, MIAMI, FL 33131	
ARCHITECT	STUDIO SOFIELD	
DATE	07/25/2023	
DESIGNER INFORMATION		
DESIGNER	JDS DEVELOPMENT GROUP	
DATE	07/25/2023	
CONSULTANT INFORMATION		
CONSULTANT	ARCHITECTURAL ENGINEER	
DATE	07/25/2023	
REVISIONS		
NO.	DATE	DESCRIPTION



**888 BRICKELL**  
 888 BRICKELL AVENUE  
 MIAMI, FL 33131



NO.	DATE	DESCRIPTION

**NOT FOR CONSTRUCTION**

DRAWING TITLE  
**LEVEL 01**

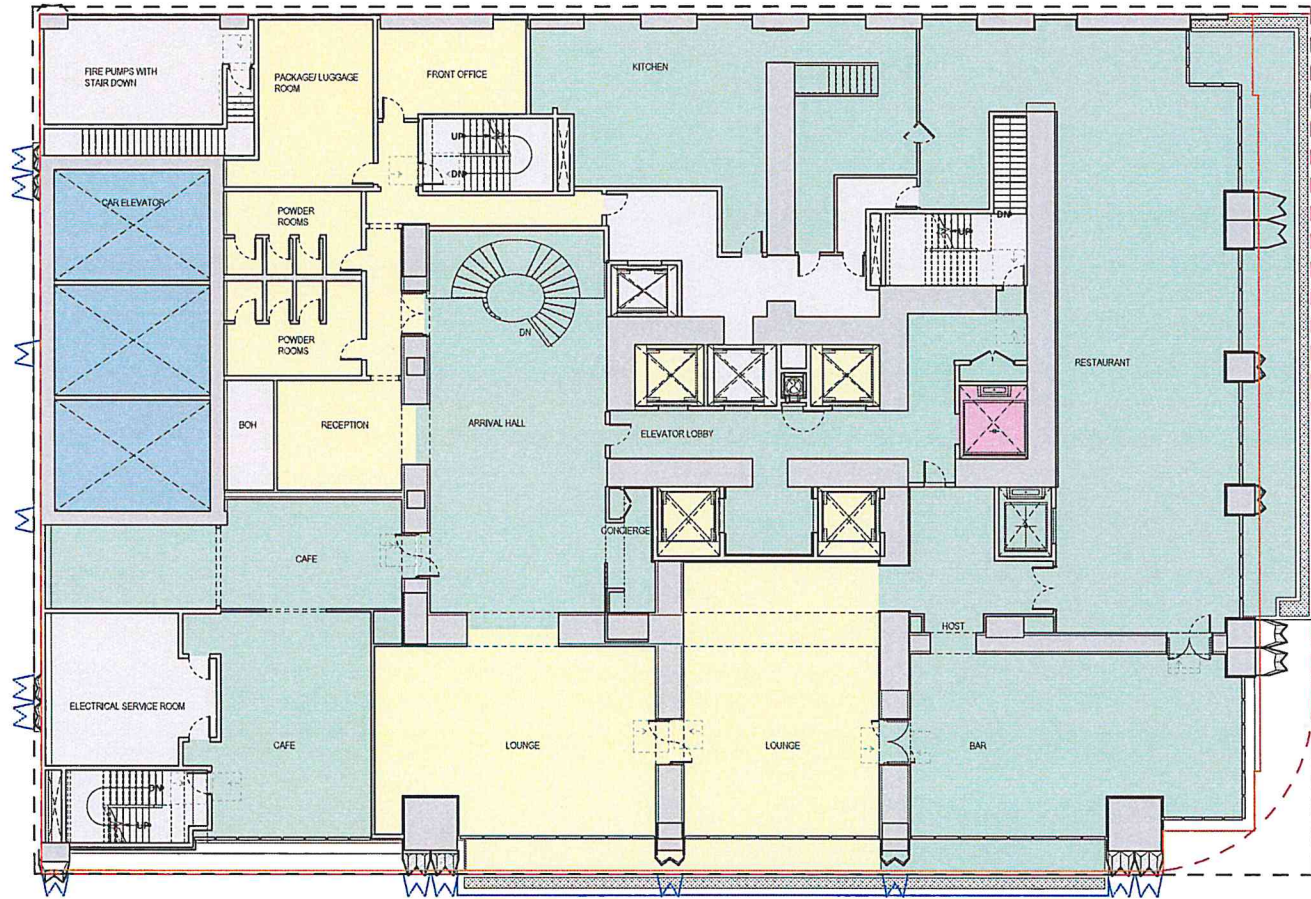
SCALE & ORIENTATION

DATE: 08/02/2023 11:45 AM  
 PROJECT: 888 BRICKELL  
 DRAWN BY: J. JUNG  
 CHECKED BY: J. JUNG  
 DESIGNER: JDS DEVELOPMENT GROUP  
 DRAWING NUMBER: A-005.19

① FLOOR PLAN - LEVEL 01  
 1/8" = 1'-0"

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL



**LEGEND**

- RESIDENTIAL
- RESIDENTIAL AMENITY
- MEMBER AMENITY
- COMMERCIAL
- PARKING
- MEP/BOH

**NOTES**

1. USES, UNIT DISTRIBUTIONS, UNIT SIZES, ARE SUBJECT TO CHANGE THROUGH THE ASPR AND PERMITTING PROCESSES. IDENTIFIED USES MAY BE INTERCHANGED CONSISTENT WITH PROJECT TRIP GENERATION EQUIVALENCY MATRIX TABLES 1 AND 2
2. PARKING REQUIREMENTS ARE AS INDICATED ON SHEET A-005.11.
3. THE PURPOSE OF THE GENERAL PLANS IS TO CLARIFY CONCEPTUAL INTENT. MINOR CHANGES AND ADJUSTMENTS MAY BE INCORPORATED THROUGH THE ASPR AND PERMITTING PROCESSES.

**SYMBOLS**

- PROPERTY LINE
- BASE BUILDING LINE
- EXTENT OF ARCHITECTURAL FACADE ENCROACHMENT
- EXTENT OF BUILDING OUTLINE ABOVE

**MAJOR.**

**JDS DEVELOPMENT GROUP**

STUDIO  
**SOFIELD**

ARCHITECTURE AND DESIGN

888 BRICKELL AVENUE  
 MIAMI, FL 33131

**NOT FOR CONSTRUCTION**

DATE: 10/11/2022

PROJECT NO: 22-001

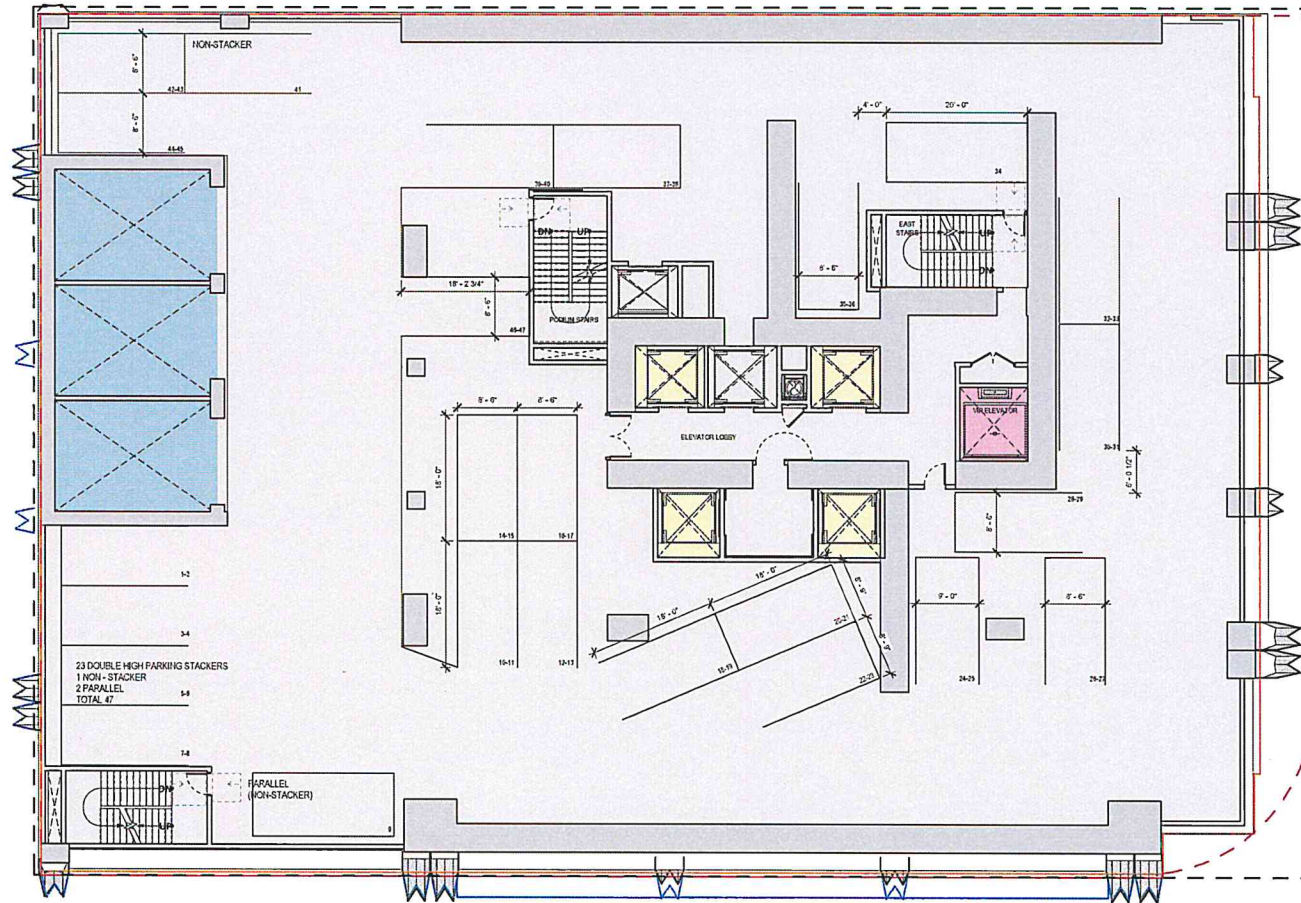
SCALE: 1/8" = 1'-0"

**A-005.20**

① FLOOR PLAN - LEVEL 02  
 1/8" = 1'-0"

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL



① FLOOR PLAN - LEVEL 04 - 08  
 1/8" = 1'-0"

**MAJOR.**  
**JDS DEVELOPMENT GROUP**

STUDIO  
**SOFIELD**

**odp**  
 ARCHITECTURE AND DESIGN

NOTES

- USES, UNIT DISTRIBUTIONS, UNIT SIZES, ARE SUBJECT TO CHANGE THROUGH THE ASPR AND PERMITTING PROCESSES. IDENTIFIED USES MAY BE INTERCHANGED CONSISTENT WITH PROJECT TRIP GENERATION EQUIVALENCY MATRIX TABLES 1 AND 2
- PARKING REQUIREMENTS ARE AS INDICATED ON SHEET A-005.11.
- THE PURPOSE OF THE GENERAL PLANS IS TO CLARIFY CONCEPTUAL INTENT. MINOR CHANGES AND ADJUSTMENTS MAYBE INCORPORATED THROUGH THE ASPR AND PERMITTING PROCESSES.

LEGEND

- PROPERTY LINE
- BASE BUILDING LINE
- EXTENT OF ARCHITECTURAL FACADE ENCROACHMENT
- EXTENT OF BUILDING OUTLINE ABOVE

**888 BRICKELL**  
 888 BRICKELL AVENUE  
 MIAMI, FL 33131

1/8" = 1'-0"

**NOT FOR CONSTRUCTION**

LEVEL 03 - 08

A-005.22

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL

## MAJOR.

### JDS DEVELOPMENT GROUP

### STUDIO SOFIELD

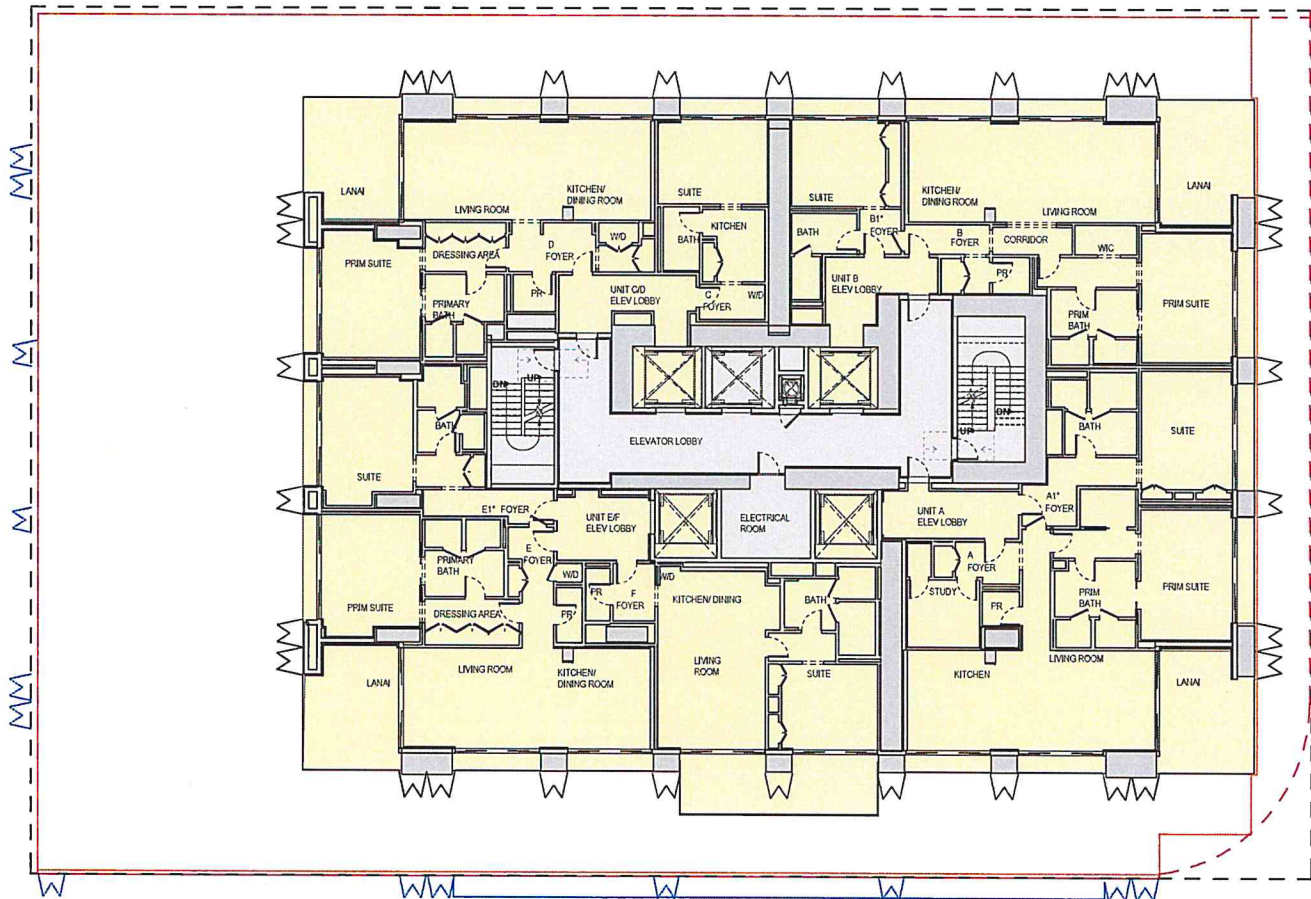
### odp

ARCHITECT OF RECORD

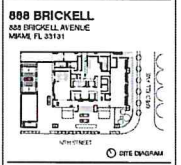
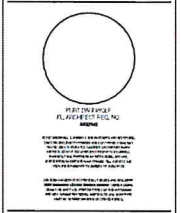
- RESIDENTIAL
- RESIDENTIAL AMENITY
- MEMBER AMENITY
- COMMERCIAL
- PARKING
- MEY/BOH

- NOTES**
1. USES, UNIT DISTRIBUTIONS, UNIT SIZES, ARE SUBJECT TO CHANGE THROUGH THE ASPR AND PERMITTING PROCESSES. IDENTIFIED USES MAY BE INTERCHANGED CONSISTENT WITH PROJECT TSP GENERATION EQUIVALENCY MATRIX TABLES 1 AND 2
  2. PARKING REQUIREMENTS ARE AS INDICATED ON SHEET A-005.11.
  3. THE PURPOSE OF THE GENERAL PLANS IS TO CLARIFY CONCEPTUAL INTENT, MINOR CHANGES AND ADJUSTMENTS MAY BE INCORPORATED THROUGH THE ASPR AND PERMITTING PROCESSES.

- PROPERTY LINE
- BASE BUILDING LINE
- EXTENT OF ARCHITECTURAL FACADE ENCROACHMENT
- EXTENT OF BUILDING OUTLINE ABOVE



① FLOOR PLAN - LEVEL 17 - 33  
 1/8" = 1'-0"



NO.	DATE	DESCRIPTION

NOT FOR CONSTRUCTION  
 DRAWING TITLE  
 LEVEL 17 - 33 (8 SPLT)  
 PLAN & SECTION  
 DATE: 08/22/2022 11:11 AM  
 PROJECT NO: 17-33 (8 SPLT)  
 DRAWN BY: JDS  
 CHECKED BY: JDS  
 DESIGNED BY: JDS  
 PROJECT NO: 17-33 (8 SPLT)  
 A-005.31

# RECEIVED

MIAMI-DADE COUNTY  
 PROCESS NO: Z22-241  
 DATE: OCT 11 2022  
 BY: GONGOL

- RESIDENTIAL
- RESIDENTIAL AMENITY
- MEMBER AMENITY
- COMMERCIAL
- PARKING
- MEP/BOH

## MAJOR.

### JDS DEVELOPMENT GROUP

1001 N.W. 10TH AVENUE, SUITE 1000, MIAMI, FL 33136  
 TEL: 305.375.1100  
 WWW.MAJORARCHITECTURE.COM

STUDIO  
**SOFIELD**

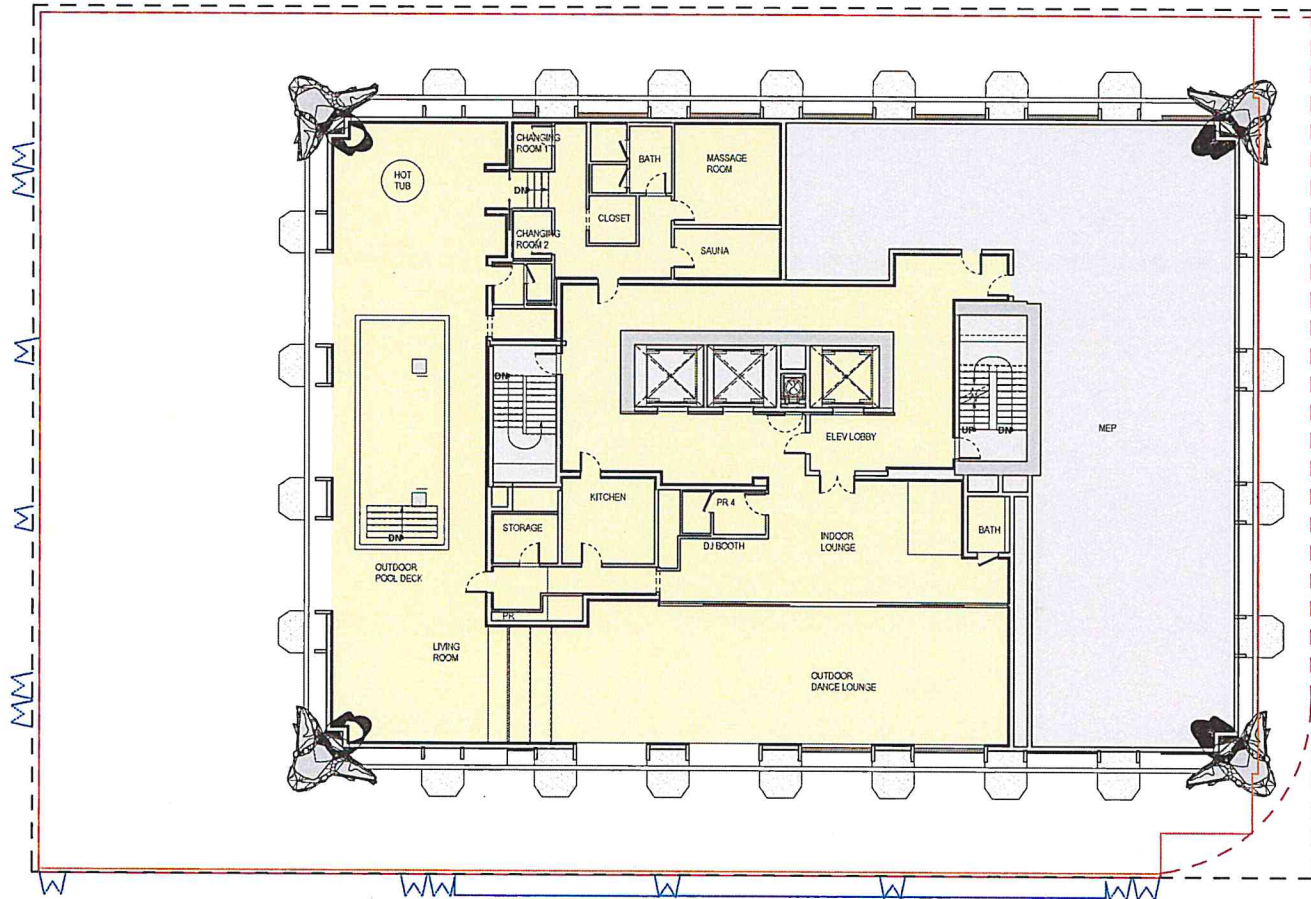
odp  
 ARCHITECTURE AND DESIGN

**NOTES**

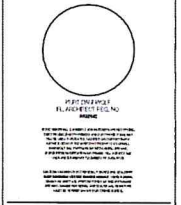
1. USES, UNIT DISTRIBUTIONS, UNIT SIZES, ARE SUBJECT TO CHANGE THROUGH THE ASPR AND PERMITTING PROCESSES. IDENTIFIED USES MAY BE INTERCHANGED CONSISTENT WITH PROJECT TRSP GENERATION EQUIVALENCY MATRIX TABLES 1 AND 2
2. PARKING REQUIREMENTS ARE AS INDICATED ON SHEET A-005.11.
3. THE PURPOSE OF THE GENERAL PLANS IS TO CLARIFY CONCEPTUAL INTENT, MINOR CHANGES AND ADJUSTMENTS MAY BE INCORPORATED THROUGH THE ASPR AND PERMITTING PROCESSES.

- PROPERTY LINE
- BASE BUILDING LINE
- EXTENT OF ARCHITECTURAL FACADE ENCROACHMENT
- EXTENT OF BUILDING OUTLINE ABOVE

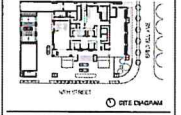
NO.	DESCRIPTION	DATE	BY	CHKD BY
1	ISSUED FOR PERMITTING	10/11/2022	GONGOL	MAJOR
2	REVISION			
3	REVISION			
4	REVISION			
5	REVISION			
6	REVISION			
7	REVISION			
8	REVISION			
9	REVISION			
10	REVISION			



FLOOR PLAN - LEVEL 82  
 1/8" = 1'-0"



888 BRICKELL AVENUE  
 MIAMI, FL 33131



NO.	DATE	REVISION

NOT FOR CONSTRUCTION

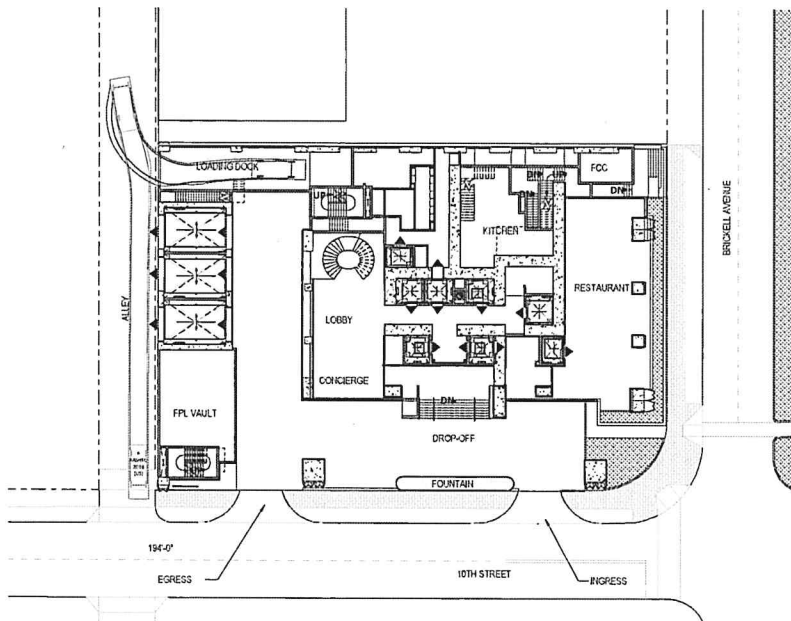
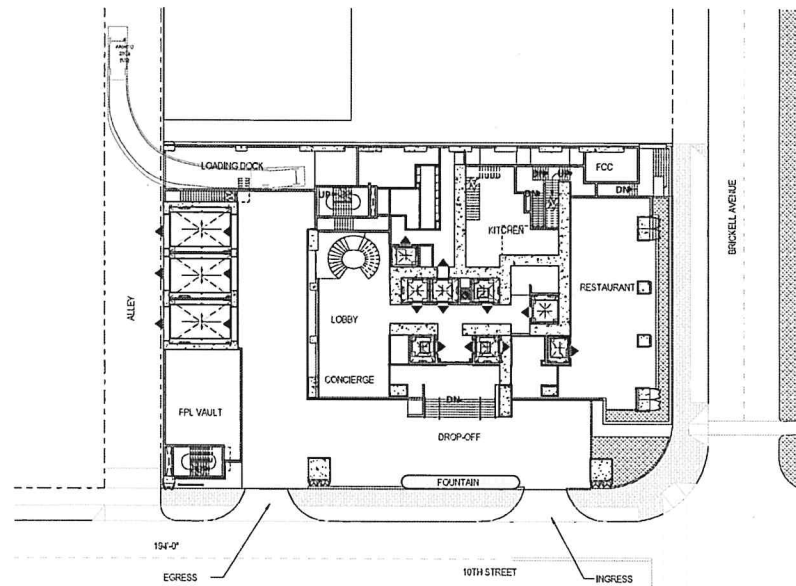
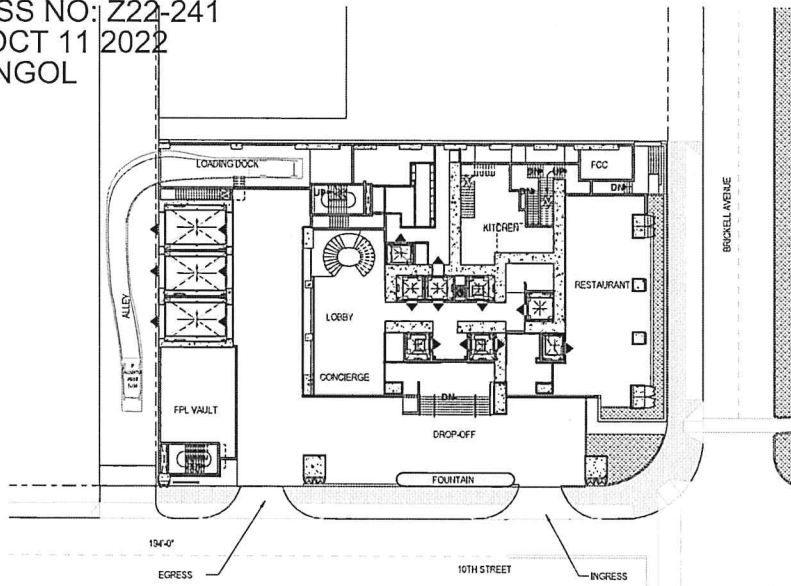
LEVEL 82

DATE: 10/11/2022  
 DRAWN BY: GONGOL  
 CHECKED BY: MAJOR  
 PROJECT NO: A-005.45



# RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO: Z22-241  
DATE: OCT 11 2022  
BY: GONGOL



## MAJOR.

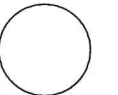
### JDS DEVELOPMENT GROUP

#### STUDIO SOFIELD

ARCHITECTURE AND DESIGN  
1000 BAY STREET, SUITE 1000  
MIAMI, FL 33131  
PH: 305.442.2222  
WWW.SOFIELDARCH.COM

REVISIONS

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
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FLOOR FINISH  
FLAKEBEE FLOORING

**888 BRICKELL**  
888 BRICKELL AVENUE  
MIAMI, FL 33131



NO.	DATE	DESCRIPTION	BY

NOT FOR CONSTRUCTION  
DRAWING TITLE  
MANEUVERABILITY DIAGRAMS

REV.	DATE	DESCRIPTION	BY

A-005.51











RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO.: Z22-241  
DATE: JUL 25 2023  
BY: GONGOL

OFFSITE TREES TO BE IMPACTED BY SITE DEVELOPMENT. REFER TO NOTE #4

TREE PROTECTION FENCE. REFER TO DETAIL C ON SHEET L-150

PROPOSED BUILDING  
(REFER TO ARCHITECTURAL DRAWINGS)

SIGHT VISIBILITY TRIANGLE (TYP)  
REFER TO CIVIL DRAWINGS

SE 10TH STREET

TREE #15  
TREE #16  
TREE #17  
TREE #18  
TREE #20  
TREE #21  
TREE #22  
TREE #23  
TREE #24  
TREE #29  
TREE #30

BRICKELL AVENUE (US-1)

TREE DISPOSITION GRAPHIC LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	TREE TO BE REMOVED		PALM TO BE REMOVED
	APPROXIMATE LIMITS OF CRITICAL ROOT ZONE PER ARBORIST REPORT		TREE NOT ON SURVEY PER ARBORIST REPORT
	EXISTING TREE NOT IN SCOPE		TREE PROTECTION FENCE

1. INFORMATION UTILIZED IN PREPARATION OF THE TREE DISPOSITION PLAN AND LIST IS ASCERTAINED FROM AND RELIANT UPON SURVEY PREPARED BY GONGOL-GONGOL & ASSOCIATES, INC. DATED 01/04/2022 AND ARBORIST REPORT PREPARED BY MICHAEL MCGUI, ISA, DATED 01/04/2022.
2. REFER TO SHEET L-200 FOR LANDSCAPE PLANS, PLANTING SCHEDULE AND MITIGATION REPLACEMENT TREES.
3. ALL EXISTING TREE RESOURCES OUTSIDE SCOPE OF WORK AREA SHALL REMAIN AND BE PROTECTED.
4. OFFSITE TREES BY PROXIMITY TO THE NORTH PROPERTY LINE HAVE CANOPIES AND CRITICAL ROOT ZONES THAT EXTEND INTO THE PROJECT LIMITS OF WORK AND WILL BE IMPACTED BY PROPOSED DEVELOPMENT. TREE VALUES MAY OCCUR. REFER TO ARBORIST REPORT.

TREE DISPOSITION LIST

Survey #/TREE #	BOTANICAL NAME	COMMON NAME	DBH (in)	Height(ft)	Canopy (ft)	Condition	CRZ Radius (ft)	Disposition	NOTES	MITIGATION (TYP)
1	Baccharis floribunda	Black Olive	20	32	30	Fair	13	REMAIN (RTS)		
2	Baccharis floribunda	Black Olive	18	35	25	Good	11	REMAIN (RTS)		
3	Baccharis floribunda	Black Olive	13	25	22	Poor	15	REMAIN (RTS)	Grow denser	
4	Baccharis floribunda	Black Olive	10	20	20	Fair	10	REMAIN (RTS)		
5	Baccharis floribunda	Black Olive	10	20	23	Fair	10	REMAIN (RTS)		
6	Baccharis floribunda	Black Olive	21	37	25	Fair	14	REMAIN (RTS)	Demarc	
7	Baccharis floribunda	Black Olive	8	26	32	Good	12	REMAIN (RTS)		
8	Baccharis floribunda	Black Olive	8	30	29	Good	10	REMAIN (RTS)		
9	Baccharis floribunda	Black Olive	10	22	18	Fair	10	REMAIN (RTS)		
10	Baccharis floribunda	Black Olive	10	22	18	Fair	11	REMAIN (RTS)		
11	Baccharis floribunda	Black Olive	16	27	18	Fair	11	REMAIN (RTS)		
12	Baccharis floribunda	Black Olive	17	29	32	Fair	13	REMAIN (RTS)		
13	Conocarpus americanus	Sea Grape Tree	24	48	38	Fair	18	REMOVE	Monument	1000 ft
14	Conocarpus americanus	Sea Grape Tree	26	58	30	Fair	20	REMOVE	Multi-stem	1413 ft
15	Quercus virginiana	Eastern Live Oak	27	35	45	Fair	14	REMAIN (RTS)		
16	Quercus virginiana	Eastern Live Oak	10	25	18	Fair	10	REMAIN (RTS)		
17	Quercus virginiana	Eastern Live Oak	15	18	32	Fair	10	REMAIN (RTS)		
18	Quercus virginiana	Eastern Live Oak	15	25	32	Fair	10	REMAIN (RTS)		
19	Quercus virginiana	Eastern Live Oak	19	29	42	Fair	13	REMAIN (RTS)		
20	Quercus virginiana	Eastern Live Oak	13	29	32	Fair	10	REMAIN (RTS)		
21	Quercus virginiana	Eastern Live Oak	17	25	42	Fair	18	REMAIN (RTS)		
22	Quercus virginiana	Eastern Live Oak	16	24	30	Fair	10	REMAIN (RTS)		
23	Quercus virginiana	Eastern Live Oak	15	20	18	Fair	10	REMAIN (RTS)		
24	Baccharis floribunda	Black Olive	25	39	30	Good	17	REMOVE		207
25	Styranthe ramosa	Queen Palm	8	14	15	Fair	15	REMOVE	Tree Guard by Arborist	307
26	Styranthe ramosa	Queen Palm	8	16	8	Poor	15	REMOVE		323
27	Styranthe ramosa	Queen Palm	7	16	8	Poor	15	REMOVE		323
28	Styranthe ramosa	Queen Palm	9	20	20	Poor	15	REMOVE	Multi-stem	314 ft
29	Chloris rosea	Flame Grass	14	17	18	Good	10	REMOVE	Groundcover	107
30	Sabal palmetto	Sabal Palm	18	32	18	Good	15	REMOVE	Groundcover	254 ft
31	Clusia alata	Flamingo Tree	12	24	18	Fair	10	REMOVE		174 ft

\*Tree not listed by Arborist, tree location and specifications per survey dated 01/04/2022  
R15, + 148 ft Edge

Total canopy removed = 7896.18

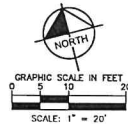
TREE REPLACEMENT CALCULATIONS

Line no.	Replacement category	Canopy (sq ft)	Quantity (x)	Canopy provided (sq ft)
1	SHADE 1	500	4	2,000.0
	REPLACEMENT TREES AT 12 FT MIN 2" DBH MIN			
2	SHADE 2	300	5	
	REPLACEMENT TREES AT 8 FT MIN 2" DBH MIN			
TOTAL TREE REPLACEMENT CANOPY PROVIDED =				2,000.0

TOTAL CANOPY TO BE PROVIDED WITH A TREE TRUST FUND CONTRIBUTION 5,996.97.

LEGEND:

- RIGHT-OF-WAY LINE
- CENTER LINE OF ROADWAY
- MONUMENT LINE



**Sunshine811**  
Call 811 or visit sunshine811.com two full business days before digging to have buried facilities located and marked. Check positive response codes before you dig!

888  
BRICKELL

JDS  
DEVELOPMENT  
GROUP

STUDIO  
SOFIELD

odp  
ARCHITECTURE AND DESIGN

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	07/25/2023	MM
2	ISSUED FOR PERMITS	07/25/2023	MM
3	ISSUED FOR PERMITS	07/25/2023	MM
4	ISSUED FOR PERMITS	07/25/2023	MM
5	ISSUED FOR PERMITS	07/25/2023	MM
6	ISSUED FOR PERMITS	07/25/2023	MM
7	ISSUED FOR PERMITS	07/25/2023	MM
8	ISSUED FOR PERMITS	07/25/2023	MM
9	ISSUED FOR PERMITS	07/25/2023	MM
10	ISSUED FOR PERMITS	07/25/2023	MM
11	ISSUED FOR PERMITS	07/25/2023	MM
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14	ISSUED FOR PERMITS	07/25/2023	MM
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27	ISSUED FOR PERMITS	07/25/2023	MM
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49	ISSUED FOR PERMITS	07/25/2023	MM
50	ISSUED FOR PERMITS	07/25/2023	MM

888 BRICKELL  
888 BRICKELL AVENUE  
MIAMI, FL 33131



DATE: 07/25/2023  
100% SD SUBMISSION  
01/22/2023 DOCUMENT REVISIONS  
2023-05-08 100% SD SUBMISSION  
2022-12-08 100% SD ADDENDUM  
SUBMISSION

NOT FOR CONSTRUCTION

TREE DISPOSITION PLAN

DATE: 12/08/2022  
PROJECT: 143526000  
DRAWN BY: CF  
CHECKED BY: MM  
DATE: 07/25/2023  
SCALE: 1/8" = 1'-0"



RECEIVED

MIAMI-DADE COUNTY  
PROCESS NO: Z22-241  
DATE: OCT 11 2022  
BY: GONGOL

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: 888 Brickell Owner LLC

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
See Exhibit B	

Date of contract: \_\_\_\_\_

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

\_\_\_\_\_

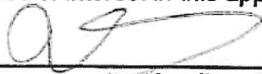
\_\_\_\_\_

\_\_\_\_\_


\_\_\_\_\_

**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:   
(Applicant)

Sworn to and subscribed before me this 8<sup>th</sup> day of March, 2022. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Public)

WILLIAM SAMUEL CHOURAQUI  
Notary Public, State of New York  
No. 01CH6327153  
Qualified in New York County  
Commission Expires June 9, 2023

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: Z22-241  
DATE: OCT 11 2022  
BY: GONGOL

**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: ALPHATUR NV%LA PRIMERA

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>The 100% percent of the capital is owned by the following individuals in more than five percent each</u>	
<u>Mashud Mezerhane B, 888 Brickell Av, Suite 400, Miami, FL 33131</u>	<u></u>
<u>Nelson R. Mezerhane B, 888 Brickell Av, Suite 400, Miami, FL 33131</u>	<u></u>
<u>Maria Alejandra Mezerhane B, 888 Brickel Av, Suite 400, Miami, FL 33131</u>	<u></u>
<u>Maria Andrea Mezerhane B, 888 Brickell Av, Suite 400, Miami, FL 33131</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></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>
<u></u>	<u></u>
<u></u>	<u></u>
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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>
<u></u>	<u></u>
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MIAMI-DADE COUNTY  
PROCESS NO. 22-241  
DATE OCT 11, 2022  
BY GONGOL

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
<del>_____</del>	_____
<del>_____</del>	_____
<del>_____</del>	_____
<del>_____</del>	_____
<del>_____</del>	_____
<del>_____</del>	_____

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:  MASHUD MERERTHANE  
(Applicant)

Sworn to and subscribed before me this 9th day of March, 2022. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

  
(Notary Public)

My commission expires May 3, 2023



\*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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PROCESS NO: Z22-241  
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BY: GONGOL

Exhibit B

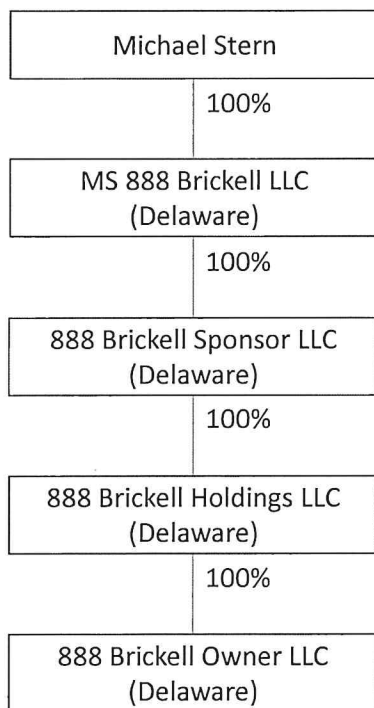


Exhibit – Disclosure of Interest  
for  
**888 Brickell Owner LLC**

*Contract Purchaser*

**This instrument was prepared by:**

Melissa Tapanes Llahues, Esq.  
Bercow Radell Fernandez Larkin Tapanes, PLLC  
200 S. Biscayne Boulevard, Suite 300  
Miami, Florida 33131

(Space reserved for Clerk)

**DECLARATION OF RESTRICTIONS**

**WHEREAS**, 888 Brickell Owner LLC, a Delaware limited liability company (the "Owner"), holds the fee simple title to that certain parcel of land in the City of Miami that is under the building and zoning jurisdiction of Miami-Dade County (the "County"), which is legally described in Exhibit "A," attached hereto, and hereinafter called the "Property"; and

**WHEREAS**, the Owner has filed an application with the County's Department of Regulatory and Economic Resources, which application is currently pending under Public Hearing Application No. Z2022000241 (the "Application"), for the purpose of seeking a Special Exception in order to facilitate the future development of the Property; and

**WHEREAS**, the Property is located within the Metromover Subzone of the Rapid Transit Zone and pursuant to Miami-Dade County Code Section 33C-15(D)(3), approval of such Application may be conditioned on the provision of public benefits the Board of County Commissioners deems appropriate to address the impacts of the new development on rapid transit infrastructure and on other properties or public facilities or infrastructure surrounding the proposed development area; and

**WHEREAS**, in support of this evaluation, Applicant has proffered certain public benefits in connection with the Application;

**WHEREAS**, the public benefits set forth herein address development impacts beyond minimum concurrency requirements pursuant to Chapter 33G, and the minimum subdivision requirements pursuant to Chapter 28, of the Miami-Dade County Code.

**NOW, THEREFORE, IN ORDER TO ASSURE** the County that the representations made by the owner during consideration of the Application will be abided by, the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions (the Declaration") covering and running with the Property:

1. **Transit Station Contribution.** Prior to issuance of the building permit for development of the Property in accordance with the Application, Owner shall provide the County a one-time payment of four hundred fifty thousand dollars (\$450,000) for repairs and upgrades to the Tenth Street Metromover Station and vicinity, including mechanical systems, restrooms, painting, signage, accessibility features, streetscape improvements, and/or wayfinding support ("Transit Station Contribution"). The Transit Station Contribution shall be made

in addition to any permitting and/or impact fees due to the County in relation to the application or the development of the Property. In the event, however, that the Director determines in writing that any or all of the Transit Station Contribution would be duplicative of impact fees, the Owner may be entitled to an offset to the Transit Station Contribution commensurate with the value of duplicative impact fees paid.

### **Miscellaneous**

- A. **County Inspection.** As further part of this Declaration, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.
- B. **Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.
- C. **Term.** This Declaration is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Declaration is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Declaration has first been modified or released by Miami-Dade County.
- D. **Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, or the Director as provided by the Miami-Dade County Code of Ordinances. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any

modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

- E. **Enforcement.** Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.
  
- F. **Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.
  
- G. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
  
- H. **Presumption of Compliance.** Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Declaration.
  
- I. **Severability.** Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion
  
- J. **Recording.** This Declaration shall be filed of record in the public records of Miami-Dade County, Florida at the cost of the Owner following the approval of the Application. This Declaration shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the application, in its entirety, then this Declaration shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Regulatory and Economic Resources Department or the executive officer of the successor of said department, or in the absence of such director or executive officer by his/her assistant in charge of the

office in his/her absence, shall forthwith execute a written instrument, in recordable form, acknowledging that this Declaration is null and void and of no further effect.

- K. **Acceptance of Declaration.** Acceptance of this Declaration does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.
- L. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Pages Follow]

**IN WITNESS WHEREOF**, the undersigned has executed this Declaration of Restrictions as of this \_\_\_\_ day of \_\_\_\_\_, 2023.

**888 Brickell Owner, LLC**  
a Delaware limited liability company

By: \_\_\_\_\_  
Michael Stern  
Manager

WITNESS:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

STATE OF \_\_\_\_\_ )  
) ) SS  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of \_\_\_\_ physical presence OR \_\_\_\_ online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_.

Personally Known \_\_\_\_ or Produced Identification \_\_\_\_\_.

Type of Identification Produced \_\_\_\_\_

\_\_\_\_\_  
Print or Stamp Name: \_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Commission No.: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Exhibit A**

**LEGAL DESCRIPTION**

*LOTS 12 AND 13, BLOCK 101 SOUTH, AMENDED MAP OF BRICKELL'S ADDITION TO MIAMI, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK B AT PAGE 113, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.*