

**APRIL 2004**  
**APPLICATIONS TO AMEND THE**  
**COMPREHENSIVE DEVELOPMENT**  
**MASTER PLAN**

FOR MIAMI-DADE COUNTY, FLORIDA



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**Board of County Commissioners**

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*Executive Secretary*

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**APRIL 2004  
APPLICATIONS TO AMEND  
THE COMPREHENSIVE DEVELOPMENT  
MASTER PLAN**

**June 5, 2004**

**Miami-Dade County  
Department of Planning and Zoning  
111 NW First Street  
Suite 1210  
Miami, Florida 33128-1972  
Telephone: (305) 375-2835**

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### Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and tentative schedule as required by Section 2-116.1, Code of Miami-Dade County (See Table 1). After all privately filed applications were finalized, the Department of Planning and Zoning published this Applications Report on June 5, 2004 listing all applications filed.

The Department of Planning and Zoning (DPZ) will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than August 25, 2004. Community Councils, which have been elected into districts throughout unincorporated Miami-Dade County, at their option may make recommendations to the PAB and Board of County Commissioners on local planning matters, including proposals to amend the CDMP. Each Community Council, in which a proposed amendment to the Land Use Plan map is located, will have the opportunity to hold a public hearing in September 2004 to discuss the application(s) and to formulate recommendation(s) regarding the request(s). The PAB, acting as Miami-Dade County's Local Planning Agency (LPA) pursuant to Chapter 163, Part 2, Florida Statutes, will hold a public hearing scheduled for October, 2004, to receive comments on the proposed amendments and on the initial staff recommendations, and to formulate its recommendations to the Board of County Commissioners regarding adoption of requested "small-scale" amendments and regarding transmittal to the Florida Department of Community Affairs (DCA) for review and comment of all requested standard amendments for initial review and comments by State agencies. The Board of County Commissioners is scheduled to hold a public hearing in November 2004, to consider taking final action on requested "small-scale" amendments, and to consider transmittal of the requested standard amendments to DCA, as well as any of the requested "small-scale" amendments that the commission elects to process through the regular procedure. Adopted small-scale amendments will become effective 31 days after adoption unless there is a citizen challenge.

Transmittal of "standard" (non-small-scale) amendment proposals to DCA for review and comment does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications begins after transmittal of the applications to the DCA and associated State agencies. Also, the board of County Commissioners may opt to neither adopt or deny a requested small-scale amendment at its first public hearing but may, instead, decide to transmit to DCA for State-agency review and comment as a "standard" amendment request.

With transmittal to DCA expected to occur on or around November 2004, DCA will return comments or an Objections, Recommendations and Comments (ORC) report in early February 2005 addressing all transmitted applications. The PAB acting as the Local Planning Agency would then conduct its final public hearing during February or March 2005, and the Board of County Commissioners would conduct a public hearing and take final action in April 2005. During the DCA review period, the Department of Planning and Zoning will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

## Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1210; Miami, Florida 33128-1972; telephone (305) 375-2835.

## OVERVIEW OF APRIL 2004 AMENDMENT APPLICATIONS

A total of 15 applications were filed during this amendment cycle, of which 12 were filed by private parties requesting changes to the CDMP Land Use Plan map (approximately 430 acres), and 3 were filed by the Department of Planning and Zoning (DP&Z).

All 12 privately filed applications are seeking changes to the CDMP Land Use Plan (LUP) map. Eight of the private Applications (Nos. 1, 4-7 and 11-13) have requested to be processed in the expedited small-scale amendment process, whereby requesting the redesignation of approximately 39 acres of changes to the Land Use Plan (LUP) map. The other four privately filed requests are standard amendment Applications (Nos. 3, 8, 9 and 10), and are also seeking to redesignate parcels of land (totaling approximately 391 acres) on the CDMP LUP map.

The Department of Planning and Zoning (DP&Z) filed three applications, (Nos. 2, 14 and 15). Application No. 2 has been filed at the request of the Board of County Commissioners on May 5, 2004, and seeks to redesignate a 260-acre parcel. Application No. 14 proposes to revise three policies in the Coastal Management Element. Application No. 15 updates the Schedule of Improvements in the Capital Improvements Element (CIE). The Applications Report does not contain the tables to be amended due to the difference in scheduling of the CDMP amendment process and the preparation of the annual County budget. These CIE tables will be formulated during the budget preparation process and will be published in the "April 2004 Initial Recommendations Report" to be issued on August 25, 2004.

Table 2  
 LIST OF APRIL 2004 APPLICATIONS REQUESTING AMENDMENTS TO THE  
 COMPREHENSIVE DEVELOPMENT MASTER PLAN

Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
1	Aventura Village, LLC / Jeffrey Bercow, Esq. and Michael W. Larkin, Esq. North side of NE 179 Street, between Oleta River and West Dixie Highway FROM: LOW-MEDIUM DENSITY RESIDENTIAL TO: MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/Ac.) Small-Scale Amendment	1.4
2	Miami-Dade County Department of Planning and Zoning / Diane O'Quinn Williams, Director Between I-75 and NW 97 Avenue from NW 170 Street to HEFT FROM: ESTATE DENSITY RESIDENTIAL (1 to 2.5 DU/Ac.) and one Density Increase with urban design TO: INDUSTRIAL AND OFFICE Standard Amendment	260.15
3	Carolyn Sakolsky / Stanley B. Price, Esq. and Brian S. Adler, Esq. East Fontainebleau Golf Course bounded on the East by NW 87 Avenue, on the North by the Dolphin Expressway (SR 836), on the West by NW 97 Avenue and on the South by West Flagler Street. FROM: PARKS AND RECREATION and MEDIUM DENSITY RESIDENTIAL TO: MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/Ac.) Standard Amendment	152.28
4	Nationwide Theatres West Flagler, LLC / Ben Fernandez, Esq. and Graham Penn, Esq. Southwest corner of SW 87th Avenue and West Flagler Street FROM: OFFICE/RESIDENTIAL TO: BUSINESS AND OFFICE Small-Scale Amendment	8.71

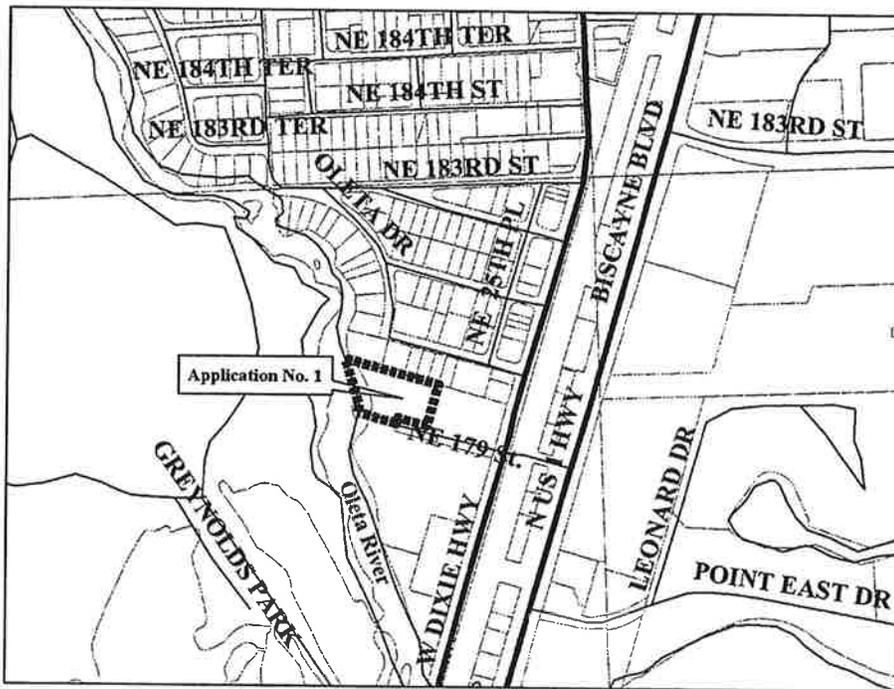
Application Number	Applicant / Representative Location REQUESTED CHANGE(S)	Acres
10	University of Miami/ Clifford A. Schulman, Esq. Located on the south side of SW 152 Street (Coral Reef Drive) and immediately west of SW 124 Avenue *****	143.5 128.54
	Parcel 1 FROM: INSTITUTIONAL AND PUBLIC FACILITY TO: OFFICE / RESIDENTIAL *****	62.81
	Parcel 2 FROM: INSTITUTIONAL AND PUBLIC FACILITY TO: LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/Ac.)	80.71
	Standard Amendment	
11	Silver Group 137 Inc/ Juan J. Mayol, Jr., Esq. and Richard A. Perez, Esq. Southwest corner of SW 137 Avenue and theoretical SW 164 Street FROM: INDUSTRIAL AND OFFICE TO: BUSINESS AND OFFICE Standard Amendment	+4.93
12	Gadinsky Development Co., Inc./ Jeffrey Bercow, Esq. and Melissa Tapanes Llahues, Esq. Northeast corner of SW 200 Street and SW 127 Avenue FROM: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/Ac.) TO: BUSINESS AND OFFICE Small-Scale Amendment	2.01
13	Numero Uno Properties, Inc./ Felix M. Lasarte, Esq. and Juan J. Mayol, Jr., Esq. North side of SW 288 Street and 660' East of SW 137 Avenue FROM: LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/Ac.) TO: BUSINESS AND OFFICE Small-Scale Amendment	2.05 (1.69 net acres)
14	Miami-Dade County Department of Planning and Zoning / Diane O'Quinn Williams, Director COASTAL MANAGEMENT ELEMENT Revises Policies 4E, 4F and 4G for Manatee Protection. Standard Amendment	

**APPLICATION NO. 1  
SMALL-SCALE AMENDMENT APPLICATION**

<b><u>Applicant</u></b>	<b><u>Applicant's Representative</u></b>
Aventura Village, LLC 230 Palermo Avenue Coral Gables, Florida 33134	Jeffrey Bercow, Esq. Michael W. Larkin, Esq. Bercow & Radell, P.A. 200 South Biscayne Blvd., Suite 850 Miami, Florida 33131 (305) 374-5300

**Requested Amendment to the Land Use Plan Map**

**From:** LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/AC.)  
**To:** MEDIUM DENSITY RESIDENTIAL  
**Location:** North side of NE 179 Street, between Oleta River and West Dixie Highway  
**Acreage:** Application area: 1.4 Acres  
 Acreage Owned by Applicant: 2.6 Acres.



Note: This summary page is not part of the actual application that follows.

### C. Acreage

Application area: 1.4 net acres. The application area consists of the western one-half of Lot 2, Lot 3, and the dry portion of Lot 4. See Legal Description Attached as Exhibit A. A survey is attached depicting the lots within the property.

Acreage owned by Applicant: 2.6 net acres.

### D. Requested Changes

- 1) It is requested that the application area be redesignated on the Land Use Plan Map from Low-Medium Density to Medium Density.
- 2) It is requested that this application be processed as a small-scale amendment under the expedited procedures.

## 4. REASONS FOR AMENDMENT

The property is a rectangular parcel consisting of four lots located on the north side of N.E. 179<sup>th</sup> Street in Section 9, Township 52, Range 42, in unincorporated Miami-Dade County, Florida ("Property"). The Property fronts upon West Dixie Highway. The rear of the Property is immediately adjacent to the Oleta River. Currently, Lot 1 and the eastern one-half of Lot 2 are designated as Business and Office. The western one-half of Lot 2 and Lots 3 and 4 are designated as Low-Medium Density Residential. The portion of the Property that fronts upon West Dixie Highway is zoned special business (BU-2). The remainder of the Property is zoned RU-3M.

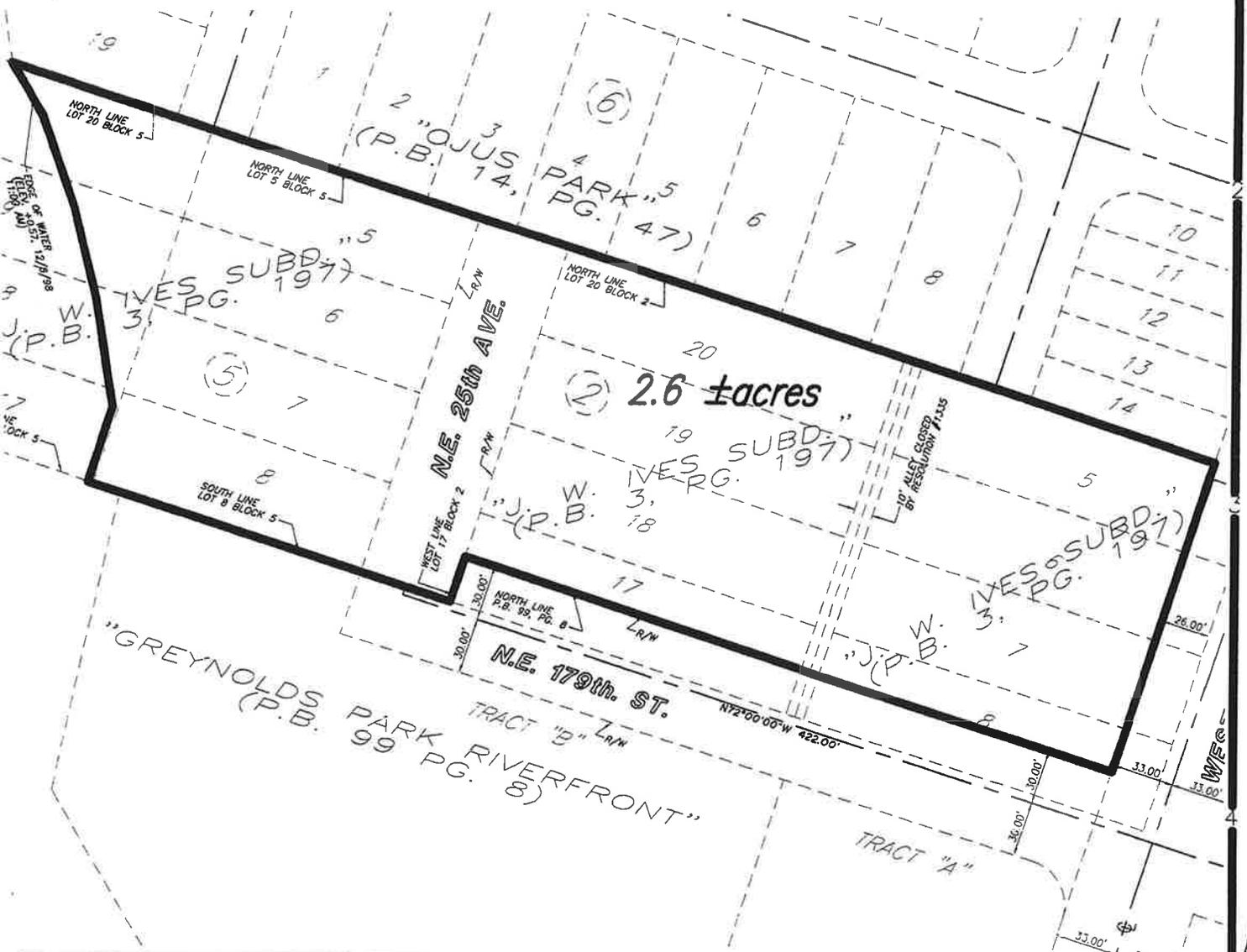
The Greynolds Park Condominium complex is located on the south side of N.E. 179<sup>th</sup> Street immediately south of the Property. There are duplexes and single-family homes located to the north of the Property. The Oleta River, as previously mentioned, forms the western boundary of the Property, and West Dixie Highway forms the eastern boundary of the Property. The FEC Railroad corridor is located to the east of West Dixie Highway.

The applicant proposes to redesignate the western one-half of Lot 2, Lot 3, and Lot 4 of the Property from Low-Medium Density Residential to Medium Density Residential ("Application Area"). The applicant proposes to construct a multi-family development at this location. The construction of a residential development at this location would be consistent with the policy set forth in the Land Use Element regarding redevelopment of vacant or substandard properties within the Urban Infill Area.

Specifically, Policy 1C within the Land Use Element states that the County shall give priority to infill development on vacant sites in currently urbanized areas. Clearly, the Property is vacant and in a heavily urbanized area within northeastern Miami-Dade County situated on the periphery of the burgeoning City of Aventura. This vacant underdeveloped Property is located within MSA 2.1 within the North Miami-Dade Planning Tier. Based upon the dwindling supply of residential units within the North Miami-Dade Planning Tier, it is increasingly important that vacant sites, which have been overlooked in the past, be redeveloped to add residential capacity. The data within Table 2-4 set forth in the Initial Recommendations for the October 2003 Comprehensive Development Master Plan



# SKETCH OVERALL ACREAGE



PROJ. NO: 2000 12C    DATE: 05-14-2004    DRAWN: AJ    CHECKED: AS, JH    SCALE: NTS



## LUDOVICI & ORANGE

### CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FL 33134 • 305/448-1600 • LB 1012

## AVENTURA VILLAGE

SHEET 1 OF 2 SHEETS

**4. DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

- a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

- b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (S), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

**CORPORATION NAME:** Aventura Village, LLC

NAME, ADDRESS, AND OFFICE (if applicable)

PERCENT AGE OF STOCK

See Exhibit B

- c. If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [ Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

**TRUSTEES  
NAME:** \_\_\_\_\_

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (S) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

**PARTNERSHIP NAME:** N/A

# LEGAL AND SKETCH

## LEGEND:

POB	Point of Beginning	PG.	Page	R/W	Right-of-Way
P.B.	Plat Book	SF	Square Feet		

## SURVEYOR'S NOTES:

1. Bearings are based on the South line of Lot 8 Block 5 (N72°01'33"W) as per Tentative Plat "OLETA RIVERFRONT SUBDIVISION" prepared by MANUCY & ASSOCIATES (305-821-1281) order number: 47814.
2. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
3. This sketch does not represent a land survey

## SURVEYOR'S CERTIFICATE:

The West 1/2 of Lot 2, all of Lot 3, and the portion of Lot 4 above the water table, as shown on the above referenced Tentative Plat "OLETA RIVERFRONT SUBDIVISION" prepared by MANUCY & ASSOCIATES.

## Also Known As:

A portion of Lots 17 through 20 of Block 2, and Lots 5 through 8 of Block 5, and a portion of Lots 17 through 20 of Block 5, together with that portion of N.E. 25th AVE. lying between said Blocks of "J.W. IVES SUBD.", according to the Plat thereof as recorded in Plat Book 3 Page 197 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

BEGIN at the SW corner of said Lot 17 Block 2; thence N72°01'33"W, as a basis of bearing, along the South line of said Lot 8 and Lot 17 of Block 5 for a distance of 202.79 feet to its intersection with the water's edge line, as shown on MANUCY & ASSOCIATES survey (at elevation +0.57 on 12/08/98 at 11:00 AM); thence the following five (5) courses along said line; N17°49'34"E for a distance of 41.41 feet; thence N09°04'53"W for a distance of 60.10 feet; thence N13°34'02"W for a distance of 49.51 feet; thence N19°25'43"W for a distance of 52.58 feet; thence N30°50'21"W for a distance of 32.47 feet to a point of intersection with the North line of said Lot 20, Block 5; thence S71°59'40"E along said line, and along the North line of said Lot 5, Block 5, and also along the North line of said Lot 20, Block 2 for a distance of 385.10 feet; thence S18°00'00"W for a distance of 174.67 feet to a point of intersection with the North line of "GREYNOLDS PARK RIVERFRONT", according to the Plat thereof as recorded in Plat Book 99 Page 8 of the Public Records of Miami-Dade County, Florida; thence N72°00'00"W along said line for a distance of 72.50 feet to a point of intersection with the West line of said Lot 17, Block 2; thence S18°00'00"W along said line for a distance of 25.43 feet to the POINT OF BEGINNING.

## SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY: that the LEGAL AND SKETCH of the property described hereon was made under my supervision and that the LEGAL AND SKETCH meets the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter 61G17-6. Florida Administrative Code pursuant to Section 472.027, Florida Statutes. And, that the sketch hereon is true and correct to the best of my knowledge and belief. Subject to notes and notations shown hereon. This sketch does not represent a land survey.

LUDOVICI AND ORANGE CONSULTING ENGINEERS INC. L.B. #1012

By: \_\_\_\_\_

Arturo A. Sosa  
Surveyor and Mapper 2629  
State of Florida



PROJ. NO: 2000 12C

DATE: 05-14-2004

DRAWN: AJ

CHECKED: AS, JH

SCALE: AS NOTED



**LUDOVICI & ORANGE**  
CONSULTING ENGINEERS, INC.

329 PALERMO AVENUE, CORAL GABLES, FLORIDA 33134 • 305/448-1600 • LB 1012

**AVENTURA  
VILLAGE**

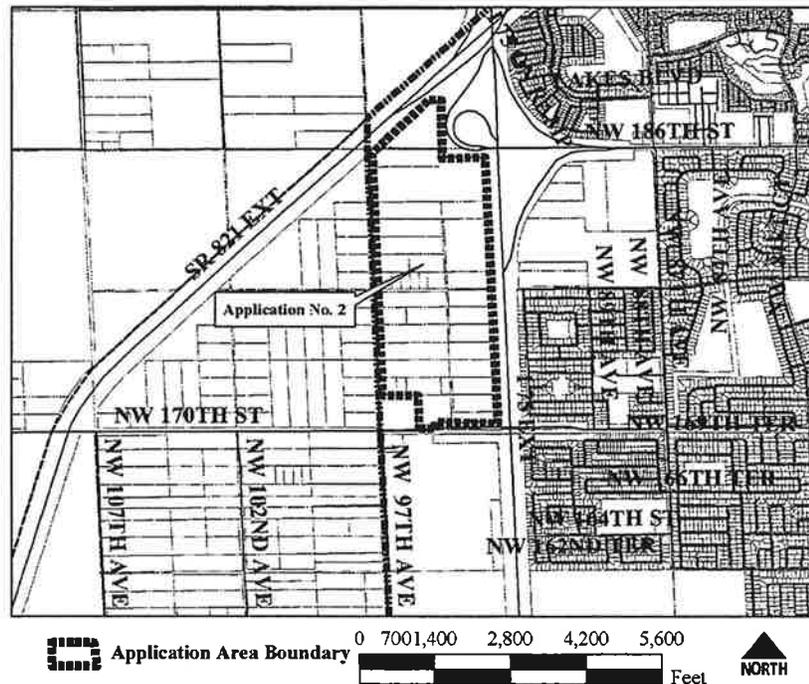
SHEET 1 OF 2 SHEETS

**APPLICATION NO. 2  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Miami-Dade County Department of Planning and Zoning 111 NW 1 Street, Suite 1110 Miami, Florida 33128-1972 (305) 375-2835	Diane O'Quinn Williams, Director Miami-Dade County Department of Planning and Zoning 111 NW 1 Street, Suite 1110 Miami, Florida 33128-1972

**Requested Amendment to the Land Use Plan Map**

**From:** ESTATE DENSITY RESIDENTIAL (1 to 2.5 DU/Ac.) and one Density Increase, with urban design  
**To:** INDUSTRIAL AND OFFICE  
**Location:** Between I-75 and NW 97 Avenue From NW 170 Street to HEFT  
**Acreeage:** Application area: 260.15 Acres.  
 Acreeage Owned by Applicant: 0.0 Acres.



Note: This summary page is not part of the actual application that follows.

#### 4. REASON FOR CHANGE

On May 5, 2004, the Department of Planning and Zoning was directed by the Board of County Commissioners to file an application to redesignate the land use in the area bounded by I-75 to the east, NW 97 Avenue to the west, NW 170 Street to the south and the Florida Turnpike to the north. The application calls for approximately 260 acres to be redesignated from Estate Density with a DI-1 to "Industrial and Office" on the Land Use Map of the CDMP. The area surrounding the requested application site contains residential uses to the east, industrial uses to the south, and industrial and rockmining uses to the north and west.

A memorandum prepared by Commissioner Jose "Pepe" Diaz dated May 4, 2004, cited resident's concerns that the application area is currently experiencing a severe strain on infrastructure, which suggests that services for further residential development in this area cannot be properly supported. The community's roads are over capacity and schools are at an average of 150% of capacity. The current land use designation, "Estate Density Residential allowing a one density increase with urban design" would permit this area to build-out at 6 units per gross acre which would further strain these services.

This area was redesignated from "Industrial and Office" use to its current designation in 1996 to increase the residential supply of land in the area. At that time it was believed that supporting services were adequate for the increase in density. However, at a Town Meeting held in the area on April 7, 2004, residents, community leaders, industrial users and rockmining interests expressed nearly unanimous support of redesignating the land use in this area. A redesignation of the land use to "Industrial and Office" will provide a buffer between the existing residential uses to the east and potentially incompatible industrial and rockmining land uses to the west north and south. The area west of the Turnpike Extension is part of the "Lake Belt", an area designated for rockmining.

Approval of the requested Amendment could further implement the following policies of the Comprehensive Development Master Plan (CDMP):

**LAND USE POLICY 4A:** 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.

**LAND USE POLICY 4B:** Uses designated on the LUP map and interpretive text, which generate or cause to generate significant noise, dust, odor, vibration or truck or rail traffic shall be protected from damaging encroachment by future approval of new incompatible uses such as residential uses.

**LAND USE POLICY 4C:** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health safety, tranquility, character, and overall



## MEMORANDUM

**TO:** The Honorable Barbara Carey-Shuler, Chairperson  
Members, Miami-Dade Board of County Commissioners

**CC:** George Burgess, County Manager

**FROM:** Commissioner José "Pepe" Diaz

**DATE:** May 4, 2004

**RE:** Town Hall Meeting and Re-designation of Study Area from  
Residential uses to business and office uses

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Unfortunately, I will not be able to attend the CDMP meeting on May 5, 2004. However, by way of this memorandum, I wish to express my continued strong support of the joint planning process between my office, county staff, and Commissioner Seijas' office leading to our request for re-designation of the Study Area described below from Residential to Business and Office uses.

### STUDY AREA

The Study Area within my district is comprised of land in the Northwest part of Miami-Dade County which is inside the Urban Development Boundary. This land is bounded by I-75 to the East, 97<sup>th</sup> Ave to the West, 170<sup>th</sup> Street to the South and the Florida Turnpike to the North. The land is currently designated in the Master Plan for low density residential uses.

The surrounding area consists of residential uses to the East, across from I-75, industrial uses to the South, and industrial and rock mining uses to the West and North.

### BACKGROUND

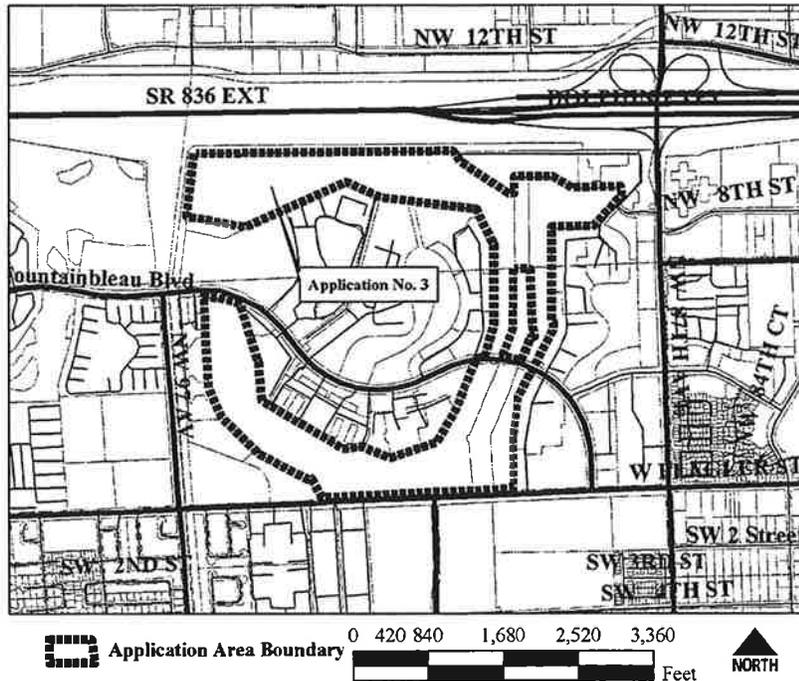
Since I was elected to office, I have been hearing concerns from residents to the East of the subject property regarding the strain on infrastructure that cannot support further residential uses in that area. The community's roads are over capacity, and schools are at an average of 150% of capacity in that area. Similarly, business, commercial and industrial uses on the South, West, and North sides of the Study Area have expressed concerns about the incompatibility of proposed residential uses in the Study Area with the existing and more intense adjacent industrial uses in the area. The study area consists

**APPLICATION NO. 3  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Carolyn Sakolsky 5233 Fisher Island Drive Miami, Florida 33109	Stanley B. Price, Esquire Brian S. Adler, Esquire Bilzin Sumberg Baena Price & Axelrod, LLC 200 South Biscayne Boulevard, Suite 2500 Miami, Florida 33131 (305) 350-2351 (305) 350-2206 Fax

**Requested Amendment to the Land Use Plan Map**

**From:** PARKS AND RECREATION and MEDIUM DENSITY RESIDENTIAL  
**To:** MEDIUM DENSITY RESIDENTIAL (13 to 25 DU/Ac.)  
**Location:** East Fontainebleau Golf Course bounded on the East by NW 87 Avenue, on the North by the Dolphin Expressway (SR 836), on the West by NW 97 Avenue and on the South by West Flagler Street.  
**Acreage:** Application area: 152.28 Acres.  
Acreage Owned by Applicant: 152.28 Acres.



Note: This summary page is not part of the actual application that follows.

APPLICATION (continued)

C. Gross Acreage

Application area: 152.28 acres

Acreage owned by applicant: 152.28 acres (under contract to purchase)

D. Requested Change

The Applicant is requesting that the Property be re-designated on the Land Use Plan Map from Parks and Recreation and Medium Density Residential to Medium Density Residential. The Applicant recognized that approximately 48.48 of the 152.28 acres is already designated as Medium Density Residential on the County's Land Use Map. See Exhibit "B".

4. REASON FOR AMENDMENT

As noted above, a similar application was filed in April 2003 to amend the CDMP designations on the Property. At the public hearing before the Miami-Dade County Board of County Commissioners ("County Commission"), the County Commission denied transmittal of the application indicating that the property owner/developer and the neighboring community should continue to work together through certain site plan, density and development issues to hopefully arrive at a proposed development acceptable to both the developer and the community.

Since the time of the denial of the transmission of the original application, the Owner, proposed developer and neighbors have actively participated in negotiations to arrive at an agreement regarding the future development of the Property. Owner, developer and neighbors are at the final stages of these negotiations and anticipate having a signed agreement within the next week or two.

The Applicant believes that the proposed agreement being negotiated with the neighbors is consistent with staff's recommendation to develop approximately 1/3 of the Golf Course as residential property and to maintain approximately 2/3 of the Golf Course for recreational use.

Therefore, the majority of the remaining reasons for re-designation of the Property that follows are as outlined in the April 2003 cycle application.

The requested amendment should be granted for the following reasons:

- (A) Consistent with Surrounding Development. The Property is surrounded by land designated and developed for medium density residential. Consequently, this request is consistent with both existing development patterns and the existing uses in the area.
- (B) Operation at a Loss. Despite Applicant's efforts to profitably operate the Golf Course, the Golf Course has been operating at a loss. Attached as Exhibit "C" is

APPLICATION (continued)

- residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. . . ." (CDMP, I-3).
- (v) Land Use Objective 8: "Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan Map accommodates projected countywide growth." (CDMP, I-15).
  - (vi) Land Use Policy 8A: "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 in 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." (CDMP, I-15).
  - (vii) Land Use Policy 8F: "Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would:
    - i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County;
    - ii) Enhance or impede provision of services at or above adopted LOS Standards;
    - iii) Be compatible with the abutting and nearby land uses and protect the character of established neighborhoods; and
    - iv) Enhance or degrade environmental or historical resources, features or systems of County significance; and
    - v) If located in a planned Urban Center, or within ¼ mile of an existing or planned transit station, exclusive busway stop, transit center or standard or express bus stop served by peak period headways of 20 or fewer minutes, would be a use that promotes transit ridership and pedestrianism as indicated in the policies under Objective 7, herein." (CDMP, I-16).
  - (viii) Land Use Policy 8G: "The Urban Development Boundary (UDB) should contain developable land having capacity to sustain projected countywide

APPLICATION (continued)

- (ii) Mass Transit Sub-Element Objective 2A: "Transit system improvements shall be coordinated with, and support the staging and shaping of development as planned in the Land Use Element, through Dade County's transportation planning process." (CDMP, II-26).
- (G) Future Mass Transit Improvements: "Attached as Exhibit "D" is the future mass transit systems for 2005-2015 which reflects that mass transit will be available along Flagler between 87<sup>th</sup> Avenue and 107<sup>th</sup> Avenue and thus adjacent to the Property." (CDMP, II-31).
- (H) Recreation and Open Space Element, Policy 1B:

Fifty percent of the private recreation open space and facilities are located inside the Urban Development Boundary. Footnote number 2 on Page VI-6 of the CDMP specifically provides that this does not include building setbacks or open space required by the Dade County Zoning Code, steep slopes, canals, lakes, water courses, beaches, golf courses." (CDMP, VI-3).

All references to CDMP sections are attached hereto as Exhibit "D".

5. COMPLETED DISCLOSURE FORMS

See attached.

- Attachments:
- Exhibit "A": Legal Description of Property.
  - Exhibit "B": Staff's recommendation on to Application No. 9 of the April, 2003 CDMP Amendment Cycle.
  - Exhibit "C": Financial Analyses of the Golf Course operation.
  - Exhibit "D": Plans for Future Mass Transit Systems for 2005-2115, including Metrobus, Rapid Transit Corridors and Metromover.
  - Exhibit "E": Location Map and Aerial Photograph.
  - Exhibit "F": Survey

6. This application is being filed without Applicant's waiving of its rights to seek a refund of the filing fee if it is determined that, based on density averaging or other development criteria contained in the Code, or approval of a zoning application, the filing of this application is deemed unnecessary.

APPLICATION (continued)

**LOCATION MAP FOR APPLICATION TO AMEND  
THE COMPREHENSIVE DEVELOPMENT MASTER PLAN**

APPLICANT/REPRESENTATIVE

DESCRIPTION OF SUBJECT AREA

Folio #s	30-4004-001-0010
	30-4004-001-0020
	30-4004-001-0030
	30-4004-001-0040
	30-4004-000-0350
	30-4004-001-0070
	30-3054-000-0101

APPLICATION (continued)

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
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Applicant is the legal title owner

4. **DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

- a. **If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Carolyn A. Sakolsky, Trustee</u>	<u>100% legal ownership</u>

- b. **If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (s), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

**CORPORATION NAME:** N/A

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
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APPLICATION (continued)

Kerry Scott Sakolsky  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 21%

David William Sakolsky  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 8%

Eileen Sakolsky  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 8%

Caroline Gailbert  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 8%

Jacob M. Sakolsky  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 8%

Carolyn A. Sakolsky  
c/o Howard Lucas, CPA  
2200 Ponce de Leon Boulevard, Suite 1100  
Coral Gables, FL 33134 1%

Sakolsky Family Irrevocable Trust  
Limited Partner  
Whose Beneficiaries Are: 95%

Carolyn A. Sakolsky, Individually 20%  
5233 Fisher Island Drive  
Fisher Island, FL 33109

Kerry Scott Sakolsky, Individually 20%  
5980 S.W. 134 Street  
Miami, FL 33156

David William Sakolsky, Individually 10%  
5980 S.W. 134 Street  
Miami, FL 33156

Jacob M. Sakolsky, Individually 10%  
5980 S.W. 134 Street

APPLICATION (continued)

<u>Masoud Shojaee, President</u>	<u>20% , individually,</u>
<u>5835 Blue Lagoon Drive, 4<sup>th</sup> Floor</u>	<u>40% jointly with</u>
<u>Miami, FL 33126</u>	<u>Maria Lamas de Shojaee</u>
<u>Maria Lamas de Shojaee, Secretary</u>	<u>40% jointly with</u>
<u>5835 Blue Lagoon Drive, 4<sup>th</sup> Floor</u>	<u>Masoud Shojaee</u>
<u>Miami, FL 33126</u>	
<u>Tania Martin, Vice President</u>	
<u>5835 Blue Lagoon Drive, 4<sup>th</sup> Floor</u>	
<u>Miami, FL 33126</u>	
<u>Alejandra Lamas</u>	<u>20%</u>
<u>5835 Blue Lagoon Drive, 4<sup>th</sup> Floor</u>	
<u>Miami, FL 33126</u>	
<u>Jose Lamas</u>	<u>20%</u>
<u>5835 Blue Lagoon Drive, 4<sup>th</sup> Floor</u>	
<u>Miami, FL 33126</u>	

Date of Contract: September 13, 2003

**If any contingency clause or contract terms involve additional parties, list all individuals or officer if a corporation, partnership, or trust.**

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**5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.**

**a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
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APPLICATION (continued)

- c. If the owner is a **PARTNERSHIP** or **LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**PARTNERSHIP NAME:** \_\_\_\_\_

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>

- d. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. (Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>

Date of Contract: \_\_\_\_\_

EXHIBIT "A"

LEGAL DESCRIPTION

TRACTS 1, 2, 3, 4, & 7 OF FONTAINEBLEAU PARK SUBDIVISION SECTION ONE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 90 PAGE 56 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

A PORTION OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 4, TOWNSHIP 54 SOUTH, RANGE 40 EAST; THENCE RUN N89°58'50"E, ALONG THE NORTH LINE OF SAID SECTION 4 (ALSO BEING THE SOUTH LINE OF GOVERNMENT LOT 1) FOR A DISTANCE OF 95.08 FEET TO THE POINT OF BEGINNING OF PARCEL OF LAND HEREINAFTER TO BE DESCRIBED; THENCE CONTINUE N89°58'50"E ALONG LAST DESCRIBED COURSE FOR A DISTANCE OF 35.56 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF TRACT "F" BLUE FONTAINE TRACT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 140, AT PAGE 76, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S08°57'20"E ALONG SAID WEST LINE OF TRACT F FOR A DISTANCE OF 7.93 FEET TO A POINT; THENCE RUN S02°06'50"E, ALONG SAID WEST LINE OF TRACT F FOR A DISTANCE OF 58.87 FEET TO THE SOUTHWEST CORNER OF SAID TRACT F (SAID POINT ALSO BEING A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF FONTAINEBLEAU BOULEVARD AS SHOWN ON PLAT OF "FONTAINEBLEAU BOULEVARD PARK AND PARK BOULEVARD", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 90, AT PAGE 28, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S89°42'20"W, ALONG LAST DESCRIBED COURSE FOR A DISTANCE OF 35.02 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE FOR CANAL AS SHOWN ON PLAT OF "BLUE FONTAINE REPLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 140, AT PAGE 2, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN N02°06'60"W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID CANAL FOR A DISTANCE OF 66.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SECTION 4 (SAID POINT ALSO BEING THE POINT OF BEGINNING). SAID DESCRIBED PARCEL OF LAND LYING AND BEING SITUATED IN MIAMI-DADE COUNTY, FLORIDA.

AND

A PORTION OF GOVERNMENT LOT 4 BETWEEN TOWNSHIP 53 AND 54 SOUTH, RANGE 40 EAST, AS FOLLOWS: BEGIN 1485.20 FEET WEST OF THE SOUTHEAST CORNER OF GOVERNMENT LOT 4, THEN NORTH 1036.22 FEET; THENCE WEST 160.03 FEET; THENCE SOUTH 1049.95 FEET, THEN EAST 160.09 FEET TO THE POINT OF BEGINNING.

CONTAINING: 147.09 ACRES± (NET)  
152.28 (GROSS)

The Department is recommending that at least two-thirds of the golf course remain designated as "Parks and Recreation." The remaining 49.49 acres (based on the total acreage in the application) or 50.76 acres (based on the total acreage provided by survey) can be developed as a Medium Density Residential Community (13 to 25 dwelling units per gross acre), which at the maximum allowable density would permit the development of 1,237 dwelling units based on the total acreage in the application or 1,269 dwelling units based on the total acreage provided by the survey. The applicant delivered on August 8, 2003 a proposed CDMP covenant that would limit the total number of developed units to 1,200 units, which may be a combination of single-family and multi-family units. If the applicant develops 1,200 dwelling units, the gross density on 49.49 acres would be approximately 24.25 dwelling units per acre. The gross density on 50.76 acres would be approximately 23.64 dwelling units per acre. Staff recently reviewed a similar situation, Application No. 1 in the April 2002 Cycle of Applications to Amend the CDMP. The Department recommended for the Application No. 1 in the April 2002 Cycle that 1/3 of the golf course to be redeveloped with a "Medium Density Residential" designation based on the standards that are contained in the new revised text on the "Parks and Recreation" designation.

The location of the one third of the golf course to be designated as "Medium Density Residential Communities" (13 to 25 DU/Gross Ac.) on the Land Use Plan (LUP) map could include land already with this land use classification. The Department has determined that 103.7 acres of the golf course is designated as "Parks and Recreation." Nearly 1/3 of the golf course or 48.48 acres (based on the information for individual parcels in the survey) of the golf course is already designated as "Medium Density Residential Communities." If the total acreage included in the application is utilized, the total acreage designated as Medium Density Residential is 44.76 acres.

The April 2003 CDMP amendment application identifies the property as consisting of seven parcels including two unsubdivided parcels with the real property tax folio numbers of 30-4004-000-0350 and 30-3054-000-0101 and Tracts 1, 2, 3, 4 and 7 of the Fontainebleau Park Subdivision, Section 1 (PB 90-56). The small parcel with the folio number of 30-4004-000-0350 is located at the northeast corner of Fontainebleau Park Boulevard and the NW 97 Avenue Canal and should not be considered as part of the golf course. This small parcel with 0.10 gross acres (acreage from survey) is separated from the nearest point on the golf course by Fontainebleau Park Boulevard and existing residential development, is already zoned for apartments with a maximum density of 50 units per net acre (RU-4) and is designated as "Medium Density Residential Communities" on the LUP map.

The areas of the golf course already designated as Medium Density Residential includes the portion of the golf course that is located east of the Florida Power and Light Company (FPL) easement and the Florida Power and Light Company (FPL) easement for a transmission line corridor connecting to the Florida Power and Light Company (FPL) substation on West Flagler Street at 92 Avenue with a total of 37.66 gross acres (acreage from survey). Another area in the golf course with an existing designation of Medium Density Residential is the northern tip of Tract 2 (approximately 10.83 acres based on the total acreage from survey), which is located west of the existing small shopping center on Fontainebleau Park Boulevard.

This semi-private golf course has always been a consideration in the determination of density for this area by the Department. The Flagler West Area Study, prepared by the Planning Department in February 1973 and approved by the Board of County Commissioners in 1973, states on page 30 and under Parcel 4 concerning the recommended rezoning of a property on the east side of NW 87 Avenue and south of the extension of the east-west expressway the following "...The West Flagler Area Study, dated December 1969, has recommended that this land be developed at residential densities between 4 and 13 units per net acre. *A somewhat higher density in the Trafalgar development {East Golf Course community} to the west is based on golf courses and lakes in the vicinity.*" (Italics added)

#### **Application No. 10**

**Location:** Property is bounded on the north side by theoretical SW 2 Street, on the south by the Tamiami Canal on the east by SW 137 Avenue and on the west by theoretical SW 139 Avenue. (37.6 Gross Acres or 36.0 Net Acres)

#### **Requested Amendment to the Land Use Plan Map:**

Parcel A

From: "Open Land"

To "Business and Office, and include within the Urban Development Boundary (UDB)" (21.6 Acres)

Parcel B

From: "Industrial and Office "

To "Business and Office" (16 Acres)

**Recommendations:** APPROVE WITH CHANGE by including only the request for Parcel B;  
TRANSMIT

#### **Principal Reasons for Recommendations:**

1. The Urban Development Boundary (UDB) splits the subject property into two parcels, Parcels A and B. Parcel A is located entirely outside the UDB and is currently designated as "Open Land." To amend the year 2005 Urban Development Boundary at this time to enable expansion of urban commercial development would be premature. Study Area C currently has a projected depletion year of 2018 for vacant commercial land that is higher than the projected depletion year of 2015 for the entire County. These dates are sufficiently beyond the time horizons of the current CDMP and associated County service plans to warrant changing the currently adopted development boundary at this time.
2. The Guidelines of Urban Form in the CDMP state "Intersections of section line roads shall serve as focal points of activity, hereafter referred to as activity nodes. Activity nodes shall be occupied by any nonresidential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these

EXHIBIT "C"

F.G.C. ENTERPRISES, INC.  
d/b/a  
FOUNTANBLEAU GOLF COURSE

STATEMENT OF REVENUES AND  
EXPENSES - INCOME TAX BASIS

DECEMBER 31, 2002, 2001, 2000,  
1999 AND 1998

F.G.C. ENTERPRISES, INC. d/b/a  
FOUNTAINBLEAU GOLFD COURSE  
STATEMENT OF REVENUE AND EXPENSES - INCOME TAX BASIS  
FOR THE YEARS ENDED DECEMBER 31, 2002, 2001, 2000, 1999 AND 1998

	<u>2002</u>	<u>2001</u>	<u>2000</u>	<u>1999</u>	<u>1998</u>	<u>FIVE YEAR TOTALS</u>
REVENUE	\$658,226	\$653,670	\$720,875	\$790,400	\$943,776	\$3,766,947
COST OF GOODS SOLD	<u>45,184</u>	<u>66,853</u>	<u>68,790</u>	<u>71,509</u>	<u>75,071</u>	<u>327,407</u>
GROSS PROFIT	<u>613,042</u>	<u>586,817</u>	<u>652,085</u>	<u>718,891</u>	<u>868,705</u>	<u>3,439,540</u>
OPERATING EXPENSES:						
Salaries and labor	380,488	401,688	439,686	424,965	436,204	2,083,031
Repairs and maintenance	58,783	59,205	111,711	74,976	115,192	419,867
Taxes and licenses	110,555	95,559	97,744	97,987	107,694	509,539
Insurance	95,626	102,252	93,284	70,669	90,657	452,488
Utilities and telephone	59,451	58,446	56,249	57,088	65,772	297,006
Depreciation	22,556	26,287	41,968	56,041	34,582	181,434
Security	8,423	30,121	34,004	29,292	31,937	133,777
Trash removal	16,119	18,492	20,292	16,498	13,544	84,945
Building repairs			15,006	6,527	11,970	33,503
Credit card costs	10,746	8,562	7,951	8,548	10,243	46,050
Miscellaneous expense	3,403	8,427	4,527	8,722	5,540	30,619
Carts lease	856	32	1,164		4,200	6,252
Office supplies	3,325	3,281	5,485	3,369	3,825	19,285
Advertising	1,249	3,644	2,967	2,308	2,895	13,063
Auto and truck expense				2,587	1,438	4,025
Dues and subscriptions	535	212	716	450	1,047	2,960
Postage and freight	384	975	384	531	700	2,974
Interest	256	5,616	93	132		6,097
Bank charges	1,738	1,468	3,218	369		6,793
Legal and professional fees	3,707	2,634	5,121	8,255	(1,275)	18,452
	<u>778,200</u>	<u>826,901</u>	<u>941,570</u>	<u>869,324</u>	<u>936,165</u>	<u>4,352,160</u>
LOSS FROM OPERATIONS BEFORE OTHER INCOME	(165,158)	(240,084)	(289,485)	(150,433)	(67,460)	(912,620)
OTHER INCOME			<u>2,139</u>	<u>6,430</u>	<u>821</u>	<u>9,390</u>
NET LOSS	<u>(\$165,158)</u>	<u>(\$240,084)</u>	<u>(\$287,346)</u>	<u>(\$144,003)</u>	<u>(\$66,639)</u>	<u>(\$903,230)</u>

Supplemental Information: The above results of operations reflects no rental payments for use of property or interest charge from stockholder loans. The owner has waived such payments due to lack of cash flow from operations.

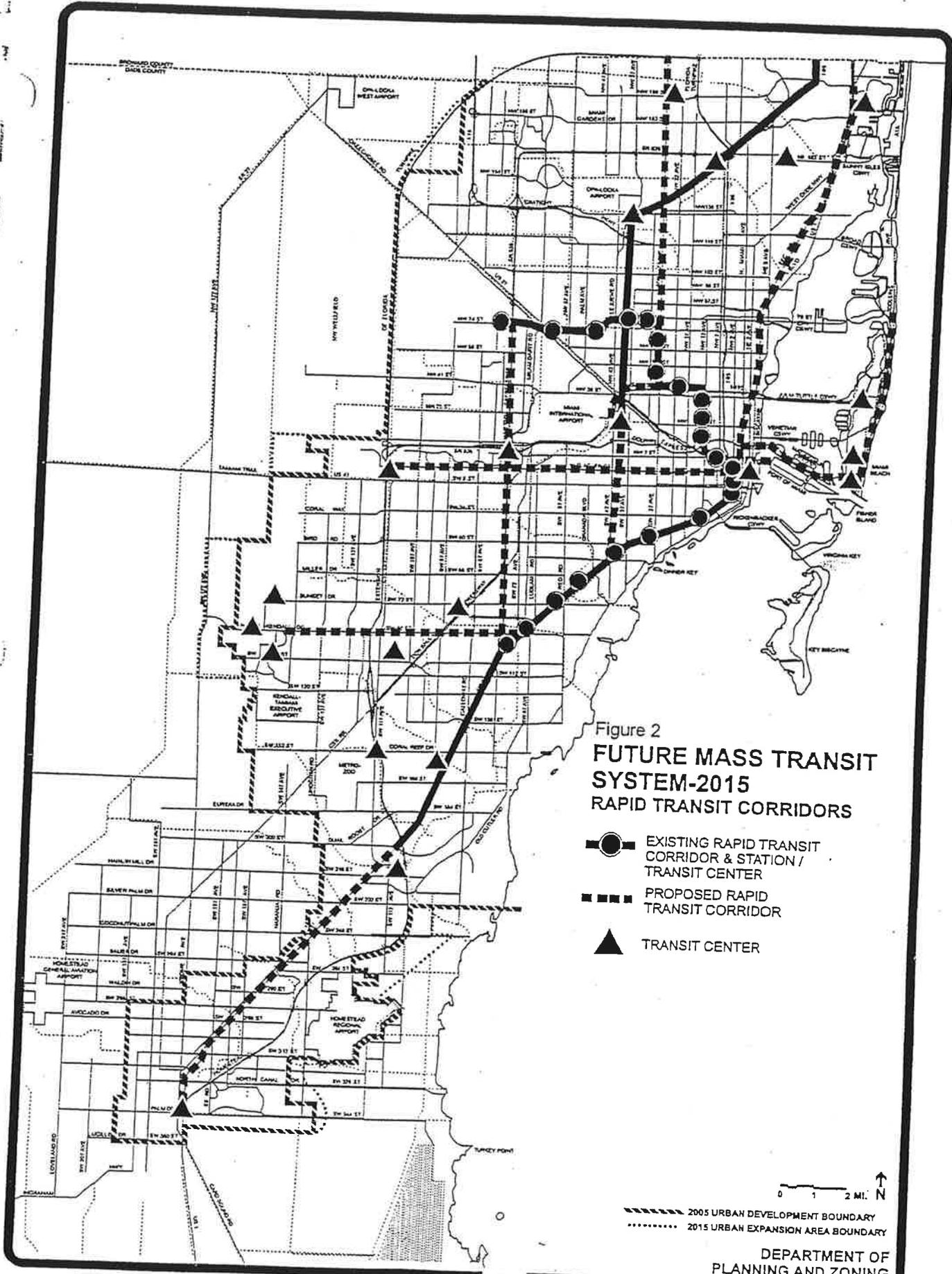


Figure 2  
**FUTURE MASS TRANSIT  
 SYSTEM-2015  
 RAPID TRANSIT CORRIDORS**

-  EXISTING RAPID TRANSIT CORRIDOR & STATION / TRANSIT CENTER
-  PROPOSED RAPID TRANSIT CORRIDOR
-  TRANSIT CENTER

 2005 URBAN DEVELOPMENT BOUNDARY  
 2015 URBAN EXPANSION AREA BOUNDARY

DEPARTMENT OF  
 PLANNING AND ZONING

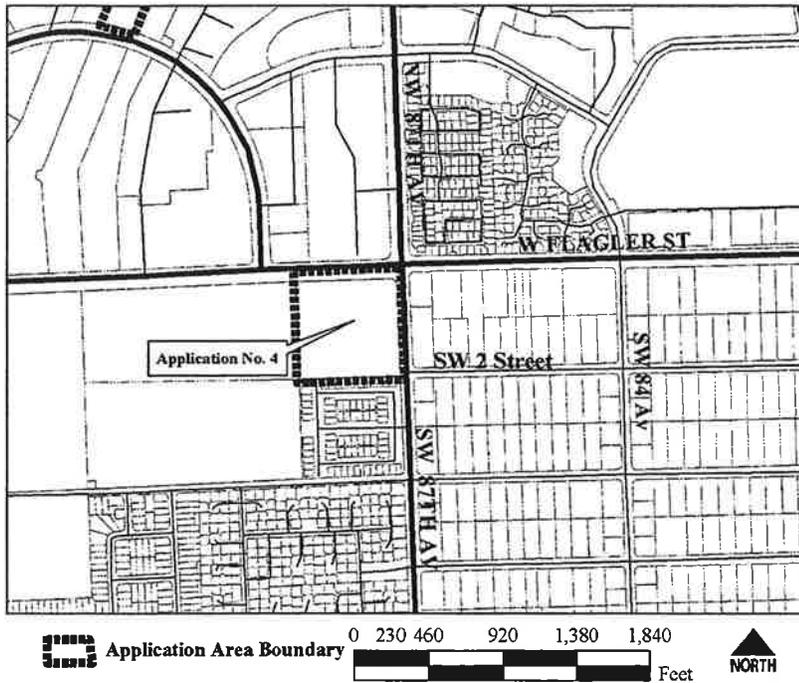
0 1 2 MI. N

**APPLICATION NO. 4  
SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Nationwide Theatres West Flagler, LLC 120 N. Robertson Boulevard Los Angeles, California 90048	Ben Fernandez, Esq. Graham Penn, Esq. Bercow & Radell, P.A. 200 South Biscayne Blvd., Suite 850 Miami, Florida 33131 (305) 374-5300

**Requested Amendment to the Land Use Plan Map**

**From:** OFFICE/RESIDENTIAL  
**To:** BUSINESS AND OFFICE  
**Location:** Southwest corner of SW 87 Avenue and West Flagler Street  
**Acreage:** Application Area: 8.71 Acres.  
 Acreage owned by Applicant: 8.71 Acres.



Note: This summary page is not part of the actual application that follows.

The Property consists of 8.71 acres located in Section 4, Township 54 South, Range 40 East. The Property is located at the Southwest corner of West Flagler Street and S.W. 87 Avenue.

C. Acreage

Application area: 8.71 acres.

Acreage owned by Applicant: 8.71 acres.

D. Requested Changes

- 1) It is requested that the application area be redesignated on the Land Use Plan Map from Office/Residential to Business and Office.
- 2) It is requested that this application be processed as a small-scale amendment under the expedited procedures.

**4. REASONS FOR AMENDMENT**

The application area (the "Property") is currently designated for Office Residential use, despite being zoned Limited Business (BU-1A). The Comprehensive Development Master Plan ("CDMP") designation is a product of the Property's zoning history. The Property was subject to a district boundary change from Agriculture (AU) to RU-5A (Semi-Professional Office) through Zoning Resolution Z-271-75 in 1975. The Property's owner thereafter secured zoning approval of a district boundary change to BU-1A through Resolution Z-150-80 in 1980. Despite the business zoning, the property owner agreed to limit the uses on the Property to a bank with drive-through and/or other office uses. This use restriction was included in both Resolution Z-150-80 and an Agreement recorded in Official Record Book 10816 at Pages 272 through 275.

The Property subsequently came under the purview of the CDMP and was provided the current Office Residential designation. The CDMP designation was based on the existing zoning and use restriction. The Applicant now intends to expand the permitted uses within the Property to include retail and other commercial uses. We believe that the proposed LUP map amendment to the Business and Office designation complies with the goals and policies of the CDMP Land Use Element.

The CDMP's Guidelines for Urban Form provide that intersections of section line roads should be developed as "activity nodes." (I-21) These activity nodes should be occupied by nonresidential uses, including commercial uses. When commercial development is appropriate for a neighborhood, it should be located at such an activity node as opposed to elsewhere in a section. (I-21). The Land Use Element further provides that commercial development should be concentrated in nodes at major intersections where possible. (I-35)



3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER (Attach Explanation)</u>
A.	X			

4. **DISCLOSURE OF APPLICANT'S INTEREST:** Complete all appropriate sections and indicate N/A for each section that is not applicable.

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (S), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

**CORPORATION NAME:** Nationwide Theatres West Flagler, LLC

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>Nationwide Theatres Corporation</u>	<u>100%</u>
<u>120 N. Robertson Boulevard</u>	
<u>Los Angeles, California 90048</u>	

**Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.**

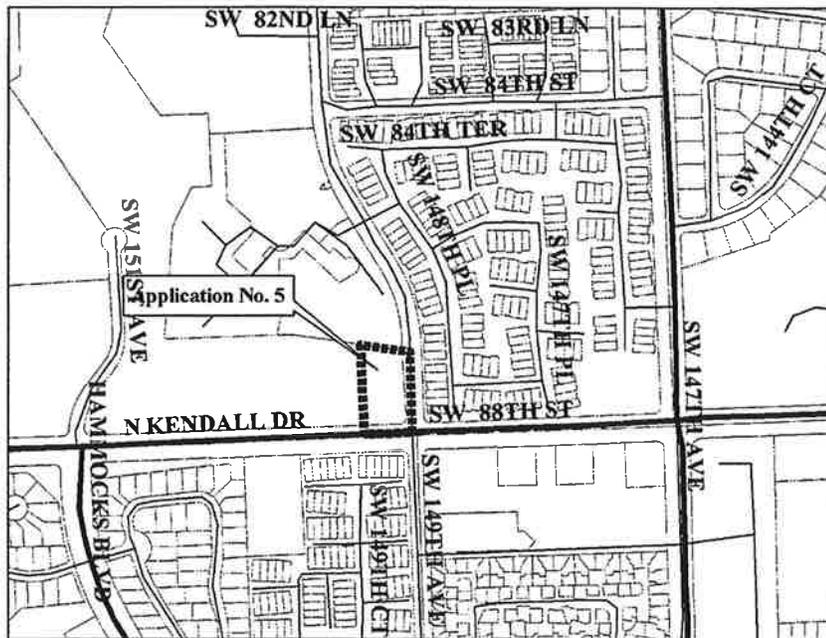
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**APPLICATION NO. 5  
SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
South Trust Bank 3301 NW 22 Terrace, Suite 500F Pompano Beach, Florida 33069	Jeffrey Bercow, Esq. Graham Penn, Esq. Bercow & Radell, P.A. 200 South Biscayne Blvd., Suite 850 Miami, Florida 33131 (305) 374-5300

**Requested Amendment to the Land Use Plan Map**

**From:** PARKS AND RECREATION  
**To:** BUSINESS AND OFFICE  
**Location:** Property is located at the Northwest corner of SW 88 Street (N Kendall Drive) and SW 149 Avenue  
**Acreage:** Application area: 1 Acre  
 Acreage Owned by Applicant: 0 Acres



Note: This summary page is not part of the actual application that follows.

The Property consists of one acre located in Section 32, Township 54 South, Range 39 East. The Property is located at the northwest corner of S.W. 88 Street and S.W. 149 Avenue.

C. Acreage

Application area: One acre.

Acreage owned by Applicant: Zero acres.

D. Requested Changes

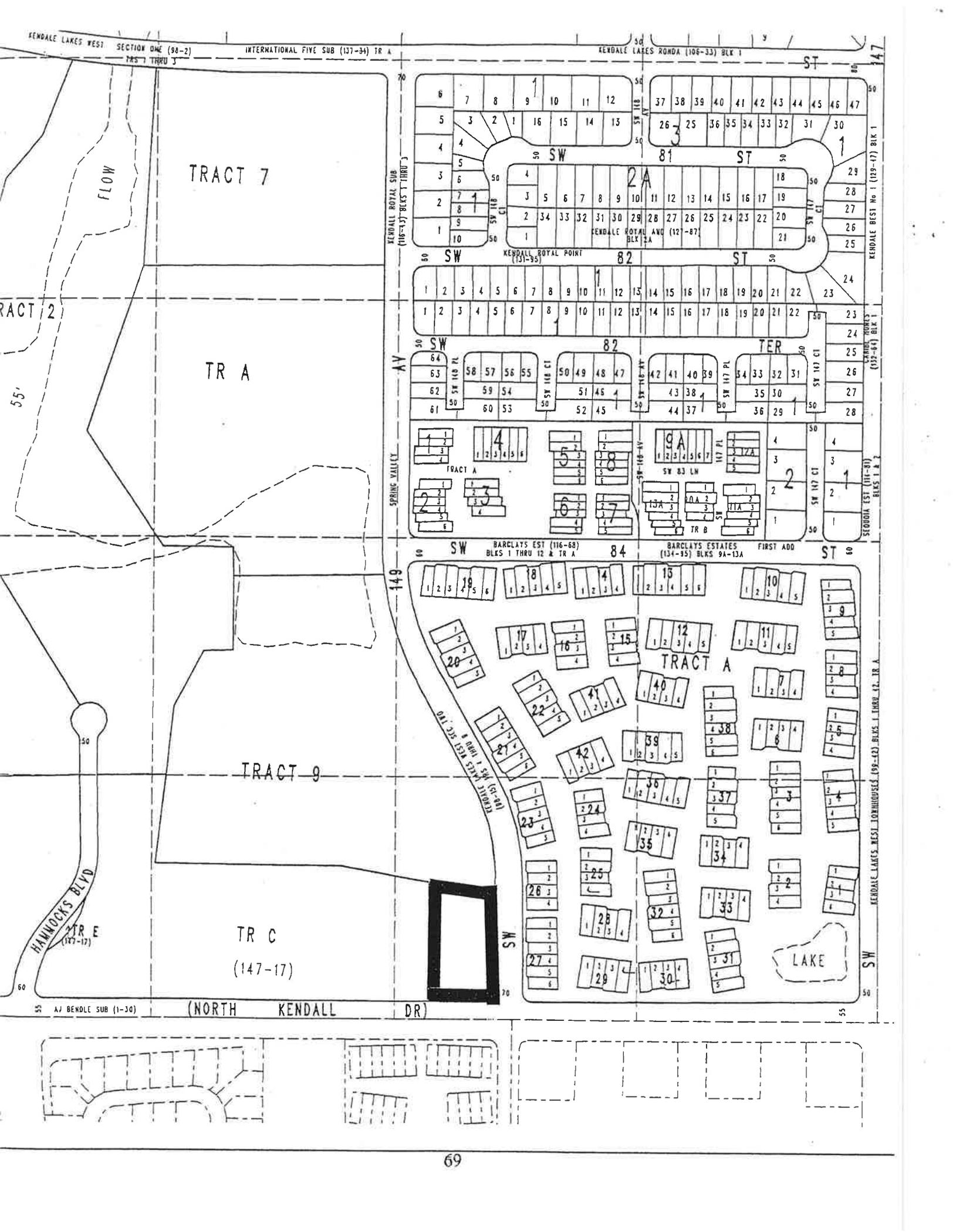
- 1) It is requested that the application area be redesignated on the Land Use Plan Map from Parks and Recreation to Business and Office.
- 2) It is requested that this application be processed as a small-scale amendment under the expedited procedures.

4. **REASONS FOR AMENDMENT**

The application area (the "Property") is currently designated for Parks and Recreation use, despite being a portion of a parcel owned and operated by West Kendall Baptist Church as a religious use. The Property's Comprehensive Development Master Plan ("CDMP") designation is a product of the Property's zoning history. The Property was originally intended to be a part of a much larger development known as Kendale Lakes West. The Kendale Lakes West development was approved in 1969 and consisted of 410 acres lying between S.W. 88 Street and S.W. 72 Street, east and west of S.W. 152 Avenue. The Property was originally intended to be a part of a recreational amenity for residents of the Kendale Lakes West development. To that end, the developer of Kendale Lakes West recorded a declaration of restrictive covenants that restricted the use of the Property and the surrounding parcels to a golf course, country club or recreational facility. The Property also remained within the Interim (GU) zoning district. The Property's CDMP designation reflected its zoning history.

Unfortunately, the recreational use of the golf course and driving range was abandoned in the 1980s and the Property lay vacant. Recognizing that the recreational uses were no longer viable, the Board of County Commissioner approved the release of two parcels from the restrictions of the golf course covenant in 1993. These two properties include the commercial development now occupied by Target and Longhorn Steakhouse, and the West Kendall Baptist Church parcel of which the Property is a part.

The Property has thereafter served as excess open space on the West Kendall Baptist Church parcel. The church now intends to convey the Property to the Applicant to permit the development of a branch bank. In order to accomplish this plan, the Applicant requests the re-designation of the Property from Parks and Recreation to the Business and Office category.



KENDALE LAKES WEST SECTION ONE (98-2) INTERNATIONAL FIVE SUB (137-34) TR A KENDALE LAKES RONDA (106-33) BLK 1

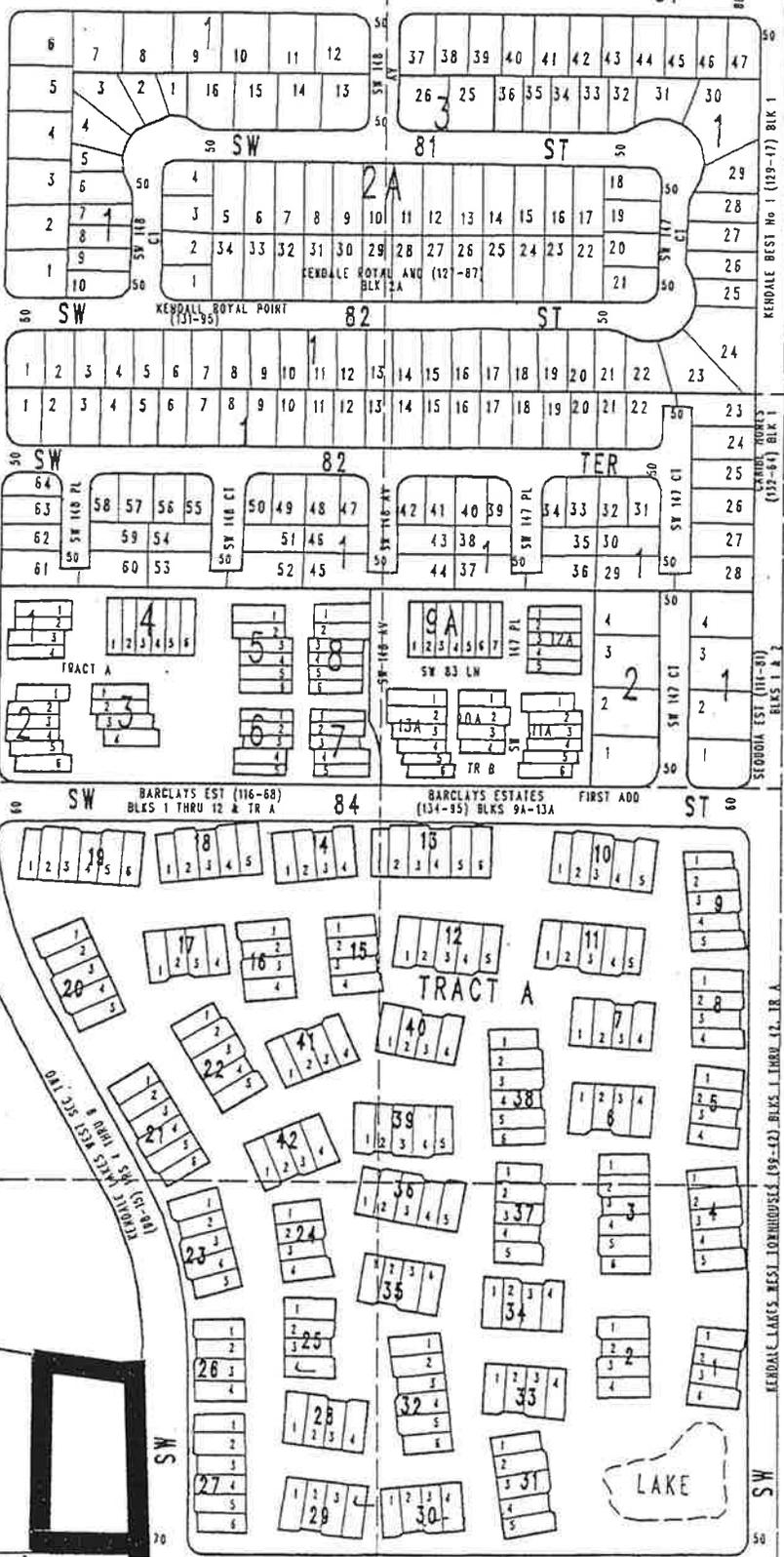
TRACT 7

TR A

TRACT 9

TR C  
(147-17)

(NORTH KENDALL DR)



KENDALL ROYAL SUB (116-137) BLS 1 THRU 3

SPRING VALLEY AV

149

KENDALL LAKES WEST TR A SW BLS 1 THRU 12

SW

KENDALE BEST No 1 (149-17) BLK 1

CARROLL TOWNS (132-64) BLK 1

STODOLA EST (111-91) BLS 1 & 2

KENDALE LAKES WEST TOWNHOUSES (98-102) BLS 1 THRU 12 TR A

SW

3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACT FOR PURCHASE</u>	<u>OTHER (Attach Explanation )</u>
A.			X	

4. **DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

a. If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

<u>INDIVIDUAL'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

b. If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (S), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

CORPORATION NAME: SouthTrust Bank, an Alabama Banking Corporation

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Publicly Traded Corporation With More than 5,000 Separate Interests	

- e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS, AND OFFICE (if applicable)	PERCENTAGE OF INTEREST
SouthTrust Bank, an Alabama Banking Corporation	

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

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For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Applicant's Signatures and Printed Names

Carlene A. Canagher  
CARLENE S. CARRAGHER  
 ASSISTANT V.P. SOUTHRUST BANK

Sworn to and subscribed before me this 29<sup>th</sup> day of April, 2004.

Notary Public, State of ~~Florida~~ Alabama at Large (SEAL)  
 My Commission Expires: ALABAMA at Large  
 10-25-05

Joyce W. Morgan

EXHIBIT

tabbles'

A

LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF TRACT "C", BENSON LAKES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 147, PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY NORTHEAST CORNER OF SAID TRACT "C"; THENCE SOUTH 02°18'07" EAST ALONG THE MOST EASTERLY EAST LINE OF SAID TRACT "C", SAID LINE ALSO BEING THE WEST RIGHT-OF-WAY LINE OF S.W. 149th AVENUE AS SHOWN ON SAID PLAT, A DISTANCE OF 251.67 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE NORTHWEST; THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 25.00 FEET FOR AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 87°41'53" WEST, ALONG THE SOUTH LINE OF SAID TRACT "C", SAID LINE BEING ALSO THE NORTH RIGHT-OF-WAY LINE OF N. KENDALL DRIVE (S.R. 94) AS SHOWN ON SAID PLAT, A DISTANCE OF 125.15 FEET TO A POINT ON A LINE 150.15 FEET WEST AND PARALLEL WITH SAID MOST EASTERLY EAST LINE OF SAID TRACT "C"; THENCE NORTH 02°18'07" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 305.32 FEET TO A POINT ON THE MOST SOUTHERLY NORTH LINE OF SAID TRACT "C"; THENCE SOUTH 81°30'00" EAST, ALONG SAID MOST SOUTHERLY NORTH LINE OF TRACT "C", A DISTANCE OF 152.86 FEET TO THE POINT OF BEGINNING.

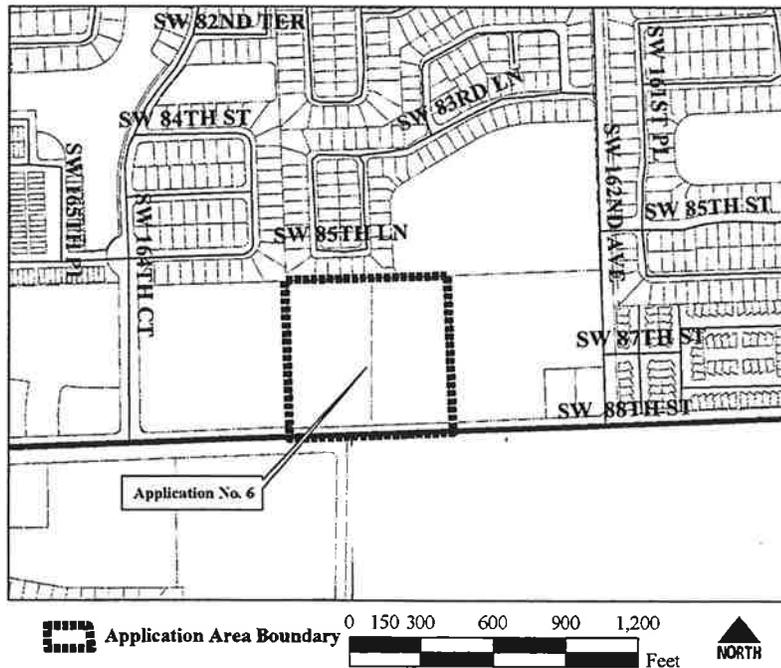
SAID LANDS SITUATE IN THE CITY OF MIAMI, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 1.000 ACRES (43,560 SQUARE FEET) MORE OR LESS.

**APPLICATION NO. 6**  
**SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
BMS Development, LLC 5401 SW 74 <sup>th</sup> Street Suite 205 Miami, Florida 33134	Jeffrey Bercow, Esq. Michael W. Larkin, Esq. Bercow & Radell, P.A. 200 South Biscayne Blvd., Suite 850 Miami, Florida 33131 (305) 374-5300

**Requested Amendment to the Land Use Plan Map**

**From:** LOW DENSITY RESIDENTIAL (2.5 to 6 DU/AC.)  
**To:** BUSINESS AND OFFICE  
**Location:** North side of SW 88 Street (Kendall Drive) and approximately 640 feet west of SW 162 Avenue  
**Acreage:** Application area: 9.18 Acres  
 Acreage Owned by Applicant: 0 Acres



Note: This summary page is not part of the actual application that follows.

### C. Acreage

Application area: 9.18 net acres. The application area is legally described in the attached survey.  
Acreage owned by Applicant: 0 net acres.

### D. Requested Changes

- 1) It is requested that the application area be redesignated on the Land Use Plan Map from Low Density to Business and Office.
- 2) It is requested that this application be processed as a small-scale amendment under the expedited procedures.

## 4. REASONS FOR AMENDMENT

The property is situated on the north side of S.W. 88<sup>th</sup> Street, Kendall Drive, slightly west of the intersection of S.W. 162<sup>nd</sup> Avenue and Kendall Drive ("Property"). Currently, the Property is designated as Low Density Residential and has a GU-Interim District Zoning Classification. The Applicant is proposing to redesignate the Property from Low Density Residential to Business and Office. The Property is approximately 9.18 acres in size and consists of two parcels. To the west of the Property, the area is designated as Office/Residential with a RU-3M Minimum Apartment House District Zoning classification. To the north of the Property, there is a single-family home subdivision known as Lago Mar West. This area is designated Low Density Residential and is also zoned RU-3M. A shopping center with two outparcel uses is located to the east of the Property. This property is designated as Business and Office and zoned BU-1A, Limited Business District. Kendall Drive forms the southern boundary of the property. To the south of Kendall Drive, the Kendall Town Center DRI will be constructed; this 160 acre parcel is designated for Business and Office development.

The Property's current land use designation is no longer appropriate. The Property's adjacency to busy Kendall Drive, which will be widened to six lanes by the Kendall Town Center developer, will discourage any development of the Property with a low-density residential use. While the Property's current land use designation may have been appropriate when Miami-Dade County originally adopted its Comprehensive Development Master Plan in 1985, based upon the changing character of this segment of Kendall Drive, the development of the Property with a low density residential use is no longer a feasible option. For all of the parcels fronting upon the north side of Kendall Drive between S.W. 162<sup>nd</sup> Avenue and S.W. 167<sup>th</sup> Avenue, the Board of County Commissioners of Miami-Dade County has already determined that a low-density residential designation is inappropriate and has permitted these parcels to be redesignated either to Business and Office or Office/Residential. Moreover, the approval of Kendall Town Center DRI has literally changed the face of the neighborhood and makes it highly unlikely that any low-density residential development will occur adjacent to Kendall Drive just north of this development. In fact, the retail component of the Kendall Town Center DRI will be situated at the northwestern corner of the project immediately south of the applicant's Property. This is yet another reason why the Property's current land use designation is no longer compatible with the surrounding area.



**Pages Of Disclosure Form Not Applicable To This Application Are Intentionally Omitted From This Printing.**

**DISCLOSURE OF INTEREST**

**This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.**

**APPLICANT (S) NAME AND ADDRESS:**

APPLICANT A: BMS Development, LLC

APPLICANT B: \_\_\_\_\_

APPLICANT C: \_\_\_\_\_

APPLICANT D: \_\_\_\_\_

APPLICANT E: \_\_\_\_\_

APPLICANT F: \_\_\_\_\_

APPLICANT G: \_\_\_\_\_

APPLICANT H: \_\_\_\_\_

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>ACRES IN SIZE (net)</u>
BMS Development, LLC .	Paul Palmer, Trustee	30-4932-001-0581	4.59
	Paul Palmer, Trustee	30-4932-001-0580	4.59

**3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.**

<u>APPLICANT</u>	<u>OWNER</u>	<u>LESSEE</u>	<u>CONTRACTOR FOR PURCHASE</u>	<u>OTHER (Attach Explanation )</u>
A			X	

NAME AND ADDRESS OF PARTNERS

PERCENT AGE OF INTEREST

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- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENT AGE OF INTEREST

Paul Palmer, Trustee

See Exhibit B

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Date of Contract: January 14, 2004

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

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**5. DISCLOSURE OF OWNER'S INTEREST: Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.**

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENT AGE OF INTEREST

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- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For any changes of ownership or changes in contract for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

**Applicant's Signatures and Printed Names**

\_\_\_\_\_  
*David Brown VP*  
\_\_\_\_\_  
David Brown  
\_\_\_\_\_

Sworn to and subscribed before me  
this 28 day of April, 20 04.

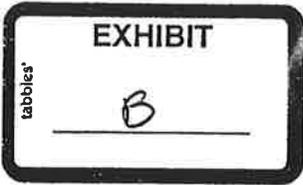
Notary Public, State of Florida at Large (SEAL)  
My Commission Expires:



Kathleen R. Jones  
My Commission DD255274  
Expires November 30, 2007

*Kathleen R. Jones*

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; 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 each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.



Sterling Court Land Trust

Levy and Mavis Wong 12291 SW 124 Terr., Miami, FL. 33186	20%
C. G. P., INC., a Florida Corporation 20 Frederick Street Port of Spain, Trinidad (100% owned by Solomon Ali)	20%
Philip & Barbara Wong Deltana Corporation 10820 NW 29 Street Miami, FL. 33172	15%
Ashram & Caroline Ramsingh No. 4 Trinidad Cres. Federation Pk. St. Clair, Port of Spain Trinidad	15%
George & Einez Yap 12131 SW 100 Street Miami, FL. 33186	10%
Doris I. Chin 9903 SW 133 Place Miami, FL. 33186	10%
Michael & Alice Waldron 13320 SW 101 Street Miami, FL. 33186	10%



Miami, FL. 33176

MARIE FONG YEE 4%  
4690 NW 167 Street  
Miami, FL. 33054

BRIAN & BELINDA CHUNG 4%  
Wheel World Inc.  
4690 NW 167 Street  
Miami, FL. 33054

LASCELLES CHIN 4%  
27 Red Hills Road  
Kingston10  
Jamiaca

HENRY & PATRICIA TIE SHUE 4%  
126 Orquidea Ave.  
Coral Gables, FL. 33143

RAYMOND & HELEN FONG 4%  
9915 SW 139 Street  
Miami, FL. 33176

PATRICK & MABEL YAP 4%  
6040 SW 95 Court  
Miami, FL. 33173

KENNETH & GLORIA PHANG 4%  
15805 SW 82 Court  
Miami, FL. 33157

GEORGE & EINEZ YAP 2%  
12131 SW 100 Street  
Miami, FL. 33186

PHILIP & BARBARA WONG 2%  
Deltana Corporation  
10820 NW 29 Street  
Miami, FL. 33172

DICK LEE 2%  
2701 S. Bayshore Drive, Suite 605  
Coconut Grove, FL. 33133

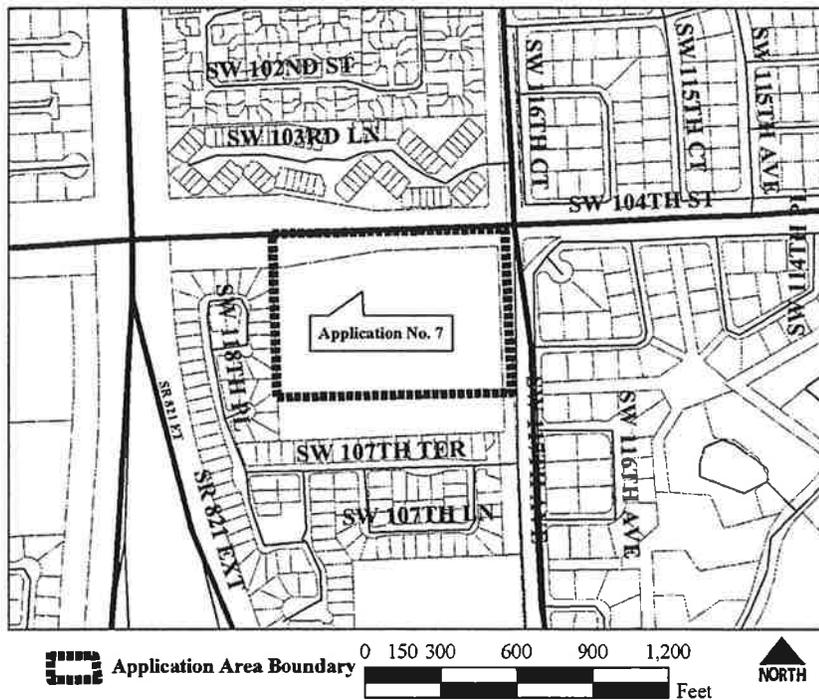
C:\DOCUME~1\MLarkin\LOCALS~1\Temp\LIST OF BENEFICIARIES with addresses.doc

**APPLICATION NO. 7  
SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
College Park II, LLC A Florida Limited Liability Corporation	Simon Ferro, Esq. Greenberg, Traurig, P.A. 1221 Brickell Avenue Miami, Florida 33131 (305) 579-0500

**Requested Amendment to the Land Use Plan Map**

**From:** LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/AC.)  
**To:** BUSINESS & OFFICE  
**Location:** Southwest corner of SW 117 Avenue and SW 104 Street  
**Acreege:** Application area: 9.5 Acres  
 Acreege Owned by Applicant: 9.5 Acres



Note: This summary page is not part of the actual application that follows.

**C. Gross Acreage**

Application area: 9.5 acres

Acreage owned by Applicant: 9.5 acres

**D. Requested Change**

1. It is requested that the area described in the Property Sketch be redesignated on the Land Use Plan from LOW-MEDIUM DENSITY RESIDENTIAL (5-13 DU/AC.) to BUSINESS AND OFFICE.

2. It is requested that this application be processed as a Small-Scale Amendment under the expedited procedures.

**4. REASONS FOR AMENDMENT**

If the requested amendment to the Land Use Plan is approved, it is Applicant's intent to develop the Subject Property as a commercial site serving the immediate neighborhood. Currently, the closest commercial uses are located one mile north of the Subject Property, on S.W. 88<sup>th</sup> Street (North Kendall Drive) and S.W. 117<sup>th</sup> Avenue. There are also some small strip commercial centers approximately one mile east on S.W. 104<sup>th</sup> Street and 108<sup>th</sup> Avenue. A commercial development on the Subject Property will result in a positive fiscal impact to the community and will not create the need for additional student stations in the public schools serving the adjacent community.

**5. ADDITIONAL MATERIAL SUBMITTED**

None.

**6. COMPLETE DISCLOSURE FORMS**

**Pages Of Disclosure Form Not Applicable To This Application Are Intentionally Omitted From This Printing.**

### DISCLOSURE OF INTEREST

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

**1. APPLICANT (S) NAME AND ADDRESS:**

APPLICANT A: College Park II, L.L.C., a Florida limited liability corporation \_\_\_\_\_

APPLICANT B: \_\_\_\_\_

APPLICANT C: \_\_\_\_\_

APPLICANT D: \_\_\_\_\_

APPLICANT E: \_\_\_\_\_

APPLICANT F: \_\_\_\_\_

APPLICANT G: \_\_\_\_\_

APPLICANT H: \_\_\_\_\_

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A- College Park II, L.L.C., a Florida limited liability corporation	College Park II, L.L.C.	a portion of 30-5912-000-0070	9.5

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

College Park II, L.L.C., a Florida limited liability corporation

CORPORATION NAME: \_\_\_\_\_

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
Paul L. Cejas 420 Lincoln Road, Suite 700, Miami Beach, Florida 33139	100%

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

N/A

TRUSTEE'S NAME: \_\_\_\_\_

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

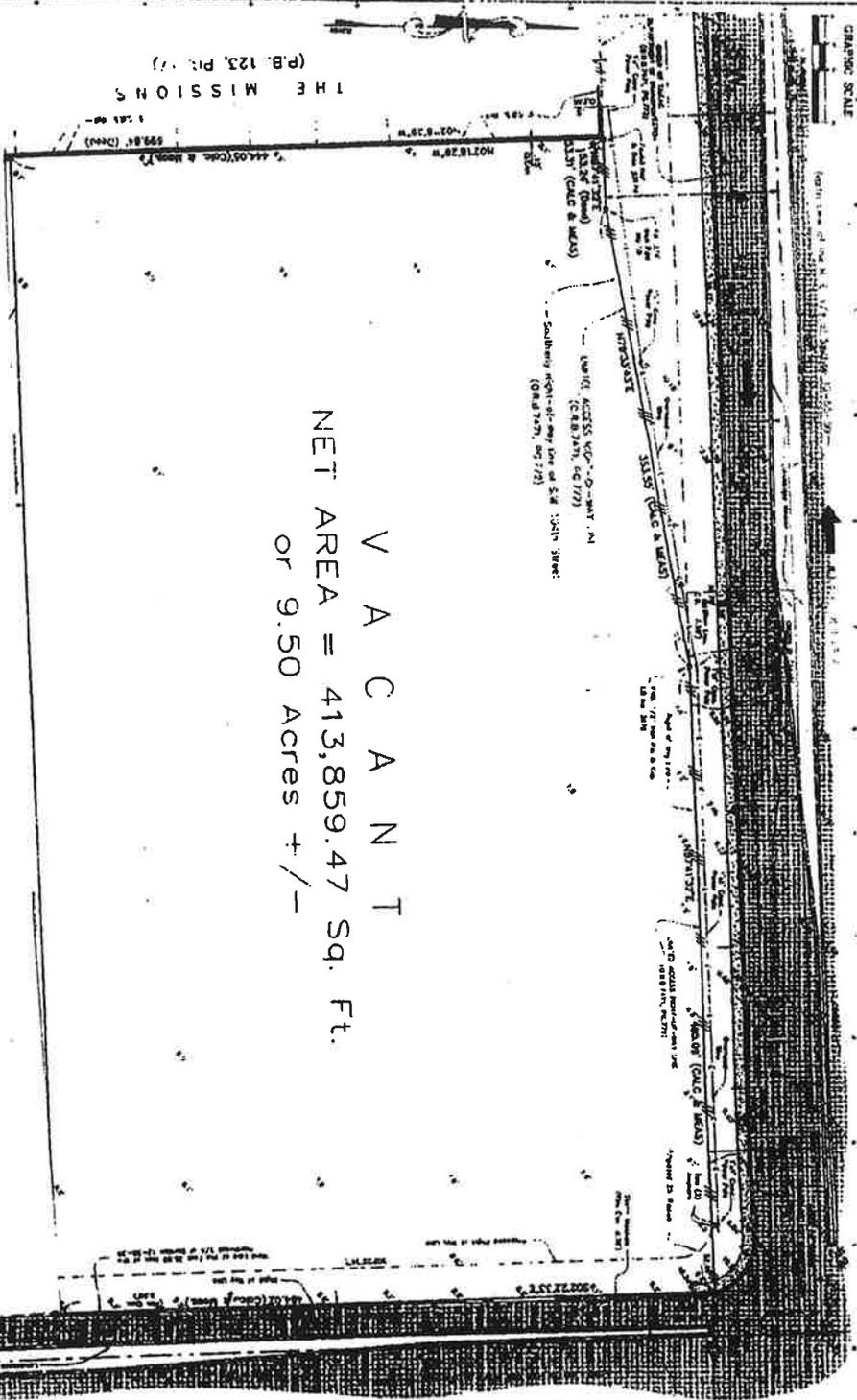
N/A

PARTNERSHIP NAME: \_\_\_\_\_

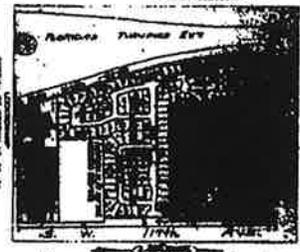
<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
N/A	

THE MISSIONS  
(P.B. 123, P. 177)

V A C A N T  
NET AREA = 413,859.47 Sq. Ft.  
OR 9.50 Acres +/-



GRAPHIC SCALE  
North Arrow



**SKETCH LEGAL NOTES, LOCATION MAP, LEGEND**

**NATIONAL REAL ESTATE DEVELOPMENT**

**BOUNDARY SURVEY**

**SKETCH LEGAL NOTES, LOCATION MAP, LEGEND**

**NATIONAL REAL ESTATE DEVELOPMENT**

**RECORD OF REVISION**

No.	Date	Description	By	App.
1	10/20/01	UPDAR SURVEY & CORRECTION	EA	CV
2	11/20/01	REVIEW	EA	CV
3	11/20/01	UPDAR SURVEY	EA	CV

**S.W. 117TH AVE. & S.W. 104TH ST.**

1  
03-184



**APPLICATION NO. 8  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Century Business Park, LLC 283 Catalonia Avenue Coral Gables, Florida 33134	Juan J. Mayol, Jr., Esq. Richard A. Perez, Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131 (305) 374-5600 (305) 374-5095 Fax

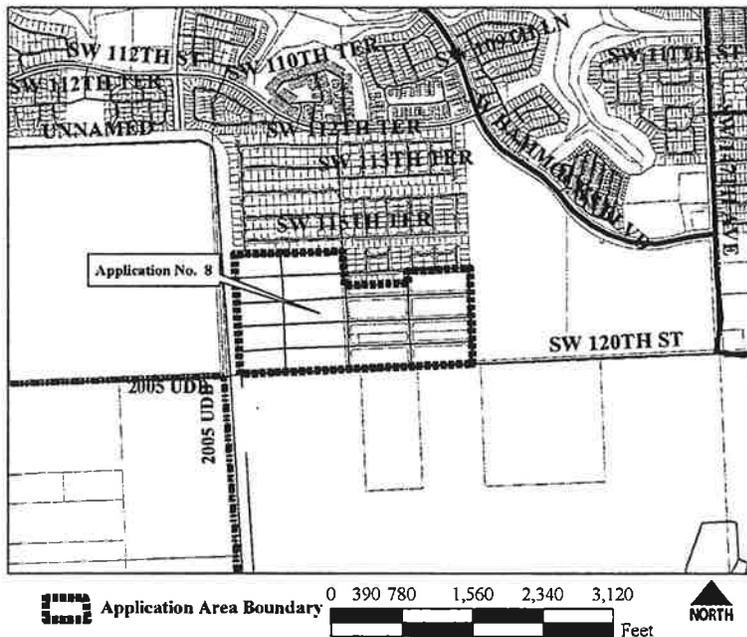
**Requested Amendment to the Land Use Plan Map**

**From:** INDUSTRIAL AND OFFICE

**To:** BUSINESS AND OFFICE

**Location:** Between SW 152 Avenue and SW 157 Avenue and From SW 116 Street to SW 120 Street

**Acreege:** Application area: 67.8 Acres  
Acreege Owned by Applicant: 0 Acres



Note: This summary page is not part of the actual application that follows.

C. Acreage.

Subject application area: ±67.8 acres

Acreage owned by applicant: 0 acres (The applicant has a contract to purchase the property)

D. Requested Change.

It is requested that the subject area be re-designated on the Land Use Plan map from "Industrial and Office" to "Business and Office."

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation of the Property from "Industrial and Office" to "Business and Office." The subject property lies along two section line roads -- SW 157<sup>th</sup> Avenue and S.W. 120<sup>th</sup> Street -- and is directly adjacent to residentially zoned property to the north and industrially zoned property to the east. The property is now periodically farmed for row crops, but otherwise remains vacant.

The large amount of residentially-designated and developed land in the immediate vicinity of the subject property is not adequately served by the existing stock of land designated for business uses. In the October 2003 cycle, the Study Area that includes the subject property was described by County Staff as "suburban in character [containing] numerous large residential developments ... Residential areas include a range of housing types from detached single-family dwellings to attached multi-family dwelling units at medium density." [Page 1-130]. The October 2003 recommendations, further stated that the "CDMP currently provides primarily for continued residential uses at low and low-medium densities, with industrial and office development bordering the Kendall-Tamiami Airport." With the exception of Kendall-Tamiami Airport, the prevailing CDMP land-use designations surrounding the property are "Low-Medium Density Residential" and "Low Density Residential," resulting in a significant stock of existing and available residential units. Despite the large number of residents in the area, the nearest significant commercial land is located thirty-two blocks to the north on North Kendall Drive and S.W. 157<sup>th</sup> Avenue – the yet to be developed Kendall Town Center project.

The Property lies within the County's South Central Planning Analysis Tier ("South Central Tier"), and more specifically within Minor Statistical Area 6.2 ("MSA 6.2"). The County's most recent assessment of available commercial land availability within that MSA strongly suggests that the requested amendment would significantly benefit the needs of the residential community by providing additional services in close proximity to the established residential communities. The total amount of vacant commercial land in MSA 6.2 in 2001 amounted to 313 acres of which the Kendall Town Center project accounts for approximately 158 acres. The Kendall Town Center is on the northern boundary of MSA 6.2 and has evolved into more of a mixed use project of a regional reach, containing a regional hospital, a major multi-plex movie theater, an assisted living facility, and a hotel. The remainder of MSA 6.2 contains, as of 2001, only 155 acres of vacant commercial land to serve the needs of the ever increasing population in this portion of western Miami-Dade County. Even in 2001, the amount, intensity,

LAND USE POLICY 1H: Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways. (Urban Form)

LAND USE POLICY 4D: Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements. (Business and Office/Commercial)

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

LAND USE POLICY 8B: Distribution of neighborhood or community serving retail sales uses and personal and professional offices throughout the urban area shall reflect the spatial distribution of the residential population, among other salient social, economic, and physical considerations. (Business and Office/Commercial).

LAND USE OBJECTIVE 10: Energy efficient development shall be accomplished through metropolitan land use patterns, site planning, landscaping, building design, and development of multi-modal transportation systems. (Energy Efficiency/Conservation).

GUIDELINES FOR URBAN FORM 4: Intersections of section line roads shall serve as focal points of activity , hereinafter referred to as activity nodes. Activity nodes shall be occupied by any non-residential components of the neighborhood including public and semi-public uses. When commercial uses are warranted, they should be located within these activity nodes. (Urban Form)

5. ADDITIONAL MATERIAL SUBMITTED

Additional information will be supplied at a later date under separate cover.



- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME: N/A

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

- e. If the applicant is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
Century Business Park, LLC	See Attached
283 Catalonia Avenue	
Coral Gables, Florida 33134	

Date of Contract 4/08/04 and 2/9/04

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

N/A

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

See Attached

c/o Jack K. Thomas, Jr., Trustee

25 S.W. 2<sup>nd</sup> Avenue

Miami, Florida 33130

- d. If the owner is a **PARTNERSHIP** or **LIMITED PARTNERSHIP**, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**PARTNERSHIP NAME:** \_\_\_\_\_

NAME AND ADDRESS OF PARTNERS

PERCENTAGE OF OWNERSHIP

N/A

- e. If the owner is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF INTEREST

See Section 4(e) above

Date of Contract \_\_\_\_\_

## DISCLOSURE OF INTEREST

### A. Contract Purchaser

#### Century Business Park, LLC

1. Sergio Pino & Tatiana Pino 41.25%
2. Rodney Barreto & Shelia Barreto 41.25%
3. Ramon Rasco and Ana Rasco 10.00%
4. Brian May and Jenny May 5%
5. Jorge Vigil and Cecilia Vigil 2.5%

### B. Property Owners

#### (i) Jack K. Thomas, Trustee

Avant Family Trust	5.8051%
Avant Marital Trust "A"	4.1627%
Avant Marital Trust "B"	0.0322%
Garfield Family, LP	11.1%
Danny Gordon	22.2%
Robert S. Tyre	12.5%
Murray McClain	11.1%
Jack K. Thomas, Jr.	1.78%
Starr D. Thomas	0.68%
Thomas Family Trust	7.7067%
Margaret C. Thomas Block	3.1867%
Henry R. Block	0.68%
Block Family Trust	6.3%
Donald C. Thomas	10.16666%
Roger W. Foote, Esq.	2.6%

**Exhibit A**  
**Legal Description of Subject Property**

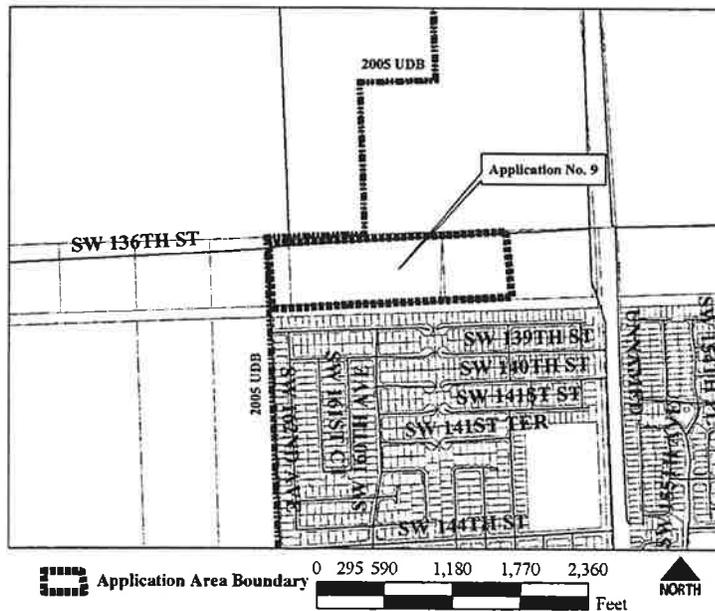
Blocks 48 through 57, the south ½ of Block 69 and all of Blocks 70 through 76, inclusive of GREATER MIAMI ESTATES Section 2, according to the Plat thereof recorded in Plat Book 23, Page 43, of the Public Records of Miami-Dade County, Florida.

**APPLICATION NO. 9  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
GAROE HOLDINGS LLC, A Florida Limited Liability Corporation c/o Juan J. Mayol, Jr., Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Inés Marrero-Priegues, Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131 (305) 374-5600 (305) 374-5095 Fax

**Requested Amendment to the Land Use Plan Map**

**From:** INDUSTRIAL AND OFFICE  
**To:** LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/Ac.)  
**Location:** Between theo. SW 158 Avenue and SW 162 Avenue, and from SW 136 Street to CSX Railroad line.  
**Acreege:** Application area: 27.5 Acres  
 Acreege Owned by Applicant: 25.0 Acres



Note: This summary page is not part of the actual application that follows.

C. Acreage.

Subject application area: ±27.5 gross acres  
Acreage owned by applicant: ±25.0 gross acres

D. Requested Change.

It is requested that the subject area be redesignated on the Land Use Plan map from "Industrial and Office" to "Low Density Residential"

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation of the Property from "Industrial and Office" to "Low Density Residential" (2.5 to 6.0 dwelling units per gross residential acre) to permit the development of much needed residential development within the Urban Development Boundary ("UDB").

The Applicant requests the re-designation from "Industrial and Office" to "Low Density Residential" to permit the development of a residential community. The property is situated north and west of developing residential communities and lies immediately east of the Urban Development Boundary. The development of the property for residential purposes will help accommodate the County's projected population growth within the UDB.

The Property lies within the County's South Central Planning Analysis Tier ("South Central Tier"), and more specifically within Minor Statistical Area 6.2 ("MSA"). The County's most recent assessment of available residential land availability within the South Central Tier strongly suggests that the requested amendment would be beneficial in meeting the continuing growing residential needs of that community. During the April 2003 Amendment Cycle, the Department of Planning and Zoning, Planning Research Section projected that the available residential land west of the Florida Turnpike within the South-Central Tier will be depleted by the year 2008. This year of depletion is considerably earlier than either that projected for the eastern portion of the South Central Tier, or for Miami-Dade County as a whole. The Planning Research Section estimated that all remaining residential land within the Urban Development Boundary is projected to be exhausted by the year 2020. This research clearly indicates that this specific subtier is among those in the County with the greatest need for additional residential land.

Conversely, industrially designated land is quite plentiful within the South Central Tier. The vast majority of the available industrial land within the South Central Tier lies within MSA 6.2. The Department's own analysis in recent applications requesting land use plan map designation changes from "Industrial and Office" to "Low Density Residential" has indicated that "[t]he County has been placing greater emphasis in accommodating growth inside the existing UDB to reduce the need for urban expansion. On the other hand, the projected year for depletion of industrial land is 2025 or beyond. Thus, there is an adequate supply of industrial land in this area." See, Initial Recommendations, April 2003 Applications to Amend the Comprehensive

LAND USE POLICY 5B: All development orders authorizing a new land use or development, or redevelopment, or significant expansion of an existing use shall be contingent upon an affirmative finding that the development or use conforms to, and is consistent with the goals, objectives, and policies of the CDMP including the adopted LUP map and accompanying "Interpretation of the Land Use Plan Map". The Director of the Department of Planning [and Zoning] shall be the principle administrative interpreter of the CDMP.

LAND USE OBJECTIVE 8: Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

LAND USE POLICY 8A: 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; proximity and accessibility to employment, commercial and cultural centers; character of existing and 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.

LAND USE POLICY 8F: Applications requesting amendments to the CDMP Land Use Plan map shall be evaluated to consider consistency with the Goals, Objectives and Policies of all Elements, other timely issues, and in particular the extent to which the proposal, if approved, would: i) Satisfy a deficiency in the Plan map to accommodate projected population or economic growth of the County.

5. ADDITIONAL MATERIAL SUBMITTED

\_\_\_\_ Additional information will be supplied at a later date under separate cover.

6. COMPLETED DISCLOSURE FORMS

Attached as Exhibit "B"

Attachments: Legal Description of Property owned by Applicant - Exhibit "A"  
Disclosure of Interest Form - Exhibit "B"  
Location Map for Application - Exhibit "C"  
Aerial Photograph – Exhibit "D"

**Pages Of Disclosure Form Not Applicable To This Application Are  
Intentionally Omitted From This Printing.**

**DISCLOSURE OF INTEREST**

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

**1. APPLICANT (S) NAME AND ADDRESS:**

**APPLICANT A:** Garoe Holdings, LLC, a Florida Limited Liability Company

7625 S.W. 84<sup>th</sup> Court, Miami, Florida

**APPLICANT B:**

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

<u>APPLICANT</u>	<u>OWNER OF RECORD</u>	<u>FOLIO NUMBER</u>	<u>SIZE IN ACRES</u>
A	Garoe Holdings, LLC	30-5920-000-0012	± 17.0 acres
		30-5920-000-0065	± 8.0 acres

Lorenzo Benitez  
10511 N. Kendall Drive, Suite C-201  
Miami, Florida 33143

100%

- c. If the applicant is a TRUSTEE, list the trustee's name, the name and address of the beneficiaries of the trust, and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**TRUSTEES**

NAME: n/a

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
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- d. If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**PARTNERSHIP NAME:** n/a

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF INTEREST</u>
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INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A Owner is the Applicant

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- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

**CORPORATION  
NAME:** \_\_\_\_\_

NAME, ADDRESS AND OFFICE (if applicable)

PERCENTAGE OF STOCK

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- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**TRUSTEE'S  
NAME:** \_\_\_\_\_

BENEFICIARY'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

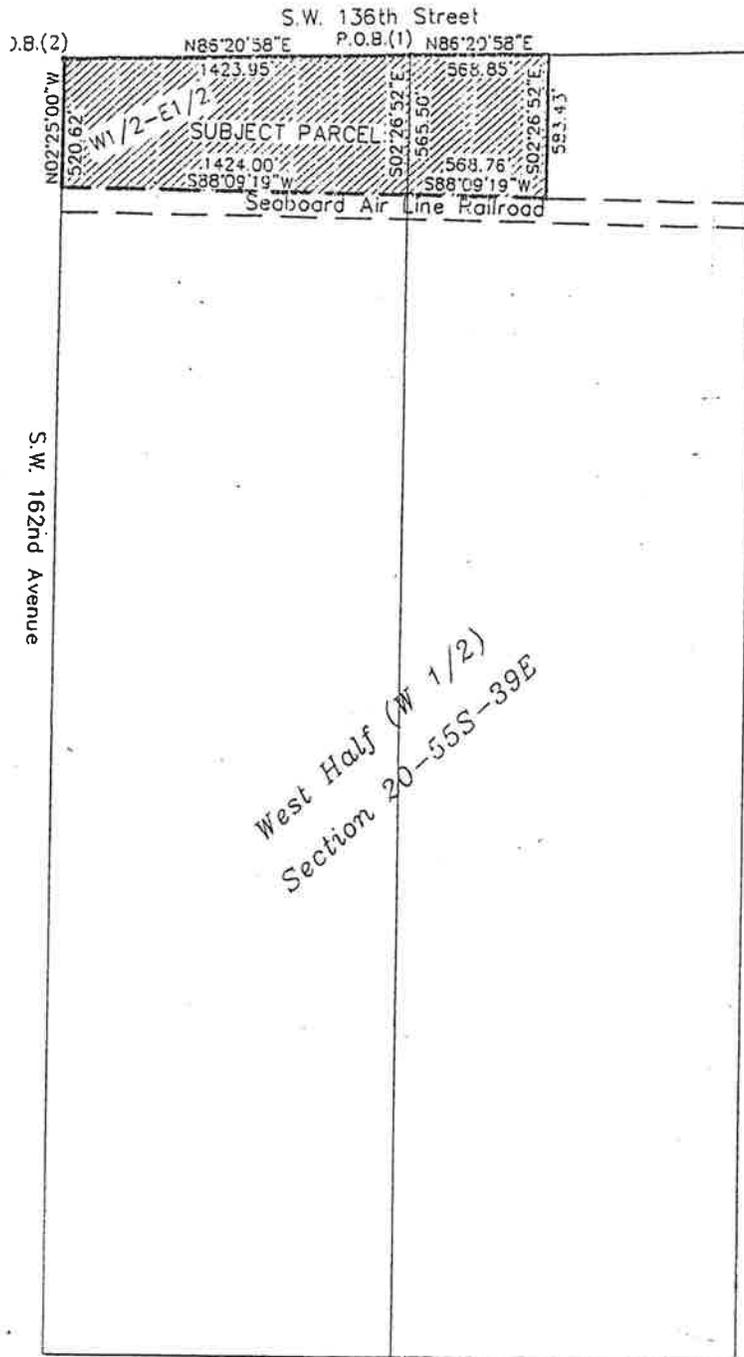
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# EXHIBIT "C"



LOCATION SKETCH

**APPLICATION NO. 10  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
University of Miami A Florida Non-Profit Corporation	Clifford A. Schulman, Esq. Greenberg, Traurig, PA 1221 Brickell Avenue Miami, Florida 33131 (305) 579-0500

**Requested Amendment to the Land Use Plan Map**

**PARCEL 1 (62.81)**

**From:** INSTITUTIONAL AND PUBLIC FACILITY

**To:** OFFICE / RESIDENTIAL

\*\*\*\*\*

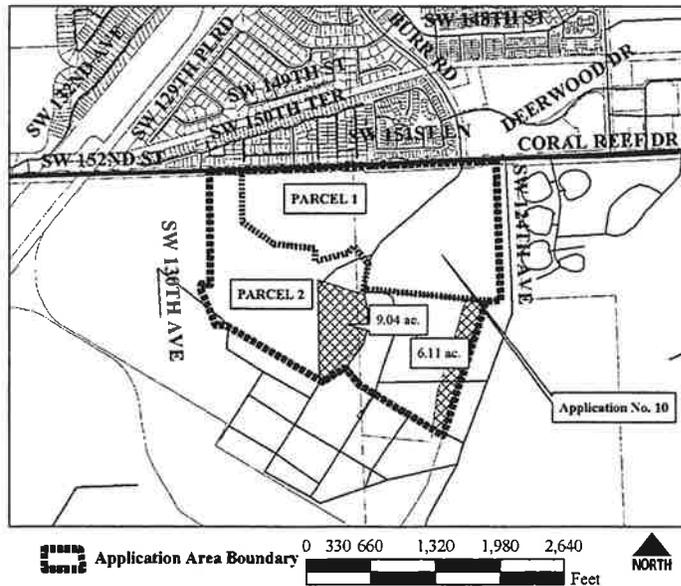
**PARCEL 2 (80.71)**

**From:** INSTITUTIONAL AND PUBLIC FACILITY

**To:** LOW-MEDIUM DENSITY RESIDENTIAL (5 to 13 DU/Ac.)

**Location:** Located on the south side of SW 152 Street (Coral Reef Drive) and immediately west of SW 124 Avenue

**Acreage:** Application area: 143.5 Acres  
Acreage Owned by Applicant: 128.54 Acres



Note: This summary page is not part of the actual application that follows.

C. Gross Acreage

Application area: 143.5 acres

Acreage owned by Applicant: 128.54 acres

D. Requested Change

1. It is requested that the area described in the Property Sketch as Parcel 1 be redesignated on the Land Use Plan from INSTITUTIONAL AND PUBLIC FACILITY to OFFICE/RESIDENTIAL, and the area described as Parcel 2 be redesignated from INSTITUTIONAL AND PUBLIC FACILITY to LOW MEDIUM DENSITY RESIDENTIAL (6-13 DU/AC.).

**4. REASONS FOR AMENDMENT**

Although the University of Miami (UM) currently operates academic and research facilities on a portion of the Subject Property, most of the Subject Property is vacant and under-utilized. UM seeks an alternative use for the Subject Property compatible with surrounding areas and uses. The Subject Property is bounded along its entire north boundary by S.W. 152<sup>nd</sup> Street (Coral Reef Drive), a major section-line road, and along its eastern boundary by S.W. 124<sup>th</sup> Avenue, the main entrance to MetroZoo. Adjacent residential communities have been developed under a Low-Medium Density Residential designation. The Subject Property is less than 1/2 mile west of the Florida Turnpike and less than 1 mile east of the intersection of S.W. 137<sup>th</sup> Avenue and Coral Reef Drive, a designated Urban Community Center. Although portions of the Subject Property contain Natural Forest Communities (NFC), UM has engaged professional consultants and is working with the Department of Environmental Resources Management (DERM) to identify, preserve and manage the designated NFC areas.

**5. ADDITIONAL MATERIAL SUBMITTED**

None.

**6. COMPLETE DISCLOSURE FORMS**

**Pages Of Disclosure Form Not Applicable To This Application Are Intentionally Omitted From This Printing.**

**DISCLOSURE OF INTEREST**

**This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.**

**1. APPLICANT (S) NAME AND ADDRESS:**

APPLICANT A: UNIVERSITY OF MIAMI, a Florida non-profit corporation \_\_\_\_\_

APPLICANT B: \_\_\_\_\_

APPLICANT C: \_\_\_\_\_

APPLICANT D: \_\_\_\_\_

APPLICANT E: \_\_\_\_\_

APPLICANT F: \_\_\_\_\_

APPLICANT G: \_\_\_\_\_

APPLICANT H: \_\_\_\_\_

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A- UNIVERSITY OF MIAMI,	UNIVERSITY OF MIAMI	30-5926-000-0060	106
a Florida non-profit corporation		30-5925-000-0015	30

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

UNIVERSITY OF MIAMI, a Florida non-profit corporation

CORPORATION NAME: \_\_\_\_\_

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
UNIVERSITY OF MIAMI, a Florida non-profit corporation	-0-

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

N/A

TRUSTEE'S NAME: \_\_\_\_\_

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

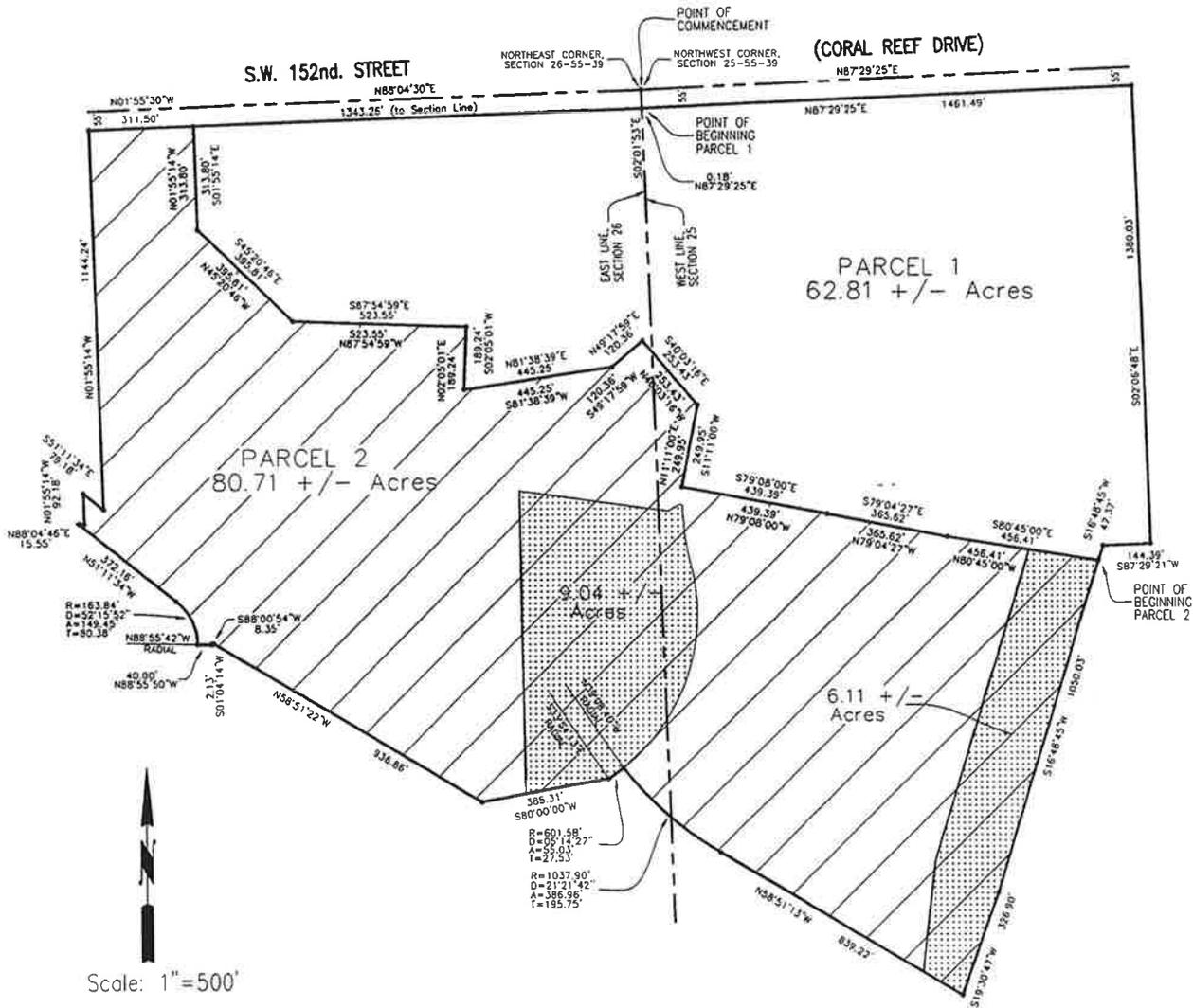
- d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

N/A

PARTNERSHIP NAME: \_\_\_\_\_

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENTAGE OF OWNERSHIP</u>
N/A	

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



**NOTE:**

Bearings shown hereon relate to an assumed bearing (N87°29'25"E) along the North Line of Section 25, Township 55 South, Range 39 East, Miami-Dade County, Florida.

See Sheets 2 and 3 for Legal Description.

Prepared For: MAMCO

File: RICHMOND-MAMCO/zoninglegals

**SCHWEBKE-SHISKIN & ASSOCIATES, INC. (LB-87)**  
 LAND SURVEYORS • ENGINEERS • LAND PLANNERS • SOILS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 • DADE:(305)652-7010 BROWARD:(954)435-7010 FAX:(305)652-8284  
 11941 S.W. 144th. STREET MIAMI, FLORIDA 33186 • TEL:(305) 233-9210 FAX:(305)251-1183

THIS IS NOT A "LAND SURVEY".  
 ORDER NO.: 443010  
 DATE: April 29, 2004  
 SHEET 1 OF 3 SHEET(S) F.B.: N.A.

PREPARED UNDER MY SUPERVISION:  
 \_\_\_\_\_  
 MARK STEVEN JOHNSON VICE PRES.  
 FLORIDA PROF. LAND SURVEYOR NO. 4775

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PARCEL 2

*Legal Description:*

*A portion of the West Half (1/2) of Section 25, Township 55 South, Range 39 East, and a portion of the East Half (1/2) of Section 26, Township 55 South, Range 39 East, Miami-Dade County, Florida, being more particularly described as follows;*

*Commence at the Northwest corner of said Section 25; thence run South 02 degrees 01 minutes 53 seconds East, along the West line of said Section 25, for 55.00 feet to a point on a line 55.00 feet South of and parallel with, as measured at right angles to, the North line of said Section 26 (said line also being the Southerly right-of-way line of S.W. 152nd Street); thence run North 88 degrees 04 minutes 30 East, along a line 55.00 feet South of and parallel with, as measured at right angles to, the said North line of Section 26, for 0.18 feet; thence North 87 degrees 29 minutes 25 seconds East, along a line 55.00 feet South of and parallel with, as measured at right angles to, the North line of said Section 25, for 1,461.49 feet ; thence South 02 degrees 06 minutes 48 seconds East for 1380.03 feet; thence South 87 degrees 29 minutes 21 seconds West, for 144.39 feet; thence South 16 degrees 48 minutes 45 seconds West for 47.37 feet to the Point of Beginning of the following described PARCEL 2; thence continue South 16 degrees 48 minutes 45 seconds West for 1050.03 feet; thence South 19 degrees 30 minutes 47 seconds West for 326.90 feet (said last mentioned four courses being coincident with the boundary of a portion of the lands described in that certain "Dade County Zoo Parcel," as described in the Corrective Quit Claim Deed, dated September 30, 1975, recorded in Official Records Book 9159, Pages 926 to 937 and filed November 20, 1975, in the Public Records of Miami-Dade County, Florida); thence North 58 degrees 51 minutes 13 seconds West for 839.22 feet to a Point of Tangency of a circular curve concave to the Northeast; thence run Northwesterly along the arc of a circular curve to the right, having a radius of 1,037.90 feet and a central angle of 21 degrees 21 minutes 42 seconds, for an arc distance of 386.96 feet to a point on the next described curve being concave to the Northwest, said point lying South 39 degrees 08 minutes 40 West from the radius point of the next described curve (said last mentioned two courses being coincident with a line 20.00 feet North of and parallel with, as measured at right angles to, the centerline of "H" Street); thence run Southwesterly along the arc of a circular curve to the right, having a radius of 601.58 feet and 05 degrees 14 minutes 27 seconds, for an arc distance of 55.03 feet (said last mentioned course being coincident with the centerline of "B" Street); thence South 80 degrees 00 minutes 00 seconds West for 385.31 feet; thence North 58 degrees 51 minutes 22 seconds West for 1,095.51 feet; thence South 88 degrees 00 minutes 54 seconds West for 8.35 feet; thence South 01 degrees 04 minutes 14 seconds West for 2.13 feet; thence North 88 degrees 55 minutes 50 seconds West for 40.00 feet to a point on the next described circular curve being concave to the Southwest (from said point a line bears North 88 degrees 55 minutes 42 seconds West to the radius point of the next described curve); thence run Northerly and Northwesterly along the arc of a circular curve to the left, having a radius of 163.84 feet and a central angle of 52 degrees 15 minutes 52 seconds, for an arc distance of 149.45 feet to a Point of Tangency; thence North 51 degrees 11 minutes 34 seconds West for 372.16 feet; thence North 88 degrees 04 minutes 46 seconds East for 15.55 feet; thence North 01 degrees 55 minutes 14 seconds West for 92.18 feet; thence South 51 degrees 11 minutes 34 seconds East for 79.18 feet; thence North 01 degrees 55 minutes 14 seconds West for 1,144.24 feet; thence North 88 degrees 04 minutes 30 seconds East, along a line 55.00 feet South of and parallel with, as measured at right angles to, the North line of said Section 26, for 311.50 feet; thence South 01 degrees 55 minutes 14 seconds East for 313.80 feet; thence South 45 degrees 20 minutes 46 seconds East for 395.81 feet; thence South 87 degrees 54 minutes 59 seconds East for 523.55 feet; thence South 02 degrees 05 minutes 01 seconds West for 189.24 feet; thence North 81 degrees 38 minutes 39 seconds East for 445.25 feet; thence North 49 degrees 17 minutes 59 seconds East for 120.36 feet; thence South 40 degrees 03 minutes 16 seconds East for 253.43 feet; thence South 11 degrees 11 minutes 00 seconds West for 249.95 feet; thence South 79 degrees 08 minutes 00 seconds East for 439.39 feet; thence South 79 degrees 04 minutes 27 seconds East for 365.62 feet; thence South 80 degrees 45 minutes 00 seconds East for 456.41 feet to the Point of Beginning, lying and being in Sections 25 and 26, Township 55 South, Range 39 East, Miami-Dade County, Florida, containing 80.71 Acres, more or less.*

**NOTE:**

See Sheet 1 for Sketch to Accompany Legal Description.

Prepared For: MAMCO

File: RICHMOND-MAMCO/zoninglegals



## SCHWEBKE-SHISKIN & ASSOCIATES, INC. (LB-87) LAND SURVEYORS • ENGINEERS • LAND PLANNERS • SOILS

3240 CORPORATE WAY, MIRAMAR, FLORIDA 33025 • DADE:(305)652-7010 BROWARD:(954)435-7010 FAX:(305)652-8284  
11941 S.W. 144th, STREET MIAMI, FLORIDA 33186 • TEL:(305) 233-9210 FAX:(305)251-1183

THIS IS NOT A "LAND SURVEY".

ORDER NO.: 443010

PREPARED UNDER MY SUPERVISION:

DATE: April 29, 2004

MARK STEVEN JOHNSON VICE PRES.  
FLORIDA PROF. LAND SURVEYOR NO. 4775

SHEET 3 OF 3 SHEET(S)

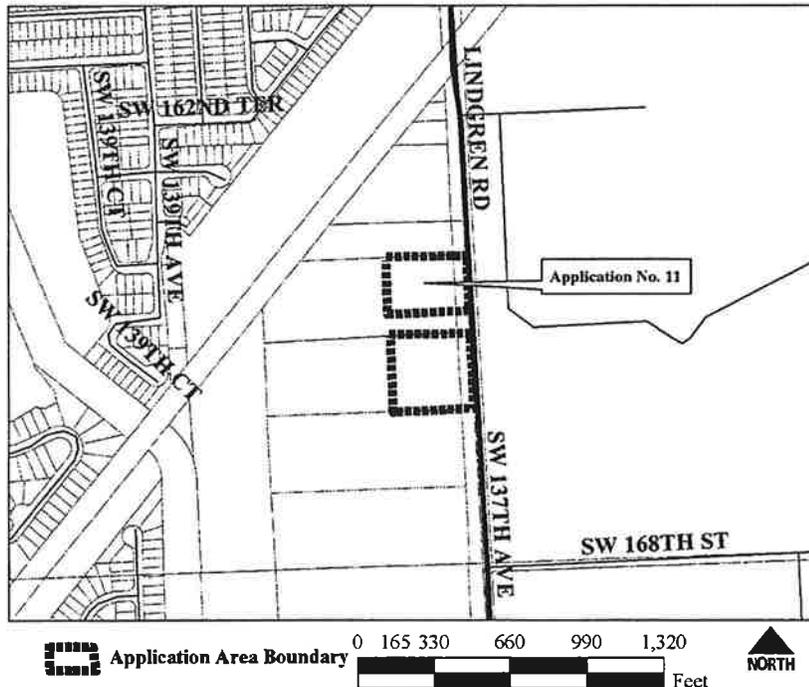
F.B.: N.A.

**APPLICATION NO. 11  
STANDARD AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Silver Group 137, Inc. c/o Juan J. Mayol, Jr., Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Richard A. Perez, Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131 (305) 374-5600 (305) 374-5095 Fax

**Requested Amendment to the Land Use Plan Map**

**From:** INDUSTRIAL AND OFFICE  
**To:** BUSINESS AND OFFICE  
**Location:** Southwest corner of SW 137 Avenue and theoretical SW 164 Street  
**Acreage:** Application area: 4.93 Acres  
 Acreage Owned by Applicant: 4.936 Acres



Note: This summary page is not part of the actual application that follows.

C. Acreage.

Subject application area: ± 4.93 acres  
Acreage owned by applicant: ± 4.936 acres

D. Requested Change.

1. It is requested that the subject area be redesignated on the Land Use Plan map from "Industrial and Office" to "Business and Office."
2. The requested change is not eligible for expedited processing as a "Small-Scale" amendment, and therefore the Applicant hereby requests that this application be processed under the standard procedure.

4. REASONS FOR AMENDMENT

The Applicant requests the re-designation of the Property from "Industrial and Office" to "Business and Office" to permit a mixed use development, consistent with the adjacent uses, including the future uses on the pending application to re-designate the property owned by the Applicant immediately to the west of the subject property. The subject property enjoys access to a section line road (SW 137<sup>th</sup> Avenue) and is directly adjacent to essentially vacant land to the north and south with residential development abutting the Florida Power & Light transmission lines and the Seaboard Coastline Railway to the west. The property is also directly across the street (SW 137<sup>th</sup> Avenue) from the 314-acre Richmond Naval Air Station to the east.

Although the prevailing CDMP land-use designation on this portion of the SW 137<sup>th</sup> Avenue corridor is "Industrial and Office" use, the large majority of the parcels have been developed with residential uses. Despite the large number of residents in the area, the only land designated for Business and Office uses in the fifteen square miles surrounding the property is located on SW 152 Street east of SW 137<sup>th</sup> Avenue.

Furthermore, a "Business and Office" designation will afford the Applicant a greater flexibility to design a project that fully incorporates the property owned by the Applicant adjacent to the subject property. The Department of Planning and Zoning anticipated this approach in its Recommendations for the October 2003 Applications to Amend the CDMP. The Department's recommendation stated:

A compatible transition is needed between the application site and the adjacent industrial and commercial properties. At the time of zoning, measures should be taken to address any incompatibilities between uses. The application site should be developed together with recently rezoned business parcels that are located north and south of the panhandle of the application site. This approach would promote a better-designed office/residential development by integrating compatible and complementary elements and buffer any potentially incompatible elements. [1-126]

**LAND USE POLICY 1F:** In planning and designing all new residential development and redevelopment in the county, Miami-Dade County shall vigorously promote implementation of the "Guidelines for Urban Form" contained in the "Interpretation of the Land Use Plan Map" text adopted as an extension of these policies.

**LAND USE POLICY 1P:** Miami-Dade County shall seek to prevent discontinuous scattered development at the urban fringe particularly in the Agricultural Areas, through its CDMP amendment process, regulatory and capital improvements programs, and intergovernmental coordination activities.

**LAND USE POLICY 4A:** 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.

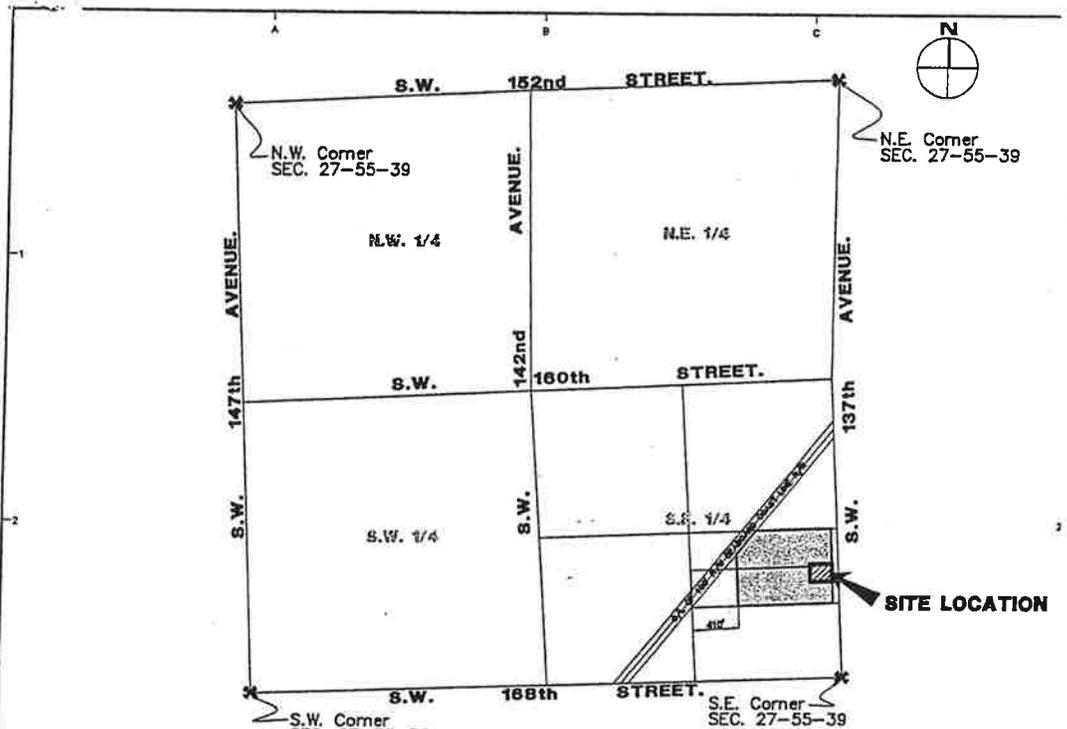
**LAND USE POLICY 4C:** Residential neighborhoods shall be protected from intrusion by uses that would disrupt or degrade the health, safety, tranquility character and overall welfare of the neighborhood by creating such impacts as excessive density, noise, light, glare, odor, vibration, dust or traffic.

**LAND USE POLICY 4D:** Uses which are supportive but potentially incompatible shall be permitted on sites within functional neighborhoods, communities or districts only where proper design solutions can and will be used to integrate the compatible and complementary elements and buffer any potentially incompatible elements.

**LAND USE POLICY 5A:** The textual material titled "Interpretation of the Land Use Plan Map" contained in this Element establishes standards for allowable land uses, and densities or intensities of use for each land use category identified on the adopted Land Use Plan (LUP) map, and is declared to be an integral part of these adopted Land Use Policies.

**LAND USE OBJECTIVE 8:** Miami-Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives and Policies of this Plan, which will provide that the Land Use Plan map accommodates countywide growth.

**LAND USE POLICY 8A:** 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.



**LOCATION MAP**  
SECTION 27-55-39  
NOT TO SCALE

**SURVEYOR'S NOTES:**

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and Bearing shown hereon are based on an assumed value of N03deg07min07secW along the East line of Section 27-55-39 of Dade-County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) No Title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

**SURVEYOR'S CERTIFICATE:**

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc.

Date: OCTOBER 13, 2000.

*Edwin J. Fernandez*  
Edwin J. Fernandez, P.S.M.  
Professional Surveyor and Mapper  
State of Florida, Registration No. 5676

PARCEL B (IU-1)

16400 S.W. 137th AVENUE

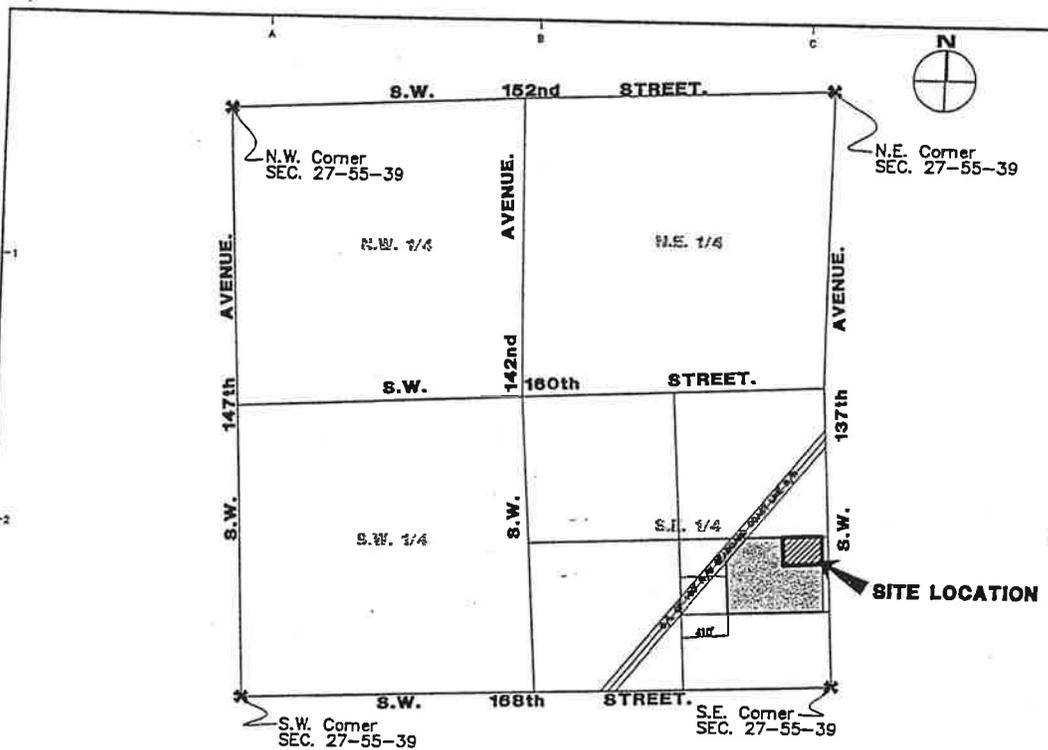
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FORD, ARMENTEROS & MANUCY, INC.

151

TYPE OF PROJECT:		SKETCH AND LEGAL DESCRIPTION	
SHEET NAME:		SKETCH AND LEGAL DESCRIPTION	
PREPARED FOR:		SILVER GAS	
DRAWN BY:	L.DUARTE	DATE:	10/13/2000
DATE DECDED BY:		SCALE:	AS SHOWN
DECDED BY:		PROJECT No:	00-212
			SHEET: 1
			of 2 SHEETS



**LOCATION MAP**  
SECTION 27-55-39  
NOT TO SCALE

**SURVEYOR'S NOTES:**

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and Bearing shown hereon are based on an assumed value of N03deg07min07secW along the East line of Section 27-55-39 of Dade-County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) No Title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

**SURVEYOR'S CERTIFICATE:**

I Hereby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.  
I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.  
Ford, Armenteros & Manuzy, Inc.  
Date: OCTOBER 13, 2000.

*Edwin J. Fernandez*  
Edwin J. Fernandez, P.S.M.  
Professional Surveyor and Mapper  
State of Florida, Registration No. 5676

PARCEL A (BU-1A)

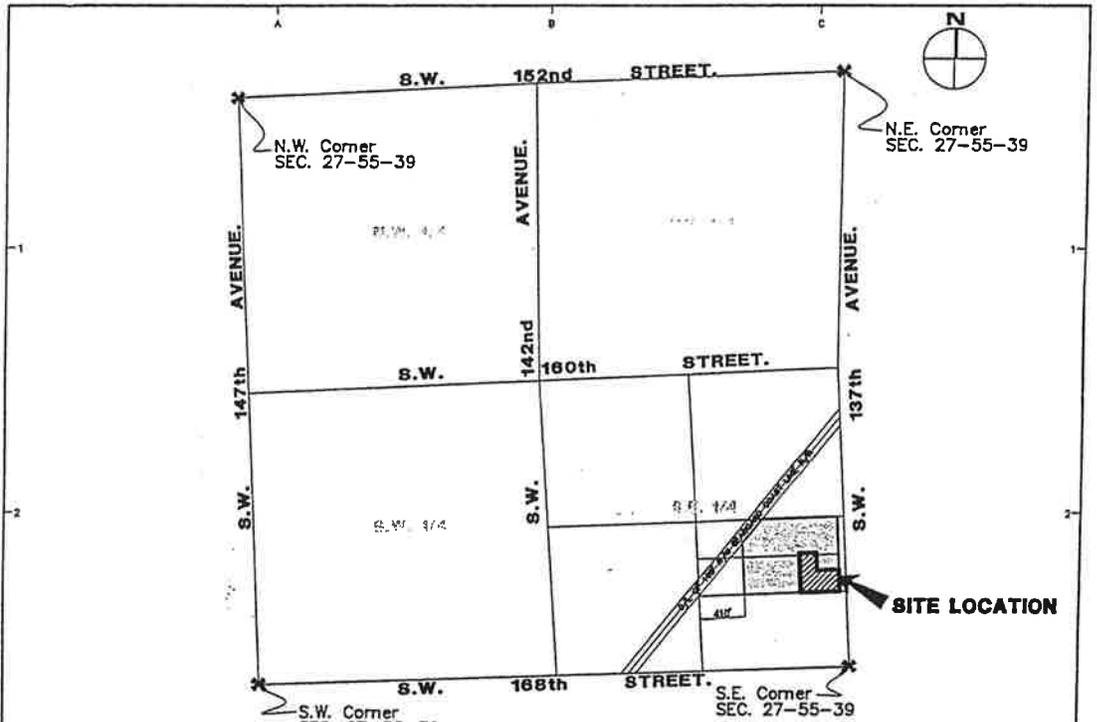
16400 S.W. 137th AVENUE

Q:\MVALE & SURVEY\SKETCH & LEGAL\00-212-1000.DWG



153

TYPE OF PROJECT:	SKETCH AND LEGAL DESCRIPTION		
SHEET NAME:	LOCATION MAP & SURVEYOR'S NOTES		
PREPARED FOR:	SILVER GAS		
DRAWN BY:	L. DUARTE	DATE:	10/13/2000
DEC. CHECKED BY:		SCALE:	AS SHOWN
DECIDED BY:		PROJECT No:	00-212
			1 of 2 SHEETS



**LOCATION MAP**  
SECTION 27-55-39  
NOT TO SCALE

**SURVEYOR'S NOTES:**

- 1) This is not a Boundary Survey, but only a GRAPHIC DEPICTION of the description shown hereon.
- 2) North arrow direction and Bearing shown hereon are based on an assumed value of N03deg07min07secW along the East line of Section 27-55-39 of Dade-County, Florida.
- 3) Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) There may be additional Restrictions not shown on this Sketch & Legal that may be found in the Public Records of this County, Examination of ABSTRACT OF TITLE will have to be made to determine recorded instruments, if any affecting this property.
- 5) The Sketch and Legal Description shown herein is based on the information provided by the Client.
- 6) No Title research has been performed to determine if there are any conflict existing or arising out of the creation of the easements, Right of Ways, Parcel Descriptions, or any other type of encumbrances that the herein described legal may be utilized for.

**SURVEYOR'S CERTIFICATE:**

I Herby Certify to the best of my knowledge and belief that this drawing is a true and correct representation of the SKETCH AND LEGAL DESCRIPTION, of the real property described hereon.

I further certify that this survey was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code. Ford, Armenteros & Manucy, Inc.

Date: OCTOBER 13, 2000.

  
Edwin J. Fernandez, P.S.M.  
Professional Surveyor and Mapper  
State of Florida, Registration No. 5676

PARCEL C (BU-1A)

**16400 S.W. 137th AVENUE**

Q:\A\A\A & S\SURVEY\SKETCH & LEGAL\00-212-1000.DWG



FORD, ARMENTEROS & MANUCY, INC.  
155

TYPE OF PROJECT:	SKETCH AND LEGAL DESCRIPTION		
SHEET NAME:	SKETCH AND LEGAL DESCRIPTION		
PREPARED FOR:	SILVER GAS		
DRAWN BY:	LDUARTE	DATE:	10/13/2000
CHK. CHECKED BY:		SCALE:	AS SHOWN
CHECKED BY:		PROJECT No:	00-212
			1
			of 2 SHEETS

**Pages Of Disclosure Form Not Applicable To This Application Are Intentionally Omitted From This Printing.**

**DISCLOSURE OF INTEREST**

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

**1. APPLICANT (S) NAME AND ADDRESS:**

**APPLICANT A: SILVER GROUP 137, INC.**

c/o JUAN MAYOL, ESO

AKERMAN SENTERFITT, P.A.

ONE SE THIRD AVENUE, 28<sup>TH</sup> FLOOR

MIAMI, FL 33131

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN ACRES
A. SILVER GROUP 137, INC.	SAME	30-5927-000-0240	portion of 6.41
		30-5927-000-0150	portion of 6.45

- b. If the owner is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders consist of another corporation(s), trustee(s) partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]

**CORPORATION**

NAME: Silver Group 137, Inc.

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>7900 NW 155 Street, Suit 204</u>	
<u>Miami Lakes, Florida 33016</u>	
<u>Oscar Delgado</u>	<u>20%</u>
<u>Reginald E. Beane</u>	<u>20%</u>
<u>Rene Cambert</u>	<u>20%</u>
<u>Jose Delgado</u>	<u>20%</u>
<u>Luis M. Espinosa</u>	<u>20%</u>

- c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

**TRUSTEES**

NAME: \_\_\_\_\_

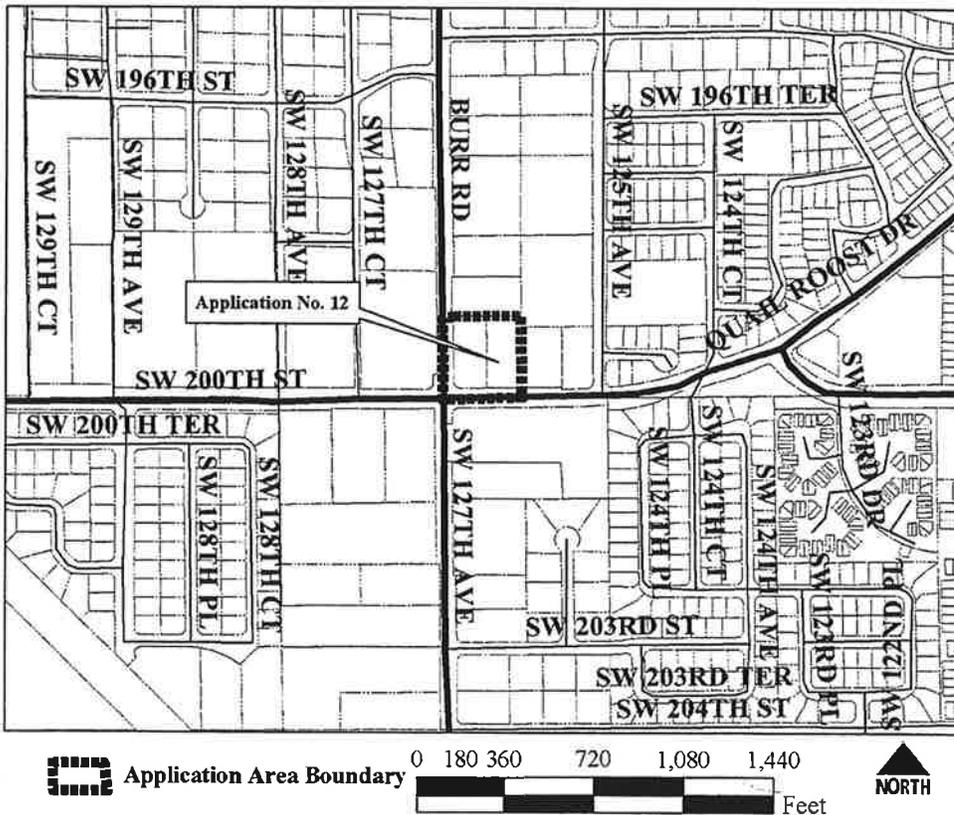
<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
<u>N/A</u>	

**APPLICATION NO. 12**  
**SMALL-SCALE AMENDMENT APPLICATION**

<u>Applicant</u>	<u>Applicant's Representative</u>
Gadinsky Development Co., Inc. 111 Lincoln Road Suite 400 Miami Beach, Florida 33139 (786) 276-2387	Jeffrey Bercow, Esq. Melissa Tapanes Llahues, Esq. Bercow & Radell, P.A. 200 S. Biscayne Blvd., #850 Miami, Florida 33131 (305) 374-5300

**Requested Amendment to the Land Use Plan Map**

**From:** LOW DENSITY RESIDENTIAL (2.5 to 6 DU/Ac.)  
**To:** BUSINESS AND OFFICE  
**Location:** Property is located at the Northeast corner of SW 200 Street and SW 127 Avenue.  
**Acreage:** Application area: 2.01 Acres  
 Acreage Owned by Applicant: 0 Acres



Note: This summary page is not part of the actual application that follows.

### C. Gross Acreage

Application area: 2.01 gross acres  
Acreage owned by Applicant: 0 gross acres.

### D. Requested Changes

1. The Applicant respectfully requests that the 2.01-acre application area be re-designated on the Land Use Plan Map from Low Density Residential (2.5 to 6 dwelling units per acre) to Business and Office.
2. The applicant requests that this application be processed as a "Small-Scale" amendment and that the application be expedited pursuant to the procedure for small-scale amendments.

## 4. REASONS FOR AMENDMENT

The Miami-Dade County Comprehensive Development Master Plan ("CDMP") Land Use Element provides that commercial development in newly developing areas should be concentrated in nodes at major intersections. (CDMP Page I-35) The Guidelines for Urban Form further provides that the intersections of section line roads should serve as focal points for activity or "activity nodes." (CDMP Page I-21). The Application Area ("Property") is located at the northeast intersection of two major roadways, Southwest 127 Avenue and Quail Roost Drive (Southwest 200 Street). Both Southwest 127 Avenue and Southwest 200 Street are major section line roads. Therefore, the Property is primed to serve the emerging community as an activity node. The only means to realize this ideal and satisfy the growing community's needs is to re-designate the Property to "Business and Office."

The CDMP recognizes that the allocation of commercial development rights among quadrants of such nodes will depend on a variety of factors, including compatibility with adjacent uses. (CDMP Page I-35) The Board of County Commissioners approved the re-designation of the 9.99-acre Pelican Bay Development, Inc. property ("Pelican Bay Property") to "Business and Office" in the October 2001 application cycle. The Pelican Bay Property is located at the southeast corner of the intersection of Southwest 127 Avenue and Southwest 200 Street, directly across the street from the Property. The Pelican Bay Property is in the process of being developed as a community serving retail center with a Publix supermarket anchor store. Thus, the re-designation of the Property will be compatible with the adjacent uses. Through the Pelican Bay Property approval, the Board of County Commissioners has expressed its vision for the intersection of Southwest 127 Avenue and Southwest 200 Street as an activity node to serve the commercial needs of the surrounding community.

Notwithstanding the neighboring compatible uses, the Property is surrounded by a considerable amount of residentially designated land that is not adequately served by the existing inventory of land designated for business uses. Land Use Element Objective 8 and Land Use Element Policies 8A, 8F, 8G, and 8H, all require that Miami-Dade County maintain an adequate



4. **DISCLOSURE OF APPLICANT'S INTEREST: Complete all appropriate sections and indicate N/A for each section that is not applicable.**

- a. **If the applicant is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.**

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

N/A

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- b. **If the applicant is a CORPORATION, list the corporation's name, the name and address of the principal stockholders and the percentage of stock owned by each. [Note: where the principal officers or stockholders, consist of another corporation (S), trustee(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity.]**

**CORPORATION NAME:** Gadinsky Development Co., Inc.

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENT AGE OF STOCK</u>
Seth Gadinsky 1111 Lincoln Road, Suite 400, Miami Beach, FL 33139	100%

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- c. **If the applicant is a TRUSTEE, list the trustee's name, the name beneficiaries of the trust, and the percentage of interest held by each. [ Note: where the beneficiary/beneficiaries consist of corporation(s), partnership(s), or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

**TRUSTEES**

**NAME:** N/A

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENTAGE OF INTEREST</u>
N/A	

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- d. **If the applicant is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners and the percentage of interest held by each partner. [Note: where the partner (s) consist of another partnership(s), corporation (S) trust (S) or other similar entities, further disclosure shall be required which discloses the identity of the individual (s) (natural persons) having the ultimate ownership interest in the aforementioned entity].**

**PARTNERSHIP NAME:** N/A

CORPORATION NAME:           N/A          

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF STOCK</u>
<u>N/A</u>	

c. If the owner is a TRUSTEE, and list the trustee's name, the name and address of the beneficiaries of the trust and the percentage of interest held by each. [Note: where the beneficiary/beneficiaries consist of corporation(s), another trust(s), partnership(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

TRUSTEE'S

NAME:           N/A          

<u>BENEFICIARY'S NAME AND ADDRESS</u>	<u>PERCENT AGE OF INTEREST</u>
<u>N/A</u>	

d. If the owner is a PARTNERSHIP or LIMITED PARTNERSHIP , list the name of the partnership, the name and address of the principals of the partnership, including general and limited partners, and the percentage of interest held by each. [Note: where the partner(s) consist of another partnership(s), corporation(s) trust(s) or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

PARTNERSHIP NAME:           N/A          

<u>NAME AND ADDRESS OF PARTNERS</u>	<u>PERCENT AGE OF OWNERSHIP</u>
<u>N/A</u>	

e. If the owner is party to a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

<u>NAME, ADDRESS, AND OFFICE (if applicable)</u>	<u>PERCENTAGE OF INTEREST</u>
<u>Eric E. Kimmel &amp; Michelle Kimmel</u>	<u>100%</u>
<u>12685 SW 200 Street, Miami, FL 33177</u>	
<u>Marc Massar</u>	<u>100%</u>
<u>2164 Genova Drive, Oviedo, FL 32765</u>	

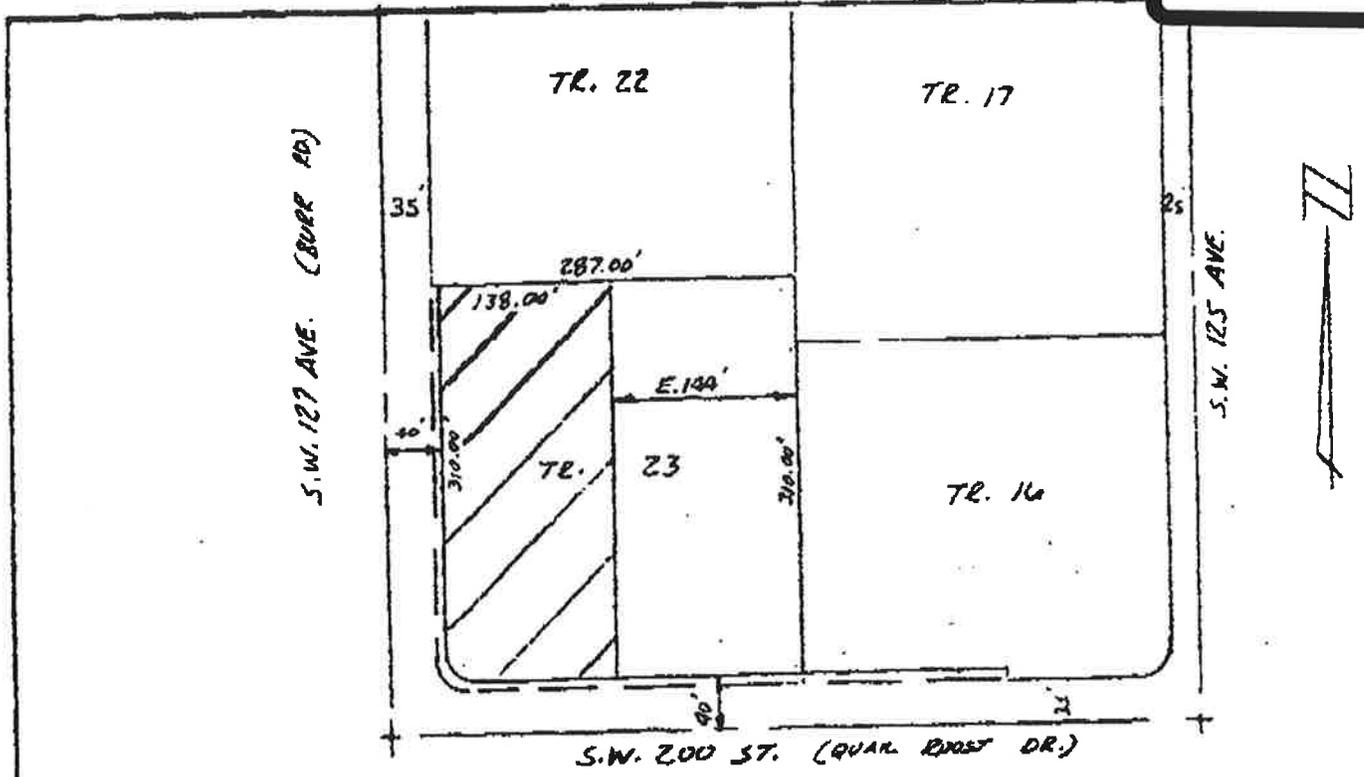
Date of Contract: Massar 03/03/03 and Kimmel 02/13/03

FROM : Marc Massar

FAX NO. :

Jun. 21 2002

EXHIBIT  
tabbles  
A



LOCATION SKETCH

LEGAL DESCRIPTION

Tract 23 of QUAIL ROOST ESTATES, according to the plat thereof, as recorded in Plat Book 44 at Page 94 of the Public Records of Dade County, Florida, LESS the East 144 feet, and the South 5 feet, and the West 5 feet thereof, AND ALSO LESS the area bounded by the North line of the South 5 feet of said Tract 23, and bounded by the East line of the West 5 feet of said Tract 23, and bounded by a 25 foot radius arc concave to the Northeast, said arc being tangent to both of the last described lines.

Only Record Plat Easements Are Shown.

Legal Description provided by Mr. Mark Massar.

BOUNDARY SURVEY

SURVEY FOR: Mr. Mark Massar; 23950 S.W. 167 Ave., Homestead, Fla. 33030

CERTIFICATE NOTE: "NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS' SEAL."

I hereby certify that the survey represented hereon meets the minimum standards as set forth by the Florida Board of Land Surveyors and is true and correct to the best of my knowledge and belief, and that there are no above ground encroachments except as shown hereon.

*Frank Makowski*  
 Frank Makowski



REVISIONS		BY	DATE

SCALE	DATE	JOB #	F.B./PG.	FILE

FUND OWNER'S FORM

SCHEDULE A

Policy or  
Guarantee No.:  
OP-567838

Effective Date:  
5/8/84 at 8:00 A.M.

Member's File Reference:  
#2873

Amount of Insurance: \$ 88,000.00

1. Name of Insured:

Eric E. Kimmel

2. The estate or interest in the land described herein and which is covered by this policy or guarantee is a fee simple (if other, specify same) and is at the effective date hereof vested in the named insured as shown by instrument recorded in Official Records Book 12139, Page 3869, of the Public Records of Dade County, Florida.

3. The land referred to in this policy or guarantee is described as follows:

The East 144 feet of Tract 23 of QUAIL ROOST ESTATES, according to the Plat thereof, as recorded in Plat Book 44, Page 94, of the Public Records of Dade County, Florida, less and except the South 5.00 feet thereof.

ISSUED BY  
Sullivan, Admire & Sullivan  
Professional Association

(Attorney or Firm of Attorneys)

1162  
MEMBER NO.

*[Signature]*  
ATTORNEY-MEMBER'S SIGNATURE

~~2511 Ponce de Leon Blvd., Suite 320~~  
(Mailing Address)

173

~~Orlando, Florida~~  
(City)

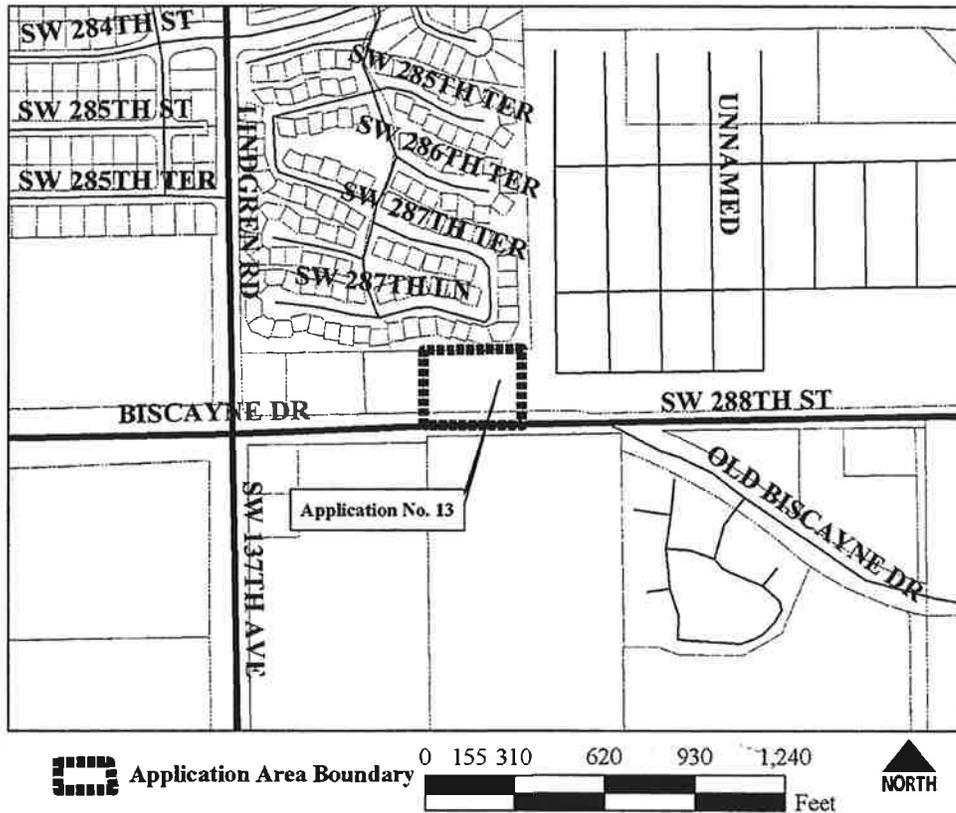
Florida, ~~32134~~  
(Zip)

**APPLICATION NO. 13  
SMALL-SCALE AMENDMENT APPLICATION**

<b>Applicant</b>	<b>Applicant's Representative</b>
Numero Uno Properties, Inc. c/o Felix M. Lasarte, Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131	Juan J. Mayol, Jr., Esq. Felix M. Lasarte, Esq. Akerman, Senterfitt, P.A. One Southeast Third Avenue, 26 <sup>th</sup> Floor Miami, Florida 33131 (305) 374-5600 (305) 374-5095 Fax

**Requested Amendment to the Land Use Plan Map**

**From:** LOW DENSITY RESIDENTIAL (2.5 to 6.0 DU/Ac.)  
**To:** BUSINESS AND OFFICE  
**Location:** North side of SW 288 Street and 660' East of SW 137 Avenue  
**Acreege:** Application area: 2.05 (1.69 net acres) Acres  
 Acreege Owned by Applicant: 0 Acres



Note: This summary page is not part of the actual application that follows.

C. Acreage.

Subject application area: 2.05 acres; 1.69 acres (net excluding right-of-way)  
Acreage owned by applicant: . 0 acres

D. Requested Change.

1. It is requested that the subject area be redesignated on the Land Use Plan map from "Low Density Residential" to "Business and Office."
2. The requested change is eligible for expedited processing as a "Small-Scale" amendment, and the Applicant hereby requests that this application be processed under the expedited procedure as a small-scale amendment.

4. REASONS FOR AMENDMENT

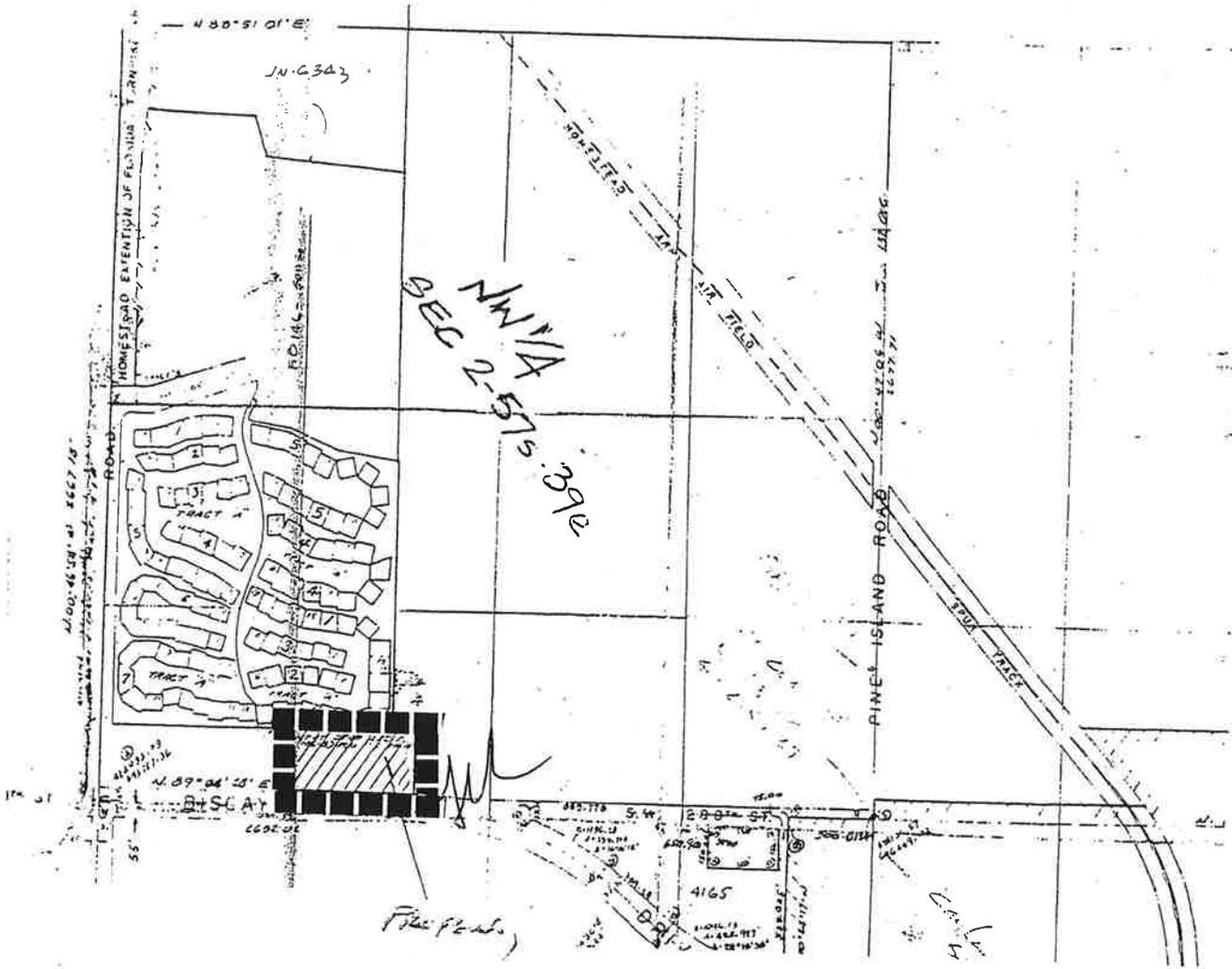
Applicant is requesting this re-designation from "Low Density Residential" to "Business and Office" for the second time. In April 2003, Applicant requested this re-designation and was denied. Applicant feels that the conditions in the area have changed significantly to merit a reconsideration of the request. The subject property is near the largest developing residential community in Miami-Dade County. The additional 2.05 acres of Commercial/Retail will benefit greatly the community being developed South of the property. The additional retail will also serve to provide more modern alternative to the existing retail uses in the area.

LAND USE OBJECTIVE :

- 1B. Major centers of activity, industrial complexes, regional shopping centers, large scale office centers and other concentrations of significant employment shall be the structuring elements of the metropolitan area and shall be sited on the basis of metropolitan-scale considerations at locations with good countywide, multi-modal accessibility.
- 1H. Business developments shall preferably be placed in clusters or nodes in the vicinity of major roadway intersections, and not in continuous strips or as isolated spots, with the exception of small neighborhood nodes. Business developments shall be designed to relate to adjacent development, and large uses should be planned and designed to serve as an anchor for adjoining smaller businesses or the adjacent business district. Granting of commercial or other non-residential zoning by the County is not necessarily warranted on a given property by virtue of nearby or adjacent roadway construction or expansion, or by its location at the intersection of two roadways.
- 9N. By 1997, Miami-Dade County shall endeavor to initiate review and revision of its Zoning Code and Subdivision Regulations to facilitate the development of better planned communities and better designed buildings. Changes to be considered shall include provisions for:

EXHIBIT "C"

Location Sketch



**Pages Of Disclosure Form Not Applicable To This Application Are Intentionally Omitted From This Printing.**

**DISCLOSURE OF INTEREST**

This form or a facsimile must be filed by all applicants having an ownership interest in any real property covered by an application to amend the Land Use Plan map. Submit this form with your application. Attach additional sheets where necessary.

**1. APPLICANT (S) NAME AND ADDRESS:**

**APPLICANT A:** Numero Uno Properties, Inc.  
C/O Felix M. Lasarte  
1 SE 3<sup>rd</sup> Avenue, 28 Floor  
MIAMI, FL 33131

Use the above alphabetical designation for applicants in completing Sections 2 and 3, below.

**2. PROPERTY DESCRIPTION: Provide the following information for all properties in the application area in which the applicant has an interest. Complete information must be provided for each parcel.**

APPLICANT	OWNER OF RECORD	FOLIO NUMBER	SIZE IN SQ. FT.
A	Warren E. and Bonnie W. Daniels	30-7902-000-0091	1.69 acres (net)

**3. For each applicant, check the appropriate column to indicate the nature of the applicant's interest in the property identified in 2., above.**

APPLICANT	OWNER	LESSEE	CONTRACTOR FOR PURCHASE	OTHER (Attach Explanation)
A			X	

- e. If the applicant is party to a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. [Note: where the principal officers, stockholders, beneficiaries, or partners consist of another corporation, trust, partnership, or other similar entities, further disclosure shall be required which discloses the identity of the individual(s) (natural persons) having the ultimate ownership interest in the aforementioned entity].

NAME AND ADDRESS

PERCENTAGE OF INTEREST

Numero Uno Properties, Inc.

1133 S. Alhambra Circle, Coral Gables, Florida 33146

Principal Officers & Stockholders: Sergio Delgado 50% & Luis Machado 50%

Date of Contract 04/30/03

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

N/A

5. **DISCLOSURE OF OWNER'S INTEREST:** Complete only if an entity other than the applicant is the owner of record as shown on 2.a., above.

- a. If the owner is an individual (natural person) list the applicant and all other individual owners below and the percentage of interest held by each.

INDIVIDUAL'S NAME AND ADDRESS

PERCENTAGE OF INTEREST

Warren G. & Bonnie W. Daniels

100%

15540 SW 156 Avenue, Miami, Florida 33187

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of the final public hearing, a supplemental disclosure of interest shall be filed.

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

Applicant's Signatures and Printed Names

Numero Uno Properties, Inc.

Luis Machado, Vice-President

Sworn to and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public, State of Florida at Large (SEAL)

My Commission Expires:

Disclosure shall not be required of any entity, the equity interest in which are regularly traded on an established securities market in the United States or other country; or pension funds or pension trusts of more than five thousand (5,000) ownership interests; any entity where ownership interests are held in a partnership, corporation or trust consisting of more FMGM than five thousand (5,000) separate interests including all interests at each level of ownership, and no one pension or entity holds more than a total of five (5) percent of the ownership interest in the partnership, corporation or trust; or of any entity, the ownership interest of which are held in a partnership, corporation or trust consisting of more than 5,000 separate interests and where no one person or entity holds more than a total of 5% of the ownership interest in the partnership, corporation or trust. Entities whose ownership interests are held in 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.

**APPLICATION NO. 14**

**APPLICATION REQUESTING AMENDMENT TO THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**1. APPLICANT**

Miami-Dade County Department  
of Planning and Zoning  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128-1972  
(305) 375-2835

**2. APPLICANT'S REPRESENTATIVE**

Diane O'Quinn Williams, Director  
Miami-Dade County Department  
of Planning and Zoning  
111 NW 1 Street, Suite 1110  
Miami, Florida 33128-1972

By:  June 1, 2004  
Diane O'Quinn Williams

**3. DESCRIPTION OF REQUESTED CHANGES**

Text changes are requested to the following policies of the Coastal Management Element of the Comprehensive Development Master Plan (CDMP) as found on page VII-9.

4E. To ~~reduce~~ minimize conflict between boaters and the endangered West Indian Manatee, Miami-Dade County shall continue to implement recommendations contained in its Section III. C. Land Development of the Miami-Dade Manatee Protection Plan pursuant to State laws approved by the Board of County Commissioners on November 21, 1995.

4F. Planning and permitting of new or expanded marine facilities shall ~~minimize overlap of Manatee boat travel patterns~~ be consistent with the requirements of Section III. C. Land Development of the Miami-Dade Manatee Protection Plan, approved by the Board of County Commissioners on November 21, 1995.

4G. Within areas that have been identified as essential manatee habitat, the number of powerboat slips in multi-family residential marinas shall be consistent with ~~the~~ Section III. C. Land Development of the Miami-Dade County's Manatee

the request of the Department of Environmental Resources Management, recommends the text changes as presented above be approved.

**5. ADDITIONAL MATERIALS SUBMITTED**

None

**APPLICATION NO. 15**

**APPLICATION REQUESTING AMENDMENT TO THE  
COMPREHENSIVE DEVELOPMENT MASTER PLAN**

**1. APPLICANT**

Miami-Dade County Department of Planning and Zoning  
111 NW 1 Street, Suite 1210  
Miami, Florida 33128-1972  
(305) 375-2835

**2. APPLICANT'S REPRESENTATIVE**

Diane O'Quinn Williams, Director  
Miami-Dade County Department of Planning and Zoning  
111 NW 1 Street, Suite 1210  
Miami, Florida 33128-1972

By: \_\_\_\_\_ June 1, 2004  
Diane O'Quinn Williams

**3. DESCRIPTION OF REQUESTED CHANGES**

The following changes are requested to the Capital Improvements Element (CIE)<sup>1</sup>:

- A. In the CIE Schedules of Improvements, Tables of Proposed Projects, modify the following currently adopted tables as indicated in the attached tables: Table 2, Aviation; Table 3, Coastal Management; Table 4, Conservation; Table 5, Drainage; Table 6, Park and Recreation; Table 7, Seaport; Table 8, Sewer Facilities; Table 9, Solid Waste Management; Table 10, Traffic Circulation; Table 11, Mass Transit; and Table 12, Water Facilities.

Proposed additions are listed under the heading "Proposed Additions, April 2004 CDMP Amendment Cycle". Proposed deletions are indicated by dash lines and footnoted accordingly. All other Proposed Projects already exist in the CIE and remain essentially unchanged.

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<sup>1</sup> Note: (The proposed updated Tables are not presented in the Applications Report but will be published in the Initial Recommendations Report in August 25, 2004 for reasons noted below.)

**MIAMI-DADE COUNTY  
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Maria Teresa Fojo, Chief of Zoning Services  
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Gary Greenan, Consultant