MIAMI-DADE COUNTY

3-12-2013
Version #1

# BOARD OF COUNTY COMMISSIONERS
# ZONING HEARINGS

## THURSDAY, APRIL 18, 2013

**PLACE OF MEETING:** COUNTY COMMISSIONERS CHAMBERS
OF THE STEPHEN P. CLARK CENTER – 2ND FLOOR
111 NW 1 STREET, MIAMI

**TIME OF MEETING** 9:30 AM

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| **CURRENT:** | | **HEARING #** | **DISTRICT(S)** |
|---|---|---|---|
| **1.** | **LE CLUB RESORT, LLC.** | **10-163** | **1** |

Request(s): The applicant is seeking to allow a zone change to Planned Area Development (PAD) on a 181.38-gross acre tract of land with 702 residential units. Additionally, the applicant is seeking approval to permit an equestrian center, riding academy, club house, parks and community center. Additionally, the applicant is requesting to fill portions of existing lakes, and release a covenant. Further, the applicant seeks approval of non-use variances for private open space, reduced number of parking spaces, building height, frontage, and street dedications.

Location: North of NE 199 Street & South of NE 215 Street, Miami-Dade County, Florida.
Within the Urban Development Boundary (UDB)

# Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, APRIL 18, 2013

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

**ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.**

**NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.**

**THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.**

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

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**1. <u>LE CLUB RESORT, LLC. (13-4-CC-1/10-163)</u>** **31/32-51-42**
**BCC/District 1**

(1) DISTRICT BOUNDARY CHANGE from GU to PAD.

(2) UNUSUAL USE to permit a recreational facility, to wit: an equestrian center, riding academy, club house and community center.

(3) UNUSUAL USE to permit the filling of portions of existing lakes.

(4) RELEASE of a Declaration of Restriction recorded in Official Record Book 9002 pages 1084 though 1104, only as it applies to subject property.

The purpose of request #4 is to allow the applicant to submit a revise site plan showing a residential development and private recreational facility in lieu of the previously approved golf course.

(5) NON-USE VARIANCE to permit the attached townhome residences with a private open space varying from 12.55% to 53.37% (60% required).

(6) NON-USE VARIANCE to permit townhouses with 0 parking spaces (72 parking spaces required).

(7) NON-USE VARIANCE to permit the covered arena, stables and certain multi-family units with 106 parking spaces, of the 177 parking spaces provided, on natural terrain and turf block (hard surface required)

OR IN THE ALTERNATIVE TO REQUEST #7, REQUEST #8:

(8) NON-USE VARIANCE to permit the covered arena, stables and certain multi-family unit with 71 parking spaces (177 parking spaces required).

(9) SPECIAL EXCEPTION to permit a covered arena with a building height of 66'6" (35' maximum permitted).

(10) SPECIAL EXCEPTION to permit a building for stables with a height of 36'4" (35' maximum permitted).

(11) SPECIAL EXCEPTION to permit a community center building with a height of 39' (35' maximum permitted).

(12) NON-USE VARIANCE to waive the zoning regulations requiring lots to have frontage on a public street; to permit single family residences fronting on private drives.

(13) NON-USE VARIANCE of zoning regulations requiring section line rights of way to be 80' in width; to waive same to permit 0' of dedication along portions of NE 2 Avenue and to permit

35' of dedication (40' required) along portions of the east and west side of NE 10 Avenue; and to waive the zoning regulations requiring half section line rights of way to be 70' in width; to permit 0' of dedication for portions of theoretical NE 207 Street and NE 6 Avenue.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Le Club Resort" as prepared by Valle Valle & Partmers consisting of 107 sheets and landscape plans entitled "Le Club P.A.D.'s" as prepared by Witkin Hults Design group, consisting of 15 sheets for a total of 122 sheets, all dated stamped received 1/18/13 with sheet AS-1-01 last handwritten revision dated 1/25/13.

LOCATION: North of NE 199 Street & South of NE 215 Street, between NE 2 Avenue & NE 12 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 181.38 Acres

Development Impact Committee Recommendation: Approval of request #1, subject to the Board's acceptance of the proffered covenant, and approval with conditions of #2 - #7 and requests #9 - #13 - #13, and denial without prejudice of request #8..

Protests: 1 Waivers: 227

APPROVED: _____ DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____ DEFERRED: _____

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THE END

NOTICE OF APPEAL RIGHTS

Decisions of the Community Zoning Appeals Board (CZAB) are appealed either to Circuit Court or to the Board of County Commissioners (BCC) depending upon the items requested in the Zoning Application. Appeals to Circuit Court must be filed within 30 days of the transmittal of the CZAB resolution. Appeals to BCC must be filed with the Zoning Hearings Section of the Department of Regulatory and Economic Resources (RER), within 14 days of the posting of the results in the department.

Further information and assistance may be obtained by contacting the Zoning Hearings Section for the Department of Regulatory and Economic Resources (RER), at (305) 375-2640. For filing or status of Appeals to Circuit Court, you may call the Clerk of the Circuit Court at (305) 349-7409.

# Memorandum

MIAMI-DADE COUNTY

**Date:** April 18, 2013

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee
Executive Council

**Subject:** Developmental Impact Committee Recommendation

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**APPLICANT:** Le Club Resort, LLC (Z10-163)

**SUMMARY OF REQUESTS:**

The applicant is seeking to allow a zone change to Planned Area Development (PAD) on a 181.38-gross acre tract of land with 702 residential units. Additionally, the applicant is seeking approval to permit an equestrian center, riding academy, club house, parks and community center. The applicant is also requesting to fill portions of existing lakes, and release a covenant. Further, the applicant seeks approval of variances for private open space, reduced number of parking spaces, building height, frontage, and street dedications.

**LOCATION:** Lying North of NE 199 Street & South of NE 215 Street, between NE 2 Avenue & NE 12 Avenue, Miami-Dade County, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee because the applicant is requesting a zone change to PAD. Section 33-303.1(D)(7) of the Code of Miami-Dade County charges the Developmental Impact Committee (DIC) to address applications with respect to: (I) conformance with all applicable plans; (II) environmental impact; (III) impact on the economy; (IV) impact on essential services; and (V) impact on public transportation facilities and accessibility.

The meeting of the DIC Executive Council was held on March 8, 2013 and the attached Department memoranda were reviewed and considered by said Committee.

**DIC RECOMMENDATION:**

**Approval of #1, subject to the Board's acceptance of the proffered covenant, and approval with conditions of #2 - #7 and requests #9 - #13, and denial without prejudice of request #8,** as set forth in the Department of Regulatory and Economic Resources' recommendation.

The Executive Council is of the opinion that this application will be in keeping with the Comprehensive Development Master Plan designation for the subject property. In addition, the Council found that the approval of this application with the acceptance of the proffered covenant, will not be contrary to the public interest, is in keeping with the spirit of the regulations, and will permit the reasonable use of the premises. As such, the Executive Council finds that approval of this application will be **consistent** with the CDMP and **compatible** with the surrounding area.

APPLICATION NO. Z10-163
LE CLUB RESORT, LLC

Respectfully Submited,

DIC Executive Council
March 08, 2013

Giovannie Ulloa, Fire Chief
Miami-Dade Fire Rescue Department AYE

Irma San Roman, Interim Director
Metropolitan Planning Organization Secretariat Absent

Eric Silva, AICP
Sustainability, Planning and Economic Enhancement Department AYE

Antonio Cotarelo, Assistant Director
Public Works Department AYE

Jose Gonzalez, P.E., Assistant Director
Department of Environmental Resources Mgmt AYE

Bertha M. Goldenberg, Assistant Director
Miami-Dade Water and Sewer Department AYE

Albert A. Hernandez, Deputy Director, Engineering
Miami-Dade Transit AYE

**Miami-Dade County Department of Regulatory and Economic Resources**
**Staff Report to the Development Impact Committee**

**PH: Z10-163** **DIC Date: March 8, 2013**
**Item No. 1**

| Recommendation Summary | |
|---|---|
| **Commission District** | 1 |
| **Applicant** | Le Club Resort, LLC |
| **Summary of Requests** | The applicant is seeking to allow a zone change to Planned Area Development (PAD) on a 181.38-gross acre tract of land with 702 residential units. Additionally, the applicant is seeking approval to permit an equestrian center, riding academy, club house, parks and community center. Additionally, the applicant is requesting to fill portions of existing lakes, and release a covenant. Further, the applicant seeks approval of non-use variances for private open space, reduced number of parking spaces, building height, frontage, and street dedications. |
| **Location** | North of NE 199 Street & South of NE 215 Street, between NE 2 Avenue & NE 12 Avenue, Miami-Dade County, Florida. |
| **Property Size** | 181.38 acres |
| **Existing Zoning** | GU, Interim District |
| **Existing Land Use** | Vacant |
| **2015-2025 CDMP Land Use Designation** | Parks and Recreation *(see attached Zoning Recommendation Addendum)* |
| **Comprehensive Plan Consistency** | Consistent with the LUP map, and the interpretative text and policies of the CDMP |
| **Applicable Zoning Code Section(s)** | Section 33-311, District Boundary Change,<br>Section 33-311(A)(3), Special Exception, Unusual use and New Uses,<br>Section 33-311(A)(4)(b), Non-Use Variance standards,<br>Section 33-311(A)(7) Generalized Modification Standards<br>*(see attached Zoning Recommendation Addendum)* |
| **Recommendation** | **Approval of #1, subject to the Board's acceptance of the proffered covenant, and approval with conditions of #2 - #7 and requests #9 - #13, and denial without prejudice of request #8.** |

**REQUESTS:**

(1) DISTRICT BOUNDARY CHANGE from GU to PAD.

(2) UNUSUAL USE to permit a recreational facility, to wit: an equestrian center, riding academy, club house and community center.

(3) UNUSUAL USE to permit the filling of portions of existing lakes.

(4) Release of a Declaration of Restriction recorded in Official Record Book 9002 pages 1084 though 1104, only as it applies to subject property.

The purpose of request #4 is to allow the applicant to submit a revise site plan showing a residential development and private recreational facility in lieu of the previously approved golf course.

(5) NON-USE VARIANCE to permit the attached townhome residences with a private open space varying from 12.55% to 53.37% (60% required).

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(11) SPECIAL EXCEPTION to permit a community center building with a height of 39' (35' maximum permitted).

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(13) NON-USE VARIANCE of zoning regulations requiring section line rights of way to be 80' in width; to waive same to permit 0' of dedication along portions of NE 2 Avenue and to permit 35' of dedication (40' required) along portions of the east and west side of NE 10 Avenue; and to waive the zoning regulations requiring half section line rights of way to be 70' in width; to permit 0' of dedication for portions of theoretical NE 207 Street and NE 6 Avenue.

The aforementioned plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Le Club Resort" as prepared by Valle Valle & Partmers consisting of 107 sheets and landscape plans entitled "Le Club P.A.D.'s" as prepared by Witkin Hults Design group, consisting of 15 sheets for a total of 122 sheets, all dated stamped received 1/18/13 with sheet AS-1-01 last handwritten revision dated 1/25/13.

**PROJECT DESCRIPTION:**

The submitted plans depict the proposed PAD located on approximately 181.38 acres of land straddling both sides of San Simeon Way, between N.E. 2nd Avenue and N.E. 12th Avenue, a/k/a 20898 San Simeon Way, formerly known as the California Club Golf Course. Said plans incorporate the development of up to 702 new dwelling units whereby a variety of housing types will be implemented, including single-family homes, townhouses and multi-family apartments. Additionally, the plans illustrate an equestrian center, and other recreational amenities including a clubhouse, tennis courts, swimming pool(s), dog parks, outdoor amphitheater, community center, and a network of pedestrian paths and landscaped greens and gazebos.

| NEIGHBORHOOD CHARACTERISTICS | | |
|---|---|---|
| | **Zoning and Existing Use** | **Land Use Designation** |
| **Subject Property** | GU; vacant golf course | Parks and Recreation |
| **North** | PAD, RU-4L, RU-4M, RU-4A, & RU-3M: apartments and, townhomes residences | Low Density Residential (2.5 to 6 dua), & Low-Medium Density Residential (6-13 dua) |
| **South** | RU-4L, RU-4M, RU-4A, & RU-3M: apartments and, townhomes residences | Low-Medium Density Residential (6-13 dua), Medium Density Residential (13-25 dua), & Parks and Recreation |
| **East** | AU, RU-1, RU-4L, RU-4M, RU-4A, & RU-3M: apartments, townhomes and single-family residences | Low Density Residential (2.5 to 6 dua), Low-Medium Density Residential (6-13 dua), Medium Density Residential (13-25 dua), & Parks and Recreation |
| **West** | PAD, RU-1, RU-2, RU-4L, RU-4M, RU-4A, & RU-3M: apartments, townhomes, duplexes and single-family residences | Low Density Residential (2.5 to 6 dua), Low-Medium Density Residential (6-13 dua), & Parks and Recreation |

## NEIGHBORHOOD COMPATIBILITY:

The 181.38-acres subject property consists of several vacant parcels of land, formerly known as the California Club Golf Course. Said subject property is surrounded by apartments, townhomes, duplexes and single-family residences.

## SUMMARY OF THE IMPACTS:

The approval of this application will allow the applicant to develop the property with a PAD that will incorporate single-family homes, townhouses and multi-family apartments, along with an equestrian center, and other recreational amenities. However, the proposed residential development could have visual and vehicular impacts on the surrounding residential developments due to the change in use.

## COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:

The 181.38-acre subject property is designated as **Parks and Recreation** use on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. Staff notes, as indicated in an interpretation letter (see attached under Exhibit "A") provided by the Department, that residential development may be allowed on privately owned land designated as "Parks and Recreation" on the LUP map. The CDMP text has specific provisions that provide a process for developing private property designated as "Parks and Recreation". *The development plan for*

*such land (1) shall provide for development compatible with adjacent development; (2) shall provide by restrictive covenant that not less than two-thirds of the land subject to the new development plan (or such other proportion deemed appropriate by the Board of County Commissioners and/or appropriate Community Zoning Appeals Board but in no event less than 50 percent of such land) shall be maintained as Park, Recreational or open space for use by residents or other residents or users of the entire development for which the open space had originally been provided; (3) shall provide a financial means of assuring such maintenance, by homeowner's association, special tax district or other comparable means approved at public hearing or by the Director of Planning and Zoning or successor agency; and (4) shall provide that the residential density of the portion of the Park and Recreation-designated land eligible for development shall not exceed either the gross existing density of the development in connection with which the park-designated land was originally set-aside, or the gross density of all the ownership parcels immediately abutting the entire park-designated land whichever is lower. An approval pursuant to this provision may allow the gross density of the combined new and existing development, and its existing zoning, to exceed the maximum otherwise allowed by the LUP map, but only to the extent necessary to enable reuse of the park designated land in accordance with this provision.*

Staff notes that the applicant has provided documentation showing how this provision of the CDMP test is met. Additionally, the applicant has submitted a PAD agreement that also addresses the aforementioned. Specifically, it stipulates that the area of common open space for the Property shall consist of at least 110.175± acres, or 60.74% of the PAD Property, and shall be in accordance with Section 33-284.27(l) of the Code. The common open space areas, including the existing lakes, within the Property shall be accessible to future residents of the Property and their guests. Further, it indicates that the owner agrees that the accessory uses on the Property shall be limited to such uses shown on the Plans and include, but not be limited to, entrance features, guard houses, swimming pools and pool cabanas, clubhouse, equestrian club and riding academy, community center, associated recreational uses, and all other uses related and incidental thereto. Furthermore, The Community Park located east of San Simeon Way, as shown on the Plans and containing facilities including but not limited to a baseball field, soccer fields, dog park areas, pavilions, and common areas, shall be completed prior to the issuance of the first certificate of occupancy for a residential unit. The park and associated facilities will be open to the residents of the Le Club and surrounding neighborhoods, as shown in Exhibit B of the PAD agreement.

Regarding allowable density for the subject property, the residential density of the portion of the land with a "Parks and Recreation" designation that is eligible for development *shall not exceed either the gross existing density of the development in connection with which the park-designated land was originally set aside, or the gross density of all the ownership parcels immediately abutting the entire park-designated land, whichever is lower.* The lowest density is produced by the gross existing density of the Sky Lake Village, which is the development that the former California Club Golf Course is part of. The recorded 1974 Declaration of Restrictions (Official Records Book 9002, Pages 1088-1095) for Sky Lake Village provided an average residential density of 5.45 dwelling units per gross acre (DU/Ac) or a total of 2,295 dwelling units for a 420.32 acre tract of land that included the golf course, residential development and two industrial parcels. One of the industrial parcels (72.13 acres) in 1974 is now designated as "Low-Medium Density Residential Communities" on the adopted LUP map, as result of Application No. 1 in the April 1990 CDMP Cycle and Application No. 1 in the April 2005 CDMP Cycle. When the additional housing potential (937) on this Low Medium parcel is added to the

prior total of 2,295, a total of 3,232 dwelling units could be built in the Sky Lake Village development or a density of 7.68 dwellings per gross acre.

The other approach is to calculate the gross of density of the residential properties abutting the golf course. The abutting properties are designated as Low Density Residential (6-13 dwelling units per gross acre) and Medium Density Residential (13-25 dwelling units per gross acre) on the LUP map. Most of the golf course is bordered by property that could be developed at 13 dwelling units per gross acre.

Staff notes that said interpretation letter provided by the Department indicated that the density that may be built on the eligible portion of the golf course is 7.68 dwelling units per gross acre (1,392 units). According to the submitted plans and PAD agreement, the application is proposing a lower gross density of 3.87 dwelling units (701 units). Therefore, staff opines that approval with conditions of the application will be **consistent** with the CDMP Land Use Element interpretative text for the **Parks and Recreation** use on the LUP map.

**ZONING ANALYSIS:**

The subject parcel is approximately 181.38 acres of land straddling both sides of San Simeon Way, between N.E. 2nd Avenue and N.E. 12th Avenue, a/k/a 20898 San Simeon Way, formerly known as the California Club Golf Course. The applicant has submitted plans that show a development of 702 new dwelling units whereby a variety of housing types will be implemented, including single-family homes, townhouses and multi-family apartments. Additionally, the plans illustrate an equestrian center, and other recreational amenities including a clubhouse, tennis courts, swimming pool(s), dog parks, outdoor amphitheater, community center, and a network of pedestrian paths and landscaped greens and gazebos. The private recreational facility will be centrally located and it will provide a number of recreational amenities that are desired by the community, according to the applicant. The design and scale of the proposed development, including many buffering elements, are sensitive to the character of the surrounding community while, at the same time, incorporating a number of urban design principles.

When the applicant's request #1, to rezone the entire property to PAD, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the request would be **compatible** with the multi-family and single family residential uses in the surrounding area. Staff opines that the rezoning of the subject site to PAD will not have an unfavorable impact on the environment based upon the favorable recommendation issued by the Division of Environmental Resources Management (DERM) pursuant to their memorandum pertaining to this application. The development of the subject property will not have an unfavorable economic impact on Miami-Dade County and will not unduly burden water, sewer, solid waste disposal, or other necessary public facilities. Additionally, the rezoning does not unduly burden or affect public transportation facilities as indicated in the Public Works and Waste Management Department's memorandum. Staff has reviewed the submitted plans and PAD agreement for this application and opines that said plans have sufficient common open space and private open space with abundant landscaping and playground areas. Additionally, staff opines that the approval of this application would help to address the needs in this area of Miami-Dade County by promoting the redevelopment of an underdeveloped site, all in accordance with the County's adopted Urban Design Manual. Proposed building types are designed with well-articulated facades using plentiful fenestration and adapted Modern-style architectural motifs. The design of this proposal and its building types is in keeping with similar projects existing in the surrounding area. The architecture and landscape elements are used to create a project that is

**compatible** with its surroundings and visually impact, in a positive manner, the redevelopment of this area of northeast Miami-Dade County. As such, staff opines that the approval of PAD zoning, subject to the proffered PAD agreement, would be in keeping with the character of the surrounding area, and therefore, would be **compatible** with same and **consistent** with the CDMP. **As such, staff recommends approval of the district boundary change to PAD, subject to the Board's acceptance of the proffered covenant.**

When analyzing request #2, to permit a recreational facility, to wit: an equestrian center, riding academy, club house and community center, and request #3, to permit the filling of portions of existing lakes, under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, staff is of the opinion that the approval of the requests would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.

Staff notes that these requests are being sought to allow the applicant to provide a mixture of amenities and housing options within this proposed planned area development. The proposed recreational amenities will not only compliment the new residential development but also provide recreational amenities to the residents of the existing surrounding neighborhoods. Private recreational amenities on the west side of San Simeon Way will include, but not be limited to, an equestrian center, clubhouse, tennis courts, recreational lawns, Zen garden, and sports courts. The proposed Community Center located on the east side of San Simeon Way will be open and accessible to both residents of Le Club Resort and to that portion of the surrounding community as identified in Exhibit "B" of the submitted PAD agreement, free of charge. The Community Center will include, but not be limited to, a community center building, baseball field, soccer field(s), greens, dog parks and a mini-police substation. Regarding the filling of the lakes request, staff notes that it will provide the applicant with one lot measuring approximately 123,000 square feet, where a single-family residence could be developed and be surrounded by water in all sides. Additionally, there are several other areas surrounding the subject lakes that will be filled to provide home sites for custom homes, including some lots containing over 27,000 square feet of land each. Staff notes that several docks and gazebos located on piers will also be located throughout one of the lakes' banks. Staff opines that the filling of the lakes will provide additional land to better accommodate the proposed development.

Staff also opines that the proposed recreational facility, amenities and lakes will provide a visual enhancement to the proposed planned area development and that the proposed development will be **compatible** with the surrounding area which is primarily made up of similar single-family residences and apartments developments. Further, staff notes that the applicant has proffered a covenant which will ensure the maintenance of the lakes and water features as part of the proposed residential development and provide access to the residents and guests to the residential community. **As such, staff recommends approval with conditions of requests #2 and #3 under Section 33-311(A)(3).**

When request #4, to permit the release of Declaration of Restrictions recorded in Official Record Book 9002 pages 1084 though 1104, only as it applies to subject property, is analyzed under Section 33-311(A)(7) Generalized Modification Standards, staff opines that approval would be **compatible** with the surrounding area and based on the reasons stated above. Approval of this request will allow the applicant to submit a revised site plan that depicts a proposed planned area development and private recreational facility in lieu of the previously approved golf course. Based on the previously mentioned reviewing Departments memorandum, staff opines that said revised site plan will not result in among other things, excessive noise or traffic, cause undue or excessive burden on public facilities, nor provoke excessive overcrowding and concentration of people. As such, when considering the necessity and reasonableness of the elimination in relation to the present and future development of the area concerned the requested release would be **compatible** with the surrounding area based on the design which incorporates urban design guidelines that provide transitions between the subject property and the surrounding properties. Additionally, staff notes that the reason for this application to be heard by the Board of County Commissioners is that the subject covenant in request #4 could only be modified or released by said Board after a certain condition was met. That condition referred to the applicant obtaining consent of 75% of the owners of the subject property and the majority of those within 500 feet of the boundary of the said property. Staff notes that this condition was met by the applicant as reflected in the zoning file. **As such, staff recommends approval with conditions of request #4 under Section 33-311(A)(7) Generalized Modification Standards.**

When evaluating requests #5 and #6 under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that said requests maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variances will be otherwise **compatible** with the surrounding land uses and would not be detrimental to the community. Staff notes that a non-use variance is being sought to permit townhouses with private open space areas varying between 12.55% and 53.37% of the interior gross square feet of the first floor areas (60% required)(request #5). This non-use variance is mitigated by the innovative design of the townhouses which have accessible roofs for passive recreation and some of which also include outdoor courtyards. Said non-use variance is further mitigated by the fact that residents will have convenient access to passive and active recreational amenities which are proposed as an integral part of this project. Request #6, to permit townhouses with 0 parking spaces (72 parking spaces required), is being requested because in accordance with traditional parking regulations for townhouse developments, parking in individual private garages may not be credited toward satisfying minimum parking requirements. Unlike traditional suburban townhouse developments, the proposed townhouse development follows a more urban design wherein the parking spaces that will serve the individual units will be restricted to the individual private garages attached to each unit. Outdoor guest parking spaces along the private drives are also provided. Since parking for the individual units will only be available inside the individual unit parking garages, staff will recommend a condition that homeowners or their tenants will not allow garages to be converted into habitable living space and require that they remain for the parking of vehicles only. **As such, staff recommends approval with conditions of requests #5 and #6 under Section 33-311(A)(4)(b).**

The applicant also seeks approval of a request to permit the covered arena, stables and certain multi-family units with 106 parking spaces, of the 177 parking spaces provided, on natural terrain and turf block (hard surface required)(request #7); or in the alternative, to permit 71 parking spaces (177 parking spaces required)(request #8) When evaluating requests #7 under

Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that said request maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variances will be otherwise **compatible** with the surrounding land uses and would not be detrimental to the community. Staff notes that in addition to the use of private garages to satisfy the parking requirements of the proposed townhouse developments, the proposed parking program incorporates the use of parallel parking spaces along certain private drives. The parking area on natural terrain and turf block is shown on the drawings near the equestrian center areas. Parking on natural terrain and turf block will be used primarily for overflow surplus parking in connection with equestrian related events, according to the applicant. Staff is of the opinion that parallel parking provides a certain measure of traffic calming and creates visual breaks along the private drives. Additionally, staff recommends as a condition for approval of request #7 that parking spaces be marked with parking stops to ensure a proper coordination of on-site parking in the unpaved areas of the site.

Alternatively, when evaluating request #8 under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that said request does not maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variances will be otherwise **incompatible** with the surrounding land uses and would be detrimental to the community. Staff opines that approval of the reduced number of parking spaces (request #8) could result in the spillage of parking onto the abutting roadways. **As such, staff recommends approval with conditions of request #7 and denial without prejudice of request #8 under Section 33-311(A)(4)(b).**

When requests #9 through #11 regarding height of buildings are analyzed under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses, staff is of the opinion that the approval of the requests would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development. Staff notes that the majority of the proposed structures will not exceed 35' in height. Only the height of a proposed community center building, within the Community Center area, a covered arena building, and a stables building within the equestrian center, will exceed the permitted height of 35'. Staff opines that the difference between the allowable height of 35' and the height of the community center building (39') and stables building (36' - 4") is minor in nature. With respect to the covered arena building, the height actually varies from 29' at the lower end of a sloping roof to 66' - 6" at the very top of the roof line. The covered arena will be well spaced from neighboring properties inasmuch as a distance of approximately 190' will exist between the arena and property under different ownership to the south and approximately 106' to the nearest property under different ownership on the north side of San Simeon Way. The height of these particular structures is in direct relation to their intended civic and recreational uses and functions, and provide interesting architectural focal points within the community. The design of these structures and their

proposed heights will not disrupt the character of the surrounding neighborhoods, which include structures varying in height from 2 stories to 7 stories. Staff further opines that the proposed development, with its relatively low scale and intensity and innovative design, together with its decorative perimeter fence and buffering elements, is **compatible** with the surrounding community. **As such, staff recommends approval with conditions of requests #9 through #11 under Section 33-311(A)(3).**

When evaluating request #12, to permit single family residences fronting on private drives, under Section 33-311(A)(4)(b), the Non-Use Variance Standards, staff is of the opinion that said request maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. Staff notes that the absence of a dedicated road does not preclude auto or pedestrian connectivity within the development and will, in this case, provide additional areas for open space that would be unattainable if the golf course parcels are subdivided into a network of multiple blocks and streets. In staff's opinion, the private easement drives will accommodate the auto and pedestrian capacity necessary to reach proposed units and site amenities. This internal roadway connectivity provides good traffic dispersal to all areas of the proposed community. **As such, staff recommends approval with conditions of request #12 under Section 33-311(A)(4)(b).**

When the applicant's request to waive certain rights-of-way dedications along portions of NE 2 Avenue and to permit 35' of dedication (40' required) along portions of the east and west side of NE 10 Avenue; and to waive the zoning regulations requiring half section line rights of way to be 70' in width; to permit 0' of dedication for portions of theoretical NE 207 Street and NE 6 Avenue (request #13) is analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff is of the opinion that approval of this request would maintain the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public. Although this is a section line roadway, staff notes that the Public Works and Waste Management Department's memorandum indicates that the reduced dedication being requested by the applicant will not have a negative effect on the LOS standards in this area of the County. Staff also notes that the absence of a dedicated road does not preclude auto or pedestrian connectivity within the development. In staff's opinion, the private easement drives proposed will accommodate the auto and pedestrian capacity necessary to reach proposed units and site amenities and will be **compatible** with the surrounding residential area. **Therefore, staff recommends approval with conditions of request #13 under Section 33-311(A)(4)(b) Non-Use Variances.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate several ingress/egress points located to the east and west of San Simeon Way. The development is designed along a network of private drives to allow seamless connectivity to all areas of the development for pedestrians and autos alike. Providing the interconnectivity ensures better traffic dispersal within and outside of the future residential development.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:**

***Aviation***
The Miami-Dade County Aviation Department (MDAD) has no objections to this application. MDAD has determined that there are no conflicts with applicable local, state and federal aviation regulations.

***Division of Environmental Resources Management (Department of Regulatory and Economic Resources)***
The Department of Regulatory and Economic Resources (RER) does not object to this application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County.

***Miami-Dade Fire Rescue***
The Miami-Dade Fire Rescue Department (MDFRD) has no objections to this application.

Its memorandum indicates that the proposed development could generate approximately 258 fire and rescue calls annually. The department states that the estimated number of alarms would result in a severe impact to the existing fire and rescue service and current stations serving the area will be able to handle the additional number of alarms. The average travel time to the vicinity of the proposed development is 6:35 minutes (based on 2012 data). Travel time to the vicinity of the proposed development complies with the national performance objective.

***Miami-Dade Police Department***
The Miami-Dade Police Department (MDPD) does not object to this application.

***Miami-Dade Transit***
The Miami-Dade Transit Department (MDT) has no objections to this application. Its memorandum indicates that the proposed development meets the mass transit level-of-service standards established for Miami-Dade County.

***Parks, Recreation and Open Spaces***
The Miami-Dade Parks, Recreation and Open Spaces Department (MDPROS) does not object to this application.

Its memorandum indicates that this application is in Park benefit District 1 (PBD1) which has a surplus capacity of 310.91 acres when measured by the County concurrency level-of-services (LOS) standards for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

***Public Works and Waste Management Department (Traffic Engineering Division)***
The Public Works and Waste Management Department, Traffic Division (TED) does not object to this application.

Its memorandum indicates that the anticipated trip generation based on ITE is 476 PM Peak Hour trips generated by this development; however, the traffic distribution of these trips will not exceed the acceptable Levels of Service (LOS) on the surrounding roadways. As conditions for approval however, the Public Works and Waste Management's memorandum requires development improvements to NE 215 Street.

Its memorandum indicates that the application meets the criteria for traffic concurrency for an Initial Development Order. The memorandum further indicates that no vehicle trips have been reserved by this application and that this project is subject to the payment of Road Impact Fees.

***Public Works and Waste Management Department (Fiscal, Planning and Performance Management Division)***
The Public Works and Waste Management Department, Fiscal, Planning and Performance Management Division does not object to this application.

***Water and Sewer Department***
The Miami-Dade County Water and Sewer Department (MDWASD) has no objections to this application. Public water mains and sanitary sewers exist throughout the area.

**OTHER:** Not applicable.

**RECOMMENDATION:**

**Approval of #1, subject to the Board's acceptance of the proffered covenant, and approval with conditions of #2 - #7 and requests #9 - #13, and denial without prejudice of request #8.**

**CONDITIONS FOR APPROVAL (For requests #2 through #7 and #9 through #13 only):**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Le Club Resort" as prepared by Valle Valle & Partmers consisting of 107 sheets and landscape plans entitled "Le Club P.A.D.'s" as prepared by Witkin Hults Design group, consisting of 15 sheets for a total of 122 sheets, all dated stamped received 1/18/13 with sheet AS-1-01 last handwritten revision dated 1/25/13

3. That the use be established and maintained in accordance with the approved plan.

4. That the garages not be enclosed in any manner for habitable living space and remain for the parking of vehicles only.

5. That the one hundred and six (106) parking spaces on natural terrain be marked with wheel stops.

6. That any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the conditions herein agreed to are being complied with.

7. That no portion of the property subject to the approved excavation fill plan and permit shall be transferred without the approval of the Director, unless the filling of the subject excavation has been completed in accordance with the excavation fill plan and permit for the fill project and unless the bond has been released.

8. That no fill be permitted within the adjacent rights-of-way.

9. That if in the opinion of the Director the lakefill is hazardous to the surrounding area, the hazardous area shall be fenced in, or otherwise protected, by the applicants as directed by the Director.

10. That the applicant shall obtain all permits required by this Code and comply with all permit requirements and all applicable conditions of the Environmental Resources Division of the Department of Regulatory and Economic Resources or its successor Department as well as the Public Works and Waste Management Department for the duration of the fill project

11. That only such clean fill material as allowed by Chapter 24 of this Code and approved in writing by the Environmental resources Division of the Department of Regulatory and Economic Resources or its successor Department, as set forth herein, shall be used in the fill project.

12. That in order to insure compliance with all terms and conditions imposed, a cash bond or substantially equivalent instrument meeting with the approval of the Director shall be posted with the Department of Regulatory and Economic Resources or its successor Department, payable to Miami-Dade County, in an amount as may be determined and established by the Director of the Department of Regulatory and Economic Resources; said instrument shall be in such form that the same may be recorded in the public records of Miami-Dade County and said instrument shall be executed by the property owner and any and all parties who may have an interest in the land, such as mortgagees, etc. The bond amount shall be based on the volume of cut required to create the approved slope configuration.

13. That any unacceptable fill material shall be stored in containers; shall not be permitted to remain on the project site for more than thirty (30) days; and shall not exceed a volume of forty (40) cubic yards.

14. That neither the clean fill material piles, nor the unacceptable fill material piles, nor the piles awaiting sorting shall be permitted to exceed a height of 10 feet above the applicable flood elevations for the property.

15. That the fill project shall meet all storm water management requirements of the Code of Miami-Dade County and the filled excavation or portion of excavation filled shall not exceed the applicable flood elevations for the property.

16. That if the fill project is discontinued, abandoned, falls behind schedule or time expires under the permit, the remaining excavation shall immediately be sloped to conform with the previously approved excavation plans and all equipment and concomitant uses shall be removed from the premises, unless an application to extend the time is filed with the Department prior to expiration of the approval and provided that good cause is

demonstrated as to the delay in completing the filling of the excavation. In no event shall such extension allow the fill project to continue beyond three (3) years after issuance of permit.

17. That the property shall be suitably posted to meet with the approval of the Director; said posting shall denote the fill project and shall warn the public concerning the possible hazards prior to commencement and for the duration of the fill project.

18. That the property shall be staked to meet with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department; said stakes shall be maintained in proper position so that the limits of the lake fill, slopes and grade levels may be easily determined.

19. That all Federal, State and local permits be obtained prior to commencement of the lake fill. In the event that any Federal, State or local permit is revoked or otherwise held to be invalid, the lake fill operation shall immediately cease.

20. That the deadline date for the completion of the fill project, including final closure and completion of all tasks set forth in the approved plans and permit shall be determined by the Director and established in the permit. All authorized work shall be carried on continuously and expeditiously so that the filling will be completed within the allocated time, but in no event for any more than three (3) years from issuance of the CU permit;

21. That upon completion of the project, the property shall be restored and left in an acceptable condition meeting with the approval of the Director of the Department of Regulatory and Economic Resources or its successor Department.

22. That the hours of the lakefill operation shall be controlled by the Director.

23. That the grading, leveling, sloping of the banks and perimeter restoration shall be on a progressive basis as the project develops and the lakefill operation progresses. In accordance with this requirement, the applicants shall submit "as built" surveys prepared and sealed by a Florida licensed surveyor and/or professional engineer at one-fourth, one-half, three-fourths and final completion of the lake fill operation or at six-month intervals, whichever is of a lesser duration, or upon request of either the Division of Environmental Resources Management of the Department of Regulatory and Economic Resources or its successor Department when it appears that the lake fill is proceeding contrary to approved plans.

24. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda that are part of the record of the March 8, 2013, DIC recommendation and are incorporated herein by reference.

ES:MW:NN:JV

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

EXHIBIT "A"

MIAMI-DADE COUNTY
Carlos Alvarez, Mayor

Planning and Zoning
111 NW 1st Street • Suite 1210
Miami, Florida 33128-1902
T 305-375-2800

miamidade.gov

May 14, 2010

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

Jorge Lima, Esq.
Holland & Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

Subject: Interpretation of the Land Use Plan map designation for property located on both sides of San Simeon Way (Real Property Folio Nos. 30-1231-029-0010, 0020, 0030, 0040, 0050 and 0070).

Dear Mr. Lima:

This letter is in response to your letter of January 11, 2010, in which you request: a) confirmation of the "Parks and Recreation" land use designation of the subject property on the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Comprehensive Development Master Plan (CDMP); b) if residential development would be permitted on the property notwithstanding the existing declaration and plat restrictions on the property; and c) what would be the highest residential density permitted on the property in accordance with the CDMP and under the "Parks and Recreation" designation if residential development is allowed.

With regard to the first request, the 181.376-acre subject property is primarily designated "Parks and Recreation" on the Adopted LUP map. The former California Club Golf Course is designated "Parks and Recreation."

The subject property also contains large portions of two man-made lakes, which are treated as features on the adopted LUP map but are not land use designations. Only natural water bodies such as the Miami River or Biscayne Bay are designated as "Water" on the LUP map. Features on the LUP map such as man-made lakes have land use designations that are based on the designations of the surrounding land. The northern lake is bordered by land designated as "Parks and Recreation" and "Low-Medium Density Residential Communities" (6-13 dwelling units per gross acre) on the LUP map. The southern lake is bordered by land designated as "Parks and Recreation," "Low-Medium Density Residential Communities," and "Medium Density Residential Communities" (13-25 dwelling units per gross acre) on the LUP map. Thus, portions of the two lakes are designated as "Low-Medium Density Residential Communities" and "Medium Density Residential Communities" as well as Parks and Recreation" on the LUP map.

With regard to the second request, residential development may be allowed on privately owned land designated as "Parks and Recreation" on the LUP map notwithstanding the existing declaration and plat restrictions on the property that only allow a golf course, tennis courts and other recreational uses on the property. The CDMP has specific provisions on pages I-51 to I-52 that provide a process for developing private property designated as "Parks and Recreation" that is governed by a restrictive covenant running with the land. A new development plan to be approved at a public hearing will be required to guide development of land previously set-aside for park, open space or recreational use. Not less than two-thirds of the land subject to the new development plan (or such other proportion deemed appropriate by the Board of County Commissioners and/or appropriate Community Zoning Appeals Board but in no event less than

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50 percent of such land) shall be maintained as park, ~~recreational or open space for~~ use by residents or other residents or users of the entire development for which the open space had originally been provided.

With regard to the last request, the residential density of the portion of the land with a "Parks and Recreation" designation that is eligible for development *shall not exceed either the gross existing density of the development in connection with which the park-designated land was originally set aside, or the gross density of all the ownership parcels immediately abutting the entire park-designated land whichever is lower.* The lowest density is produced by the gross existing density of the Sky Lake Village, which is the development that the former California Club Golf Course is part of. The recorded 1974 Declaration of Restrictions (Official Records Book 9002, Pages 1088-1095) for Sky Lake Village provided an average residential density of 5.45 dwelling units per gross acre (DU/Ac) or a total of 2,295 dwelling units for a 420.32 acre tract that included the golf course, residential development and two industrial parcels. One of the industrial parcels (72.13 acres) in 1974 is now designated as "Low-Medium Density Residential Communities" on the adopted LUP map, as result of Application No. 1 in the April 1990 CDMP Cycle and Application No. 1 in the April 2005 CDMP Cycle. When the additional housing potential (937) on this parcel is added to the prior total of 2,295, a total of 3232 dwelling units could be built in the Sky Lake Village development or a density of 7.68 dwellings per gross acre.

The other approach is to calculate the gross of density of the residential properties abutting the golf course. The abutting properties are designated as Low Density Residential (2.5-6 dwelling units per gross acre), Low-Medium Density Residential (6-13 dwelling units per gross acre) and Medium Density Residential (13-25 dwelling units per gross acre) on the LUP map. Most of the golf course is bordered by property that could be developed at 13 dwelling units per gross acre.

The CDMP text states that the method that produces the lowest density is the one to utilize in calculating the density that may be allowed on the property. The density that may be built on the eligible portion of the golf course is 7.68 dwelling units per gross acre.

This letter is provided in response to your request for interpreting provisions of the CDMP; it does not constitute a departmental recommendation on any pending or future requests for development approval. This interpretation is based upon the policies and provisions of the CDMP currently in effect. A copy of the text describing the allowed land uses for the "Parks and Recreation" designation is enclosed. If you have any further questions regarding this matter, please do not hesitate to contact me at (305) 375-2840 or Mark R. Woerner, AICP, Chief, Metropolitan Planning Section at (305) 375-2835.

Sincerely,

Marc C. LaFerrier, AICP
Director

MCLF: SB: MRW: PM: smd

c: Nick Nitti, Supervisor, Zoning Evaluation, DP&Z
Enclosure

# ZONING RECOMMENDATION ADDENDUM

Applicants: *Le Club Resort LLC*
PH: *Z10-163*

| NEIGHBORHOOD SERVICES PROVIDER COMMENTS | |
|---|---|
| DERM | No objection* |
| Public Works | No objection* |
| Parks | No objection |
| MDT | No objection |
| Fire Rescue | No objection |
| Police | No objection |
| Schools | No objection |
| *Subject to conditions in their memorandum. | |

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

| | |
|---|---|
| ***Parks and Recreation (Page I-51)*** | *The Land Use Plan map specifically illustrates parks and recreation areas of metropolitan significance, including State parks and the Biscayne and Everglades National Parks. Also illustrated are golf courses and other parks of approximately 40 acres and larger which are significant community features. Most neighborhood local parks smaller than 40 acres in size are not specifically shown on the Plan map; however, this omission should not be interpreted as meaning that these parks will be taken out of public use. Compatible parks are encouraged in all of the residential categories and may be allowed in all other categories of the LUP map. The siting and use of future parks and recreation areas shall be guided by the Park and Open Space, and Capital Improvement Elements, and by the goals, objectives and policies of the CDMP. Both governmentally and privately owned lands are included in areas designated for Parks and Recreation use. Most of the designated privately owned land either possesses outstanding environmental qualities and unique potential for public recreation, or is a golf course included within a large-scale development. Unless otherwise restricted, the privately owned land designated as Parks and Recreation may be developed for a use or a density comparable to, and compatible with, surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP. Except as consistent with the provisions below, however, this allowance does not apply to land designated Parks and Recreation that was set aside for park recreation or open space use as a part of, or as a basis for approving the density or other aspect of, a residential (or other) development or is otherwise subject to a restrictive covenant accepted by a public entity.*<br><br>*The long-term use of golf courses or other private recreation or open space on privately owned land designated as Park and Recreation may be previously limited by deed restriction or restrictive covenant. A new development plan governing such land set-aside for park, recreation or open space use (restricted lands) may be approved at public hearing by the Board of County Commissioners or the applicable zoning board only if the following is demonstrated: (1) that the restricted land is subject to a restrictive covenant relating to the development served by the open space, that such restrictive covenant continues to limit the use of the land to open space, and that this limitation in the restrictive covenant may be modified only with the written consent of adjacent or proximate property owners or a prescribed percentage thereof; (2) that the required written consents of the adjacent or proximate property owners have been obtained; and (3) that the proposed development will replace park or recreation land or open space that has fallen into prolonged disuse or disrepair to the detriment of the surrounding neighborhood. The development plan for such land (1) shall provide for development compatible with adjacent development; (2) shall provide by restrictive covenant that not less than two-thirds of the land subject to the new development plan (or such other proportion deemed appropriate by the Board of County Commissioners and/or appropriate Community Zoning Appeals Board but in no event less than 50 percent of such land) shall be maintained as Park, Recreational or open space for use by residents or other residents or users of the entire development for which the open space had originally been provided; (3) shall provide a financial means of assuring such maintenance, by homeowner's association, special tax district or other comparable means approved at public hearing or by the Director of Planning and Zoning or successor agency; and (4) shall provide that the residential density of the portion of the Park and Recreation-designated land eligible for* |

| | |
|---|---|
| | *development shall not exceed either the gross existing density of the development in connection with which the park-designated land was originally set-aside, or the gross density of all the ownership parcels immediately abutting the entire park-designated land whichever is lower. An approval pursuant to this provision may allow the gross density of the combined new and existing development, and its existing zoning, to exceed the maximum otherwise allowed by the LUP map, but only to the extent necessary to enable reuse of the park designated land in accordance with this provision. Nothing herein shall be construed to permit development of property subject to a restrictive covenant accepted by the county or other public entity without compliance with the terms that covenant including, but not limited to, those terms governing modification or amendment thereof.* |

## PERTINENT ZONING REQUIREMENTS/STANDARDS

| | |
|---|---|
| ***Section 33-311 District Boundary Change*** | (A) *The Community Zoning Appeals Boards are advised that the purpose of zoning and regulations is to provide a comprehensive plan and design to lessen the congestion in the highways; to secure safety from fire, panic and other dangers, to promote health, safety, morals, convenience and the general welfare; to provide adequate light and air; to prevent the overcrowding of land and water; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, with the view of giving reasonable consideration among other things to the character of the district or area and its peculiar suitability for particular uses and with a view to conserving the value of buildings and property and encouraging the most appropriate use of land and water throughout the County.*<br><br>*(F)* ***Section 33-311*** *provides that the Board shall take into consideration, among other factors the extent to which:*<br><br>*(1) The development permitted by the application, if granted, conforms to the Comprehensive Development Master Plan for Miami-Dade County, Florida; is consistent with applicable area or neighborhood studies or plans, and would serve a public benefit warranting the granting of the application at the time it is considered;*<br><br>*(2) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the environmental and natural resources of Miami-Dade County, including consideration of the means and estimated cost necessary to minimize the adverse impacts; the extent to which alternatives to alleviate adverse impacts may have a substantial impact on the natural and human environment; and whether any irreversible or irretrievable commitment of natural resources will occur as a result of the proposed development;*<br><br>*(3) The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;*<br><br>*(4) The development permitted by the application, if granted, will efficiently use or unduly burden water, sewer, solid waste disposal, recreation, education or other necessary public facilities which have been constructed or planned and budgeted for construction;*<br><br>*(5) The development permitted by the application, if granted, will efficiently use or unduly burden or affect public transportation facilities, including mass transit, roads, streets and highways which have been constructed or planned and budgeted for construction, and if the development is or will be accessible by public or private roads, streets or highways.* |

# ZONING RECOMMENDATION ADDENDUM

Applicants: *Le Club Resort LLC*
PH: *Z10-163*

| | |
|---|---|
| ***Special Exceptions, Unusual Uses and New Uses. Section 33-311(A)(3)*** | *Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.* |
| ***Section 33-311(A)(7) Generalized Modification Standards.*** | *The Board shall hear applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution; and to modify or eliminate any provisions of restrictive covenants, or parts thereof, accepted at public hearing, except as otherwise provided in Section 33-314(C)(3); provided, that the appropriate Board finds after public hearing that the modification or elimination, in the opinion of the Community Zoning Appeals Board, would not generate excessive noise or traffic, tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people, or would not tend to provoke a nuisance, or would not be incompatible with the area concerned, when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned.* |
| ***Non-Use Variances From Other Than Airport Regulations. Section 33-311(A)(4)(b*** | *Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.* |

**1. LE CLUB RESORT, LLC**
**(Applicant)**

**13-4-CC-1 (10-163)**
**BCC/District 01**
**Hearing Date: 04/18/13**

Property Owner (if different from applicant) **Same**

Is there an option to purchase ☐ /lease ☐ the property predicated on the approval of the zoning request? Yes ☐ No ☑

Disclosure of interest form attached? Yes ☑ No ☐

**Previous Zoning Hearings on the Property:**

| Year | Applicant | Request | Board | Decision |
|---|---|---|---|---|
| 1974 | Sky Lake Development Inc. & AT&T Co. | - Zone chane from AU to RU-4L, RU-4M, RU-4ª, RU-3M & IU-C.<br>- Special Exceptions for multi-family , residential building, expansión of utility & outside dining facility.<br>- Unusual Use for Entrance Feature, lake filing and golf course.<br>- Modification of condition of resolution.<br>- Multiple Non-Use Variances. | BCC | Approved with Condition(s) |
| 1980 | Sky Lake Development Inc. | - Modification of condition of resolution.<br>- Non-Use Variance of Parking. | ZAB | Approved with Condition(s) |
| 1987 | Williams Island | - Modification of condition of resolution.<br>- Non-Use Variance of Parking. | ZAB | Approved with Condition(s) |

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this Initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 14, 2013

**To:** Jack Osterholt, Director
Department of Regulatory and Economic Resources

**From:** Jose Gonzalez, P.E.
Department of Regulatory and Economic Resources

**Subject:** DIC #Z2010000163-4th Revision
Le Club Resort, LLC
20898 San Simeon Way
District Boundary Change from AU to PAD, Unusual Use to Permit a Private Recreational Facility, to Wit: an Equestrian Center, Clubhouse, Riding Academy, Sailing Club, Unusual Use to Permit a Partial Lake Fill and Modification and Deletion of Conditions of a Declaration of Restriction for a Previously Approved Golf Course (GU) (178.14 Acres)
31-51-42

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The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code) and meets the minimum requirements of the Code. Accordingly, the application may be scheduled for public hearing.

Potable Water Service

The subject property is located within the franchised water service area of the Miami-Dade County Water and Sewer Department (MDWASD). The closest public water line is 12-inch water distribution main abutting the subject property running along San Simeon Way. Additionally a 16-inch and 4-inch water distribution mains abut the site along N.E. 215th Street. There are other lines ranging from 4-inch to 12-inch, along the limits of the subject property or in certain cases within the subject property. Connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements. The estimated demand for this project is 142,140 gallons per day. This figure does not include irrigation demands.

The source for this water supply is Hialeah-Preston Water Treatment Plant. This plant has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.

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

Wastewater Disposal

There is an 8-inch force main abutting the subject property along San Simeon Way and a 6-inch force main running along the Northern limits of the Tract B of this property. These force mains direct the flows to pump station 30-421 which pumps them to the North District Wastewater Treatment Plant. There are also 8-inch and 10-inch gravity mains abutting this property along San Simeon Way. A portion of this 8-

inch gravity main crosses Tract A of this property from west to east at about 500 ft north of the intersection of San Simeon Way and N.E. 210th CRTR. These mains discharge into pump stations 30-420 which subsequently discharges through the 8-inch force main mentioned before.

Finally, there are other 8-inch and 12-inch gravity mains running along San Simeon Way but this discharge into PS 30-350 which subsequently, discharges through a 12-inch force main that carries the flow to the already mentioned PS 30-421.

The sanitary sewer gravity collection systems, sanitary pump stations and force mains, as well as the wastewater treatment plant are owned and operated by MDWASD and are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time, the North District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Department's Water and Wastewater Engineering Section.

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

Notwithstanding the foregoing, and in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternate means of sewage disposal. Use of an alternate means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management

A Surface Water Management General Permit from the Water Control Section of DERM is required for the construction and operation of the required surface water management system. This permit shall be obtained prior to platting and/or site development, or public works approval of paving and drainage plans. The applicant is advised to contact the Water Control Section at (305)-372-6681 for further information regarding permitting procedures and requirements.

Stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage system. Drainage must be provided for the 5-year/1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties. Site grading and development plans shall comply with the requirements of Chapter 11C of the Code, as well as with all State and Federal Criteria, and shall not cause flooding of adjacent properties.

Any proposed development shall comply with county and federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the LOS standards for flood protection set forth in the CDMP subject to compliance with the conditions required for this proposed development order.

Wetlands
The subject properties do not contain wetlands as defined by Section 24-5 of the Code; therefore, a Class IV Wetland Permit will not be required.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Natural Forest Communities
The subject properties are located near an Environmentally Endangered Lands (EEL) property. EEL properties are subject to Natural Forest Community (NFC) regulations as per Section 24-49 of the Code and EEL Ordinance for preservation and management consistent with the purposes set forth in Section 24-50 of the Code. Due to the quality of these habitats, the County recommends maintaining these globally imperiled NFC areas as a natural preserve. This EEL property will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject properties lie within the potential smoke dispersion corridor. Consequently, the subject properties may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires. Development on parcels containing or adjacent to an EEL property must avoid adverse impacts to the preserve associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage and erosion. Roads are preferable to buildable lots abutting EEL property lines. Also, in order to avoid damage to protected plants and substrate, the parking of heavy machinery, staging of construction materials and/or any other development related activities shall not be allowed inside or adjacent to the EEL property.

According to the landscape code for Miami-Dade County, controlled species may not be planted within 500 feet of the native plant community. Please refer to the Landscape Manual of Sustainability, Planning and Economic Enhancement for a list of these controlled landscaping plants.

Tree Preservation
The referenced sites may contain specimen-sized tree resources (trunk diameter 18 inches or greater). The plans further show that these tree resources may be impacted by the proposed construction activities.

Section 24-49 of the Code requires the preservation of tree resources. Prior to the removal and/or relocation of any tree on the sites, a Miami-Dade County Tree Removal/Relocation Permit is required. Section 24.49.3 of the Code states, "If it is determined that the proposed development site involves removal of a specimen tree, the standards set forth in Section 24.49.2 of the Code shall apply." As such, this application is approved with the condition that a Miami Dade Tree Removal/Relocation Permit is duly obtained prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal/Relocation Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Be advised that if this condition cannot be met prior to development orders, this zoning application would have to be resubmitted for review. The applicant is required to comply with the above tree permitting requirements. This Department's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application. Also note that the applicant must meet the standards of Section 24.49.2(II) of the Code that includes the submittal of a

tree survey with the trees numbered, indicating the tree species, diameter at breast height, location of all trees and one of the following:

1. A revised site plan that indicates the preservation of all specimen-sized trees at their current location, or

2. Comply with all specimen tree removal standards set forth in Section 24-49.2(II) of the Code.

The applicant is advised to contact the Tree Permitting Program at (305)-372-6600, voice option #2, for additional information regarding tree permitting procedures and requirements prior to site development

Enforcement History
The subject properties have two (2) closed enforcement records for violations of Chapter 24 of the Code for the property identified by folio 30-1231-029-0010. Please contact the Enforcement Section if you require additional information.

Concurrency Review Summary
A concurrency review has been conducted for this application and has determined that the same meets all applicable LOS standards for an initial development order, as specified in the adopted CDMP for potable water supply, wastewater disposal, and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order, as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

This memorandum shall constitute written approval as required by Chapter 24 of the Code.

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

cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 28, 2013

**To:** Jack Osterholt, Director
Permitting, Environment and Regulatory Affairs

**From:** William W. Bryson, Fire Chief
Miami-Dade Fire Rescue Department

**Subject:** DIC Zoning Hearing Application No. 10-163 - Le Club Resort LLC
(Revision No. 3)

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According to the revised letter of intent dated January 16, 2013, the applicant is seeking a district boundary change from GU (Interim District) to PAD (Planned Area Development), along with a Modification of a previously approved Resolution and Declaration of Restrictions in order to submit revised plans and release the subject property from the golf course use restriction. The applicant is also seeking unusual use requests to permit a private recreational facility to include an equestrian center, clubhouse, riding academy, and sailing club as well as a request to permit the partial filling of an existing lake. The size of the property is 181.38 acres and lies south of NE 215th Street, between NE 2nd Avenue and NE 12th Avenue, Miami-Dade County, Florida.

SERVICE IMPACT/DEMAND

(A) Based on development information, this project is expected to generate approximately **258** fire and rescue alarms annually. The estimated number of alarms results in a severe impact to existing fire and rescue service. However, existing stations serving this area will be able to absorb the additional number of alarms.

(B) Based on data retrieved during calendar year 2012, the average travel time to the vicinity of the proposed development was **6:35** minutes. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents. Travel time to the vicinity of the proposed development complies with the performance objective of national industry.

(C) A suspected fire within this project would be designated as a building dispatch assignment. Such an assignment requires four (4) suppression units; one of which must be an aerial, and the other three may be a combination of engines, tankers, ladders or aerials. Additionally, the assignment will require one (1) rescue and a battalion commander. This assignment requires twenty (20) firefighters and officers.

EXISTING SERVICES

| STATION | ADDRESS | EQUIPMENT | STAFF |
|---|---|---|---|
| 38 | 575 NW 199 Street | Rescue, Aerial | 7 |
| 63 | 1655 NE 205 Street | Engine | 4 |
| 32 | 358 NE 168 Street | Rescue, Engine | 7 |
| 31 | 17050 NE 19 Avenue | Rescue, Aerial | 7 |
| 11 | 18705 NW 27 Avenue | Rescue, Aerial, Battalion | 8 |

SITE PLAN REVIEW:

(A) Fire Engineering & Water Supply Bureau has reviewed and approved the revised site plan entitled 'Le Club Resort' as prepared by Valle, Valle & Partners Architects, dated stamp received January 18, 2013.

(B) The Entrance Feature depicted on the revised site plan is not a part of this application and was not reviewed by the Fire Engineering & Water Supply Bureau for compliance. The Entrance Feature must be filed under a separate application and reviewed under the administrative Entrance Feature review process.

(C) This plan has been reviewed to assure compliance with the MDFR Access Road Requirements for DIC applications. Please be advised that during the platting and permitting stages of this project, the proffered site plan along with the corresponding Entrance Feature must be reviewed by the Fire Engineering & Water Supply Bureau to assure compliance with the Florida Fire Prevention Code (FFPC) and National Fire Protection Association (NFPA) standards.

For additional information, please contact Mr. Carlos Heredia, Planning Section Supervisor at 786-331-4544.

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 1, 2013

**To:** Eric Silva
Assistant Director
Regulatory and Economic Resource Department

**From:** Antonio Cotarelo, P.E.
Interim County Engineer
Public Works and Waste Management Department

**Subject:** DIC 10-163
Name: Le Club Resort, LLC
Section 26 Township 55 South Range 39 East

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I. PROJECT LOCATION:

North of NE 199 Street and south of NE 215 Street, between NE 2 Avenue and NE 12 Avenue

II. APPLICATION REQUEST:

This application is seeking a district zoning change from GU (Interim District) to PAD (Planned Area Development), as well as lifting the golf course use restriction to allow the rezoning of the property to PAD and the development of the property in accordance with the submitted plans. In addition, the application seeks to permit the filling of portions of the existing lakes for an unusual use to permit private recreational facilities such as an equestrian center, riding academy, clubhouse and a community center.

III. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to the site is available from the North and the South from NW 2 Avenue, NE 10 Avenue, NE 12 Avenue and I-95.

IV. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

A. Trip Generation (Based on Institute of Transportation Engineers)

476 PM Peak Hour trips are generated by this development.

B. Cardinal Distribution

| | | | |
|---|---|---|---|
| North | 28% | East | 19% |
| South | 30% | West | 23% |

V. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

29

**Station 9642** located on San Simeon Way/NE 6 Avenue south of NE 215 Street has a maximum LOS **"EE"** of **2,700** vehicles during PM Peak Hour. It has a current Peak Hour

Period (PHP) of **749** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9642** with its PHP and assigned vehicles is at LOS **"D"**. The **149** vehicle trips generated by this development when combined with the **749** equal **898** and will cause this segment to remain at LOS **"D"**.

**Station 9284** located on NE 2 Avenue south of NE 215 Street, has a maximum LOS **"D"** of **850** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **584** vehicles and an additional **22** vehicle trips have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9284** with its PHP and assigned vehicles is at LOS **"C"**. The **14** vehicle trips generated by this development when combined with the **584** and those previously approved through Development Orders, **22**, equal **620** and will cause this segment to remain at LOS **"C"**.

**Station 9292** located on NE 12 Avenue south of NE 215 Street has a maximum LOS **"D"** of **1,420** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **513** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9292** with its PHP and assigned vehicles is at LOS **"B"**. The **21** vehicle trips generated by this development when combined with the **513**, equal **534** and will cause this segment to remain at LOS **"B"**.

**Station F-2487** located on I-95 (North/South Expressway) has a maximum LOS **"D"** of **16,930** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **14,814** vehicles and an additional **130** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-2487** with its PHP and assigned vehicles is at LOS **"D"**. The **20** vehicle trips generated by this development when combined with the **14,814** and those previously approved through Development Orders, **130**, equal **14,964** and will cause this segment to remain at LOS **"D"**.

**Station 9196** located on Ives Diary Road/NE 203 Street west of NE 22 Avenue has a maximum LOS **"E+50"** of **7,170** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **3,352** vehicles and an additional **81** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9196** with its PHP and assigned vehicles is at LOS **"C"**. The **105** vehicle trips generated by this development when combined with the **3,352** and those previously approved through Development Orders, **81**, equal **3,538** and will cause this segment to remain at LOS **"C"**.

**Station 9200** located on Ives Dairy Road/NE 203 Street east of North Miami Avenue has a maximum LOS **"D"** of **5,530** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **2,614** vehicles and an additional **141** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9200** with its PHP and assigned vehicles is at LOS **"B"**. The **109** vehicle trips generated by this development when combined with the **2,614** and those previously approved through Development Orders, **141**, equal **2,864** and will cause this segment to remain at LOS **"B"**.

**Station 9328** located on NW 2 Avenue south of NE 215 Street has a maximum LOS **"D"** of **4,580** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **3,443** vehicles and an additional **8** vehicle trips have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9328** with its PHP and assigned vehicles is at LOS **"D"**. The **7** vehicle trips generated by this development when

combined with the **3,443** and those previously approved through Development Orders, **8**, equal **3,458** and will cause this segment to remain at LOS **"D"**.

**Station F-2485** located on I-95 (North/South Expressway) has a maximum LOS **"EE"** of **18,324** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **13,586** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-2485** with its PHP and assigned vehicles is at LOS **"E"**. The **44** vehicle trips generated by this development when combined with the **13,586** equal **13,630** and will cause this segment to remain at LOS **"E"**.

**Station F-158** located on NW 215 Street west of NW 2 Avenue has a maximum LOS **"SUMA"** of **3,560** vehicles during PM Peak Hour. It has a current Peak Hour Period (PHP) of **2,202** vehicles and an additional **40** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-158** with its PHP and assigned vehicles is at LOS **"B"**. The **7** vehicle trips generated by this development when combined with the **2,202** and those previously approved through Development Orders, **40**, equal **2,249** and will cause this segment to remain at LOS **"B"**.

VI. DEVELOPMENT IMPROVEMENTS REQUIRED FOR THIS PROJECT:

A traffic impact study must be performed to provide capacity analysis at the following intersections for existing and near future traffic conditions:

- Ives Dairy Road and San Simeon Way
- NE 215 Street and San Simeon Way
- Ives Dairy Road and NE 12 Avenue
- NE 215 Street and NE 10 Avenue

As part of the traffic impact analysis, a signal warrant analysis must also be conducted at San Simeon Way and neighborhood driveways for future conditions prior to final plat approval.

VII. ACCESS IMPROVEMENTS REQUIRED FOR THIS PROJECT:

Additional access improvements concluded upon review of the traffic impact study may be required.

VIII. SITE PLAN CRITIQUE – **CONDITIONAL APPROVAL SUBJECT TO BELOW COMMENTS**

- Entrance features are not part of this application. However, applicant must ensure proposed layout is in compliance with Public Works and Waste Management Department (PWWM) requirements.
- NE 215 Street – widen roadway to match PWWM standard typical Section between NE 2 Avenue and San Simeon Way.
- Construct drainage in public right-of-way for NE 215 Street per PWWM standards.
- Upgrade signal to mast arm at NE 2 Avenue.
- Modify signal at NE 215 Street and San Simeon Way.
- Specify radii for all curvilinear alignments (ensure compliance with Florida Greenbook criterion).

- Relocate power pole to right-of-way along NE 215 Street.
- Construct raised median along San Simeon Way (i.e. curb and gutter where missing).
- Construct left turn bays into the proposed development entrances per requirements of Florida Greenbook.
- Guardrail or suitable substitute safety barriers shall be provided between roadways and bodies of water.
- Landscaping is not proposed in the median on San Simeon Way. However, existing trees within median must comply with sight distance requirement per FDOT Index 546 with respect to proposed connections.
- On the Entry feature roadway aligned with NE 208 Terrace and west of NE 12 Avenue, where there is a T-intersection to the south to "Street Type J" and a T-intersection to the north to "Service Lane B," there should be a connecting median opening across the green to accommodate turning movements into and out of the small rectangular area north of the Entry feature roadway. This intersection should be where the westbound approach of the proposed two-way must turn left or right, and use the one-way westbound south of the green to exit.
- The dead-end where Sector 8 meets Sector 7, adjacent to the S02°28'09"E 685.95' survey line needs to be assigned parking stalls and properly signed.
- Due to the curvilinear alignment of San Simeon Way, the proposed development wall must be significantly set back to avoid obscuring intersection sight distance triangles for all driveways' and San Simeon Way motorists to allow all motorists to see vehicle traffic, more than normally expected for a straight roadway.
- The preservation of the existing golf cart underpass and conversion into a pedestrian underpass is shown and must be kept accessible to the general public by either right-of-way dedication or access easement of the approaches to the underpass to and from sidewalks in the right-of-way of San Simeon Way.
- All street types shown on sheet AS-4-01 shall comply with the Florida Greenbook wherever access for the general public is not prohibited.
- Text is difficult to read on Sheet AS-1-01. Therefore, PWWM reserves the right to make additional comments based upon current illegible text.

VI. STANDARD CONDITION:

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

VII. SUMMARY:

This project is located within the jurisdiction of Miami-Dade County. It meets Traffic Concurrency for an initial review. No vehicle trips have been reserved by this application. This project is subject to the payment of Road Impact Fees and additional improvements may be required at time of permitting/platting.

c: Raul A. Pino, PLS, Department of Regulatory and Economic Resources
Jorge Vital, Development Impact Committee, Department of Regulatory and Economic Resources
Joan Shen, Ph.D., P.E., PTOE, Interim Chief, Traffic Engineering Division, PWWM
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division, PWWM

**Date:** November 9, 2010

**To:** Jorge Vital
Department of Planning and Zoning

**From:** Susan Schreiber, Transportation Systems Analyst
Miami-Dade County Metropolitan Panning Organization

**Subject:** DIC Project10-163, Le Club Resourt, Request to Rezone from GU to PAD

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For DIC Project 10-163 – Le Club Resort, LLC requesting a district boundary change to Planned Area Development District (PAD), as well as a Modification of a previously approved Resolution and Declaration of Restrictions, the Metropolitan Planning Organization (MPO) has no comments.

Thank you for the opportunity to comment on this application.

C. David Henderson, MPO

# Memorandum

MIAMI-DADE COUNTY

**Date:** November 21, 2012

**To:** Eric Silva, AICP, Assistant Director
Development Services Division
Department of Regulatory and Economic Resources

**From:** J. D. Patterson, Acting Director
Miami-Dade Police Department

**Subject:** Review - Developmental Impact Committee Zoning Application
Case: No. Z2010000163– Le Club Resort

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## APPLICATION

The applicant, the Le Club Resort, is requesting approval of a site plan to develop land, formerly known as the California Club Golf Course. The applicant proposes to develop the site with approximately 466 multi-family units, 239 single family units, and a private recreational facility. The subject property is approximately 181.38 acres, and is located on land straddling both sides of San Simeon Way, between NE 2 Avenue and NE 12 Avenue, in Miami-Dade County. Based on the proposed increase in residential units, the population is estimated to increase by 1,635 residents within the police district currently servicing the area.

## CURRENT POLICE SERVICES

The site is located in unincorporated Miami-Dade County and serviced by our Intracoastal District, located at 15665 Biscayne Boulevard, Miami, Florida. Our current staffing allows for an average emergency response time of eight minutes or less.

## REVIEW

A review of the application and related documents was conducted to predict the impact on the Miami-Dade Police Department's (MDPD) resources and the impact that the location could have on the proposed zoning modification changes. Current data of police staffing, population, and calls for service was examined and compared to expected population growth and projected increases in calls for service. Based on this data, a minimum of three additional sworn police officers would need to be added to the Intracoastal District staffing in order to maintain current staffing levels to population and projected volume of calls for service. Should demand for police services increase beyond these calculations, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service. A ½ mile radius check of crimes/calls for service of the location was done and has been provided in the attached documents for your Department.

The MDPD does not object to any proposed zoning modifications to complete this project. The applicant and developers are encouraged to work with police during any future application, design, or construction changes to determine the best possible solutions or security options.

Should you have any questions or require additional information, Lieutenant William Gonzalez, of the Public Information & Education Bureau, may be contacted at (305) 471-1775.

JDP/kh
Attachment

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 25, 2013

**To:** Jorge Vital
DIC Coordinator
Department of Regulatory and Economic Resources

**From:** Nilia Cartaya
Principal Planner
Miami-Dade Transit - Engineering, Planning & Development Division

**Subject:** Review of DIC Project No. 10-163 (Le Club Resort, LLC) - Revision 4
MDT Project No. OSP006
FSC No. 41.04

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## Project Description

10-163 –Le Club Resort, LLC is requesting a district boundary change from Interim District (GU) to Planned Area Development District (PAD), as well as a Modification of a previously approved Resolution and Declaration of Restrictions in order to submit revised plans and release the subject property from the golf course use restriction. The applicant also seeks unusual use requests to permit a private recreational facility to include an equestrian center, clubhouse, riding academy, and sailing club as well as a request to permit the partial filling of an existing lake. The size of the property is 181.38 acres and lies south of NE 215 Street, between NE 2 Avenue and NE 12 Avenue, Miami-Dade County, Florida. Plans may be modified prior to the DIC Executive Council Meeting.

## Current Transit Service

There is transit service along the immediate vicinity of the application site, provided by Route 99. Service is provided on NE 2nd Avenue and through NE 205th Terrace. The service headway for this route (in minutes) is as follows:

**Metrobus Route Service Summary**
**Le Club Resort, LLC Application Site**

| Route(s) | Service Headways (in minutes) | | | | | | Proximity to Bus Route (miles) | Type of Service |
|---|---|---|---|---|---|---|---|---|
| | Peak (AM/PM) | Off-Peak (middays) | Evenings (after 8pm) | Overnight | Saturday | Sunday | | |
| 99 | (30/60) / (30/60) | (24/60) | (45/60) | n/a | 40 | 40 | 0 miles | L |

*Notes:* *L means Metrobus local route service*
*F means Metrobus feeder service to Metrorail*
*E means Express or Limited-Stop Metrobus service*

*November 2012 Line Up*

**Future Transportation/Transit Improvements**

The 2013 Transportation Improvement Plan (TIP) and the 2035 Long Range Transportation Plan (LRTP) do not propose any improvements within the immediate vicinity of this project.

The 2012 ten-year Transit Development Plan (TDP) identifies in its 2022 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

| Route | Improvement/Adjustment |
|---|---|
| Route 99 | No planned improvement. |

**MDT Comments/Recommendations**

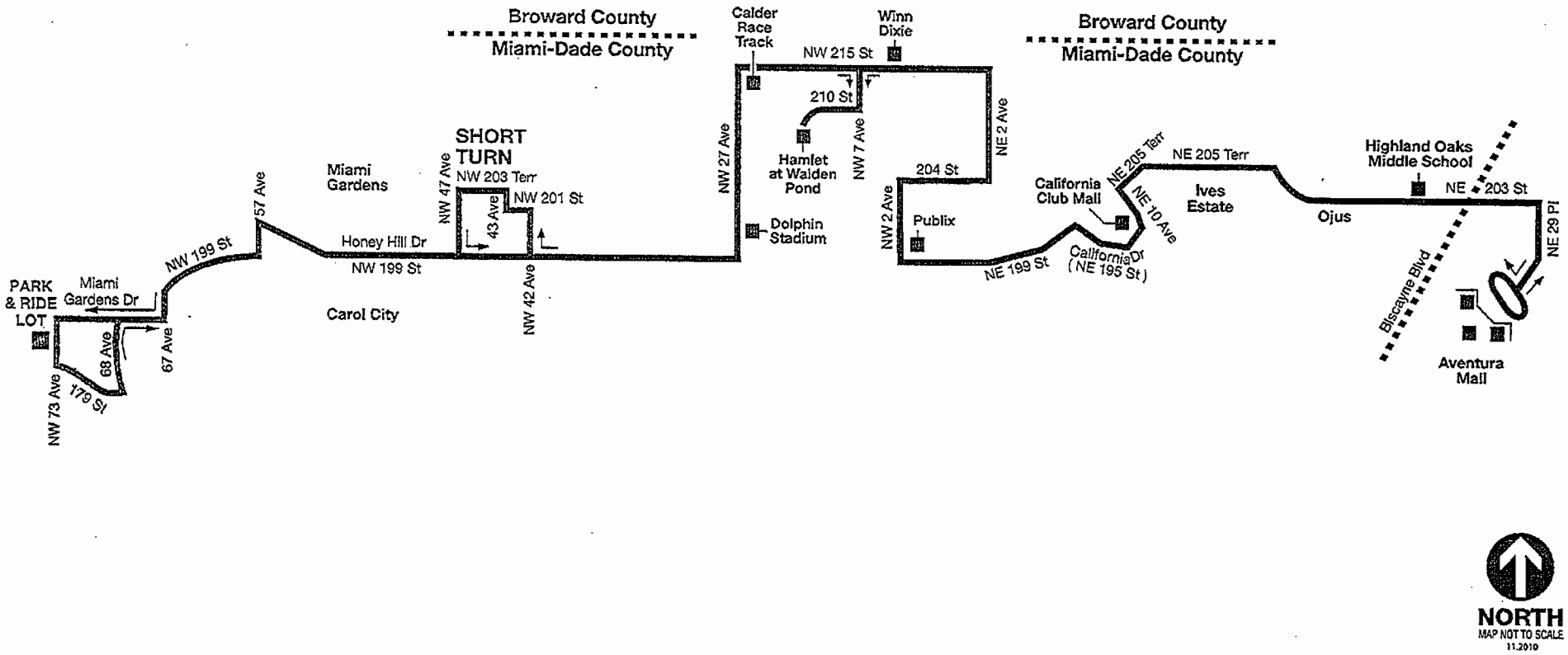
Miami-Dade Transit (MDT) Metrobus Route 99 currently provides local bus service with a 30 minute AM/PM peak headway. This bus route travels adjacent to the subject property along NE 2nd Avenue. Therefore, this application meets the adopted mass transit level of service standards as prescribed by Policy MT-1A of the Mass Transit Sub-element of the Comprehensive Development Master Plan (CDMP). **Based on the information presented, MDT has no objections to this project.**

**Concurrency**

This project has been reviewed by MDT for mass transit concurrency and was found to be concurrent with the mass transit level-of-service standards established for Miami-Dade County.

c: Monica D. Cejas, P.E., Senior Professional Engineer
Eric Zahn, Transit Planning Section Supervisor, MDT

# Route 99


Broward County
Miami-Dade County
Calder Race Track
Winn Dixie
NW 215 St
210 St
Hamlet at Walden Pond
NW 7 Ave
NW 27 Ave
NE 2 Ave
204 St
NW 2 Ave
Publix
Dolphin Stadium
SHORT TURN
NW 203 Terr
NW 201 St
NW 47 Ave
43 Ave
NW 42 Ave
Miami Gardens
Honey Hill Dr
NW 199 St
Carol City
57 Ave
NW 199 St
Miami Gardens Dr
PARK & RIDE LOT
67 Ave
68 Ave
179 St
NW 73 Ave
NE 199 St
California Dr (NE 195 St)
NE 10 Ave
California Club Mall
NE 205 Terr
NE 205 Terr
Ives Estate
Ojus
Highland Oaks Middle School
NE 203 St
NE 29 Pl
Biscayne Blvd
Aventura Mall
NORTH
MAP NOT TO SCALE
11.2010

# Miami-Dade County Public Schools

giving our students the world

**Superintendent of Schools**
*Alberto M. Carvalho*

**Miami-Dade County School Board**
*Perla Tabares Hantman, Chair*
*Dr. Lawrence S. Feldman, Vice Chair*
*Dr. Dorothy Bendross-Mindingall*
*Carlos L. Curbelo*
*Renier Diaz de la Portilla*
*Dr. Wilbert "Tee" Holloway*
*Dr. Martin Karp*
*Dr. Marta Pérez*
*Raquel A. Regalado*

May 10, 2011

**VIA ELECTRONIC MAIL**

Mr. Juan J. Mayol, Jr.
Holland and Knight, LLP
701 Brickell Avenue, Suite 3000
Miami, Florida 33131

**RE: PUBLIC SCHOOL CONCURRENCY PRELIMINARY ANALYSIS**
**LE CLUB RESORT, LLC (Z2010000163)**
**LOCATED APPROXIMATELY AT 20898 SAN SIMEON WAY**
**PH3011050500084 – Folio No. 3012310290070**

Dear Applicant:

Pursuant to State Statutes and the Interlocal Agreements for Public School Facility Planning in Miami-Dade County, the above-referenced application was reviewed for compliance with Public School Concurrency. Accordingly, enclosed please find the School District's Preliminary Concurrency Analysis (Schools Planning Level Review).

As noted in the Preliminary Concurrency Analysis (Schools Planning Level Review), the zoning application would yield a maximum residential density of 48 single-family detached units, 258 single-family attached units, 462 multifamily units, for a total number of 768 units, which generates 287 students; 135 elementary, 66 middle and 86 senior high students. **At this time, the schools serving the area have sufficient capacity available to serve the application.** However, a final determination of Public School Concurrency and capacity reservation will only be made at the time of approval of final plat, site plan or functional equivalent. **As such, this analysis does not constitute a Public School Concurrency approval.**

Should you have any questions, please feel free to contact me at 305-995-4501.

Sincerely,

Ivan M. Rodriguez, R.A.
Director II

IMR:mo
L440
Enclosure

cc: Ms. Ana Rijo-Conde, AICP
Ms. Vivian G. Villaamil
Miami-Dade County
School Concurrency Master File

*Facilities Planning, Design and Sustainability*
*Ana Rijo-Conde, AICP, Eco-Sustainability Officer• 1450 N.E. 2nd Ave. • Suite 525 • Miami, FL 33132*
*305-995-7285 • 305-995-4760 (FAX) • arijo@dadeschools.net*

**Concurrency Management System (CMS)**

Miami Dade County Public Schools

# Miami-Dade County Public Schools

## *Concurrency Management System*
## Preliminary Concurrency Analysis

| | | | |
|---|---|---|---|
| MDCPS Application Number: | PH3011050500084 | Local Government (LG): | Miami-Dade |
| Date Application Received: | 5/5/2011 11:09:01 AM | LG Application Number: | Z2010000163 |
| Type of Application: | Public Hearing | Sub Type: | Zoning |

Applicant's Name: LE CLUB RESORT, LLC
Address/Location: 701 BRICKELL AVENUE
Master Folio Number: 3012310290070
Additional Folio Number(s): *3012310290010,*

PROPOSED # OF UNITS 768

SINGLE-FAMILY DETACHED UNITS: 48

SINGLE-FAMILY ATTACHED UNITS: 258

MULTIFAMILY UNITS: 462

| CONCURRENCY SERVICE AREA SCHOOLS | | | | | | |
|---|---|---|---|---|---|---|
| CSA Id | Facility Name | Net Available Capacity | Seats Required | Seats Taken | LOS Met | Source Type |
| 3701 | NORLAND ELEMENTARY | 52 | 135 | 52 | NO | Current CSA |
| 3701 | NORLAND ELEMENTARY | 0 | 83 | 0 | NO | Current CSA Five Year Plan |
| 6023 | ANDOVER MIDDLE SCHOOL | 152 | 66 | 66 | YES | Current CSA |
| 7381 | MIAMI NORLAND SENIOR HIGH | 771 | 86 | 86 | YES | Current CSA |
| ADJACENT SERVICE AREA SCHOOLS | | | | | | |
| 3821 | NORTH COUNTY ELEMENTARY | 363 | 83 | 83 | YES | Adjacent CSA |

*An Impact reduction of 15.3% included for charter and magnet schools (Schools of Choice).

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

1450 NE 2 Avenue, Room 525, Miami, Florida 33132 / 305-995-7634 / 305-995-4760 fax / concurrency@dadeschools.net

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 24, 2013

**To:** Jack Osterholt, Deputy Mayor
Director, Regulatory and Economic Resources Department

**From:** Maria I. Nardi, Chief M.I.N.
Planning and Research Division
Parks, Recreation and Open Spaces Department

**Subject:** Le Club Resort, LLC
DIC Application# Z201000163
Revised Plans Submittal Date January 17, 2013

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**Application Name:** Le Club Resort, LLC.

**Project Location:** The site, formerly known as the California Club Golf Course, is located on both sides of San Simeon Way, between NE 2nd Avenue and NE 12th Avenue.

**Proposed Development:** The applicant is requesting a District Boundary Change from "GU" to "PAD" (Planned Area Development) on approximately 181.38 acres. Also requested:

- Unusual use to permit a private recreational facility;
- Unusual use to permit the filling-in of portions of the lakes;
- Modification of Condition #4 of Declaration of Restrictive Covenants (OR Book 9002, Page 1088) for the purpose of substituting new site plans;
- Deletion of Condition #5 of Declaration of Restrictive Covenants (OR Book 9002, Page 1088 to remove the golf course use restriction and allow rezoning to a PAD.

Review comments are based on revised plans dated stamped received January 17, 2013.

**Existing Service**

The nearest park to the application is Ives Estates Tennis Center, a 5-acre single purpose park including 8 lighted tennis courts and a tennis pro-shop. There are five other parks located within the 2-mile area including 1 mini-park, 1 neighborhood park, 1 greenway 1 community park and 1 district park. The parks within a 2-mile radius are included in the following table.

| Park Name | Classification | Acreage |
|---|---|---|
| Highland Oaks Park | COMMUNITY PARK | 39.92 |
| Ives Estates Park | DISTRICT PARK | 94.46 |
| Ives Estates Tennis Center | SINGLE PURPOSE PARK | 5.00 |
| Ives Estates Tot Lot | MINI-PARK | 0.25 |
| Sierra Park | NEIGHBORHOOD PARK | 1.95 |
| Snake Creek Trail | GREENWAY - PARK | 15.00 |

**Impact and Demand:** Recreation and Open Space Element policies ROS-2a (i); (ii); (iii); (iv); and (v) provide for the establishment of Miami-Dade County's minimum Level of Service standard for the provision of local recreation open space. This application is in Park Benefit District 1 (PBD1) which has a surplus capacity of 310.91 acres when measured by the County concurrency level-of-services standard for the unincorporated area of 2.75 acres of local recreation open space for 1,000 persons in UMSA.

The proposed development of 702 dwelling units is estimated to produce a population of approximately 1,727 based on current population estimates prepared by the Research Division of the Planning and Zoning Department. The population generates a need for 4.75 acres of local parkland, based on the CDMP Open Space Spatial Standards of 2.75 acres per 1,000 population.

**Site Plan Critique & Quality of Life Issues**

The parcel proposed for the district boundary change lies within the former golf course. The proposed change would change the covenant restricting the use to golf course and permit consideration of the PAD zoning and the accompanying site plan. In addition to the equestrian facilities, the applicant proposes a Community Center Park consisting of 11.27 acres (including community center building, baseball, soccer, dog park, and green areas) which, according to the draft PAD Agreement will be completed and open to the public prior to the issuance of the first certificate of occupancy for a residential unit. The revised letter of intent (12-13-2012) states that the Community Center will be open and accessible to both residents of Le Club Resort and to the surrounding community, free of charge. The common areas will be maintained by homeowner's association(s), or similar association(s), or special taxing district(s) at no cost to the tax payers of Miami-Dade County.

The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP) recommends the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities. The plans submitted as part of the application have been developed consistent this objective. Based on information provided the Parks, Recreation and Open Spaces Department has no objection to this application.

If you need additional information or clarification on this matter, please contact John Bowers at (305) 755-5447.

MN:jb
Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum

MIAMI-DADE COUNTY

**Date:** November 27, 2012

**To:** Jack Osterholt, Director
Department of Regulatory and Economic Resources

**From:** José A. Ramos, R.A., Division Director
Aviation Planning, Land-Use and Grants Division
Aviation Department

**Subject:** Revised DIC Application #10-163
Le Club Resort, LLC
MDAD DN-12-11-1091

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As requested by the Department of Regulatory and Economic Resources, the Miami-Dade Aviation Department (MDAD) has reviewed Developmental Impact Committee (DIC) Zoning Application #10-163, Le Club Resort, LLC. The applicant is requesting a district boundary change from AU to Planned Area Development District (PAD); an unusual use to permit a private recreational facility, specifically, an equestrian center, clubhouse, riding academy and sailing club; an unusual use to permit a partial lake fill; and a modification and deletion of conditions of a declaration of restriction for a previously approved golf course. The size of the property is 178.14 acres and lies south of NE 215 Street, between NE 2nd Avenue and NE 12th Avenue, Miami-Dade County, Florida.

Based upon our review of the information provided to us, MDAD does not object to the use provided there are no conflicts with applicable local, state and federal aviation regulations including the Code of Miami-Dade County, Chapter 33, Airport Zoning.

C: Jorge Vital, DIC Coordinator, Department of Regulatory and Economic Resources

RECEIVED
NOV 30 2012
MIAMI-DADE COUNTY
DEPT. OF PLANNING AND ZONING
COMMUNITY PLANNING SECTION

# Memorandum

MIAMI-DADE COUNTY

**Date:** February 7, 2013

**To:** Jack Osterholt, Director
Regulatory and Economic Resources Department

**From:** Christopher Rose
Assistant Director, Administration
Public Works and Waste Management Department

**Subject:** DIC # 10-163
Le Club Resort, LLC update

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Attached please find a copy of this Department's review of the above-referenced item. The review was created as requested to update a previous response dated January 4, 2012. Final comments will be offered as needed. If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal, Planning and Performance Management Division at 305-514-6661.

Attachment

PUBLIC WORKS AND WASTE MANAGEMENT DEPARTMENT

DIC REVIEW #10-163
**Le Club Resort, LLC update**

**Application:** ***Le Club Resort, LLC*** is requesting a series of zoning requests to include:

1) A district boundary change on the property from GU (Interim District) to PAD (Planned Area Development);
2) A Modification of Condition #4 of a Declaration of Restrictive Covenants recorded in Official Record Book 9002, at Page 1088 to include new site plans;
3) A Deletion of Condition #5 of a Declaration of Restrictive Covenants recorded in Official Record Book 9002 at Page 1088 to lift the golf course use restriction and allow the rezoning of the Property to PAD;
4) Unusual use to permit private recreational facilities to wit; an equestrian center, riding academy, clubhouse, and a community center;
5) Unusual use to permit the filling of portions of the existing lakes;
6) Special exemptions from the height requirements in regards to a community center, a covered arena building within the equestrian center, and a stables building; and
7) Non-use variances regarding the private open space requirement for townhouses.

The previous plans provided for the development of 705 dwelling units, comprised of 87 single-family, 152 townhomes, and 466 multi-family units. Currently the applicant requests a modification to develop 702 dwelling units, comprised of 86 single-family, 150 townhomes, and 466 multi-family units.

**Size:** The subject property is 181.38 acres.

**Location:** The subject property is located; north of N.E. 199th Street & south of N.E. 215th Street, between N.E. 2nd Avenue & N.E. 12th Avenue, Miami-Dade County Florida.

**Analysis:**

1. Solid Waste Disposal

The Miami-Dade County Solid Waste Management System consists of both County facilities and private facilities under contract as follows: three Class I landfills (two owned by Waste Management Inc., of Florida) a Class III landfill, a Resources Recovery Facility waste to energy plant and associated ash monofill, and three regional transfer facilities. The Public Works and Waste Management Department (PWWM) does not assess or adjust estimated capacity requirements based on the impacts of individual developments. Instead, the Department maintains sufficient disposal capacity to accommodate five years of waste flows committed to the system through long-term interlocal agreements or contracts with municipalities and private waste haulers and anticipated non-committed waste flows. The latest Concurrency Status Determination issued on September 28, 2012, which is valid for one year, shows sufficient disposal system capacity to exceed the County's adopted level of service (five years of capacity). This determination, which is on file with the Sustainability, Planning and Economic Enhancement Department (formerly the Department of Planning and Zoning) is contingent upon the continued ability of the County to obtain and renew disposal facility operating permits from the Florida Department of Environmental Protection, as needed.

2. Garbage and Trash Collection Services

The Public Works and Waste Management Department (PWWM) maintains the response provided via memo dated January 4, 2012, as the supplemental information provided in the application does not affect the waste management service provided. Single-family residences and townhomes proposed for inclusion in this project appear to meet the County Code definition of "residential unit." Per the Code,

residential units located within the project shall, therefore, receive PWWM waste collection service. Twice weekly curbside waste collection, twice per year scheduled bulky waste collection service, and unlimited use of the 13 Trash and Recycling Centers are the services currently provided to residential units in the PWWM solid waste collection service area.

Multi-family residences, private recreational facilities, and the community center building, based on their configuration, will likely be considered "multi-family residential establishments" and "commercial units." Chapter 15 of the Miami-Dade Code, entitled Solid Waste Management, requires the following of commercial and multi-family developments located in unincorporated Miami-Dade County:

"every commercial and multi-family residential establishment shall utilize the solid waste collection services of either the proper governmental agency able to provide such services, or that of a licensed solid waste hauler authorized to perform such services by the Director of the Department." Therefore, the landlord or property owner is required to contact a private hauler to provide waste and recycling collection service. The collected material will subsequently be disposed of at PWWM facilities.

3. Recycling: Single Family Residential

The PWWM provides curbside recycling services to **residential units** located in unincorporated Miami-Dade County through a private contractor. The single stream recycling program currently includes separation of glass, aluminum cans, steel cans, plastic bottles, newspaper and phone books. Further information may be obtained by calling the Department's Public Information & Outreach Division at 305-594-1500 or 305-514-6714.

Applicants are ***strongly*** advised to incorporate adequate space in their building plans to accommodate the recycling program (i.e. somewhere for residents to store their recycling carts).

4. Recycling: Multi-family Units

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

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

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

Applicants are ***strongly*** advised to incorporate adequate space and facilities in their building plans to accommodate the required recycling program. Requests for approval of modified recycling programs must be made directly to the Department at 305 514-6666.

5. Recycling: Commercial Establishments

The following language from **Section 15-2.3a** requires commercial establishments "to provide for a recycling program, which shall be serviced by a permitted hauler or the appropriate governmental

agency. The recycling program for commercial establishments must include a minimum of three (3) materials chosen from the following:

1) High grade office paper
2) Mixed paper
3) Corrugated cardboard
4) Glass (flint, emerald, amber)
5) Aluminum (cans, scrap)
6) Steel (cans, scrap)
7) other metals/scrap production materials
8) Plastics (PETE, HDPE-natural, HDPE-colored)
9) Textiles
10) Wood

**Section 15-2.3 states** the failure of a commercial establishment to provide a recycling program or a modified recycling program pursuant to Section 15-2.4 hereof shall constitute a violation of this section for which the property owner and the owner(s) and operator(s) of the commercial establishment shall be jointly and severally liable.

6. Waste Storage/Setout Considerations

**Section 15-4** of the Code requires that plans for storage and collection of solid waste be adequate before a building permit may be issued. Site plans must address location, accessibility, number and adequacy of solid waste collection and storage facilities. The site plan legend must contain the following statement: "Facilities for the collection and storage of solid waste are shown in accordance with Section 15-4 of the Miami-Dade County Code."

7. Site Circulation Considerations

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

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

In addition, any and all alleyways designed with utilities, including waste collection, provided at the rear of the property should be planned in accordance with standard street specifications with sufficient width and turning radii to permit large vehicle access. Additionally, there should be no "dead-end" alleyways developed. Also, a sufficient waste set-out zone should be preserved (between the edge of the pavement and any possible obstructions such as parked cars, fencing, etc.,) that would interrupt or preclude waste collection. **The PWWM has no objections to the proposed application**

# Memorandum

MIAMI-DADE COUNTY

**Date:** January 28, 2013

**To:** Jack Osterholt, Deputy Mayor/Director
Sustainability, Planning and Economic Enhancement (SPEE)

**From:** Maria A. Valdes, Chief, LEED® Green Associate
Comprehensive Planning & Water Supply Certification Section

**Subject:** Le Club Resort, LLC, DIC Application # - Z2010000163 (REVISION # 3)

---

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project. The comments provided below are general for the subject area and as individual Tracts are developed, they will be addressed on a case by case basis.

**Application Name:** Le Club Resort, LLC

**Proposed Development:** The applicant is requesting a district boundary change from GU to PAD (Planned Area Development). The proposed development plan will consist of 86 single family homes, 150 townhomes, and 466 multifamily homes. Therefore, the density for said development will consist of a total of 702 dwelling units. The development will also include a community center, covered arena with a store, a cafeteria and a private viewing lounge on the second floor, stables, guard houses, a main clubhouse, pool/cabanas, dog parks, baseball and soccer field. The total water demand for this project is described below:

| Water Demand | | | | |
|---|---|---|---|---|
| **Use** | **Unit** | **Total** | **Flow Rate (GPD)** | **Total GPD** |
| Single Family Homes (over 5,000 sq.ft.) | each | 1 | 550/unit | 550 |
| Single Family Homes (3,001-5,000 sq.ft.) | each | 85 | 320/unit | 27,200 |
| Townhomes | each | 150 | 180/unit | 27,000 |
| Apartments | each | 466 | 150/unit | 69,900 |
| Community Center | sq. ft. | 6,508 | 10gpd/100 sq.ft. | 651 |
| Police Sub-station | sq. ft. | 486 | 5gpd/100 sq.ft. | 24 |
| Guard House | each | 6 | 60gpd/unit | 360 |
| Covered Arena | seats | 384 | 3gpd/seat | 1,152 |
| Main Clubhouse | sq. ft. | 11,929 | 15gpd/100 sq.ft. | 1,789 |
| Equestrian Center (office/lounge area) | sq. ft. | 4,633 | 5gpd/100 sq.ft. | 232 |
| Equestrian Center - Stables (64 stalls) | each | 64 | 50gpd/stall | 3200 |
| Equestrian Center - Washrooms for horses | each | 8 | 50gpd/stall | 400 |
| | | | **Total** | **132,458** |

Note: GPD=Gallons per Day

**Project Location:** The subject property lies south of NE 215th Street, between NE 2nd & NE 12th Avenue, formerly known as the California Club Golf Course, containing approximately 181.38 acres of land.

**Water:** The subject project is located within MDWASD's service area. There is existing infrastructure that range from 8 to 16 inches in diameter abutting the property for the developer to connect to obtain

water service. Please note that at the time the applicant requests an agreement with MDWASD, a capacity evaluation will be required and detailed points of connections will be provided. Also note that the existing infrastructure may need to be upgraded based on the land use when the actual development projects are initiated and additional water main extensions may be required. The source of water for this project is the Hialeah-Preston Water Treatment Plant. The plant is operating under a 20-year Water Use Permit issued by South Florida Water Management District on July 16, 2012. MDWASD will be the utility providing water services subject to the following conditions:

- Adequate transmission and Plant capacity exist at the time of the applicant's request.
- Adequate water supply is available prior to issuance of a building permit or its functional equivalent.
- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

A Water Supply Certification (WSC) from Miami-Dade Water and Sewer Department will be required for the proposed development. Said Certification will be issued at the time the Agreement is offered. The Certification is required to assure adequate water supply is available to all water users of the MDWASD as required by Policy CIE-5D and WS-2C in the County's CDMP and in accordance with the permitted withdrawal capacity in the MDWASD's 20-year Water Use Permit.

**Sewer:** The subject project is located within MDWASD's service area. There is existing public sanitary sewer infrastructure abutting the proposed development to where the developer can connect to obtain sanitary sewer service. Please note that at the time the applicant request an agreement with MDWASD, detailed points of connection will be provided. Also note that at the time the applicant requests an Agreement with MDWASD, capacity evaluations of the plant for average flow and peak flows will be required. Additional transmission capacity could also be required for this project. The North District Wastewater Treatment Plant (WWTP) is the facility for treatment and disposal of the wastewater. This WWTP is currently operating under a permit from the Florida Department of Environmental Protection. MDWASD will be the utility providing sewer services subject to the following conditions:

- Adequate transmission and plant capacity exist at the time of the owner's request. Capacity evaluations of the plant for average flow and peak flows will be required, depending on the compliance status of the United States Environmental Protection Agency (USEPA) Second and Final Partial Consent Decree.

- Approval of all applicable governmental agencies having jurisdiction over these matters are obtained.

**Water Conservation:** All future development for the subject area will be required to comply with water use efficiency techniques for indoor water use in accordance with Section 8-31, 32-84 and 8A-381 of the Code of Miami-Dade County. In addition, the future development will be required to comply with the landscape standards in sections 18-A and 18-B of Miami-Dade County Code.

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

For information concerning the Water-Use Efficiency Standards Manual please go to http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf

Furthermore, additional water conservation may be achieved by implementing the following recommendations.

- The use of high efficiency (1.5 gallon per minute) self-closing nozzles for all wash racks.
- The use of automatic waters, in lieu of horse troughs, for pastures.
- The collection of all gray water from wash racks for reuse in landscape irrigation or arena watering.
- Rainwater harvesting system (with cistern), for reuse in pasture, landscape irrigation and/or arena watering.
- The use of a "smart" controller for the irrigation system to ensure irrigation efficiency.
- The use of permeable walkways, drives, etc., to promote aquifer recharge.

Should you have any questions, please call me at (786) 552-8198 or Alfredo B. Sanchez at (786) 552-8237.

DATE: 31-JAN-13

REVISION 3

# BUILDING AND NEIGHBORHOOD COMPLIANCE DEPARTMENT

## ENFORCEMENT HISTORY OF VIOLATIONS OF CHAPTER 19 AND CHAPTER 33 OF THE MIAMI-DADE COUNTY CODE

LE CLUB RESORT, LLC

**APPLICANT**

NORTH OF N.E. 199 STREET & SOUTH OF N.E. 215 STREET, BETWEEN N.E. 2 AVENUE & N.E. 12 AVENUE, MIAMI-DADE COUNTY, FLORIDA.

**ADDRESS**

Z2010000163

**HEARING NUMBER**

## HISTORY:

ENFORCEMENT HISTORY: NC: The following folios have no cases open: 3012310290070,3012310290050,3012310290040,3012310290030,3012310290020. Folio 3012310290010 A case was opened August 6, 2010 for Failure to maintain non dwelling structure and a warning was issued. Case was closed on May 3, 2011. BNC: No bss cases open/closed for following folio numbers: 3012310290070,3012310290050,3012310290040,3012310290030,3012310290020. Folio 3012310290010 - BSS case 20110145497B opened on June 10, 2011. Notice of Violation issued for Failure to obtain required building permit(s) prior to commencing work on: container. Failure to maintain a bldg or structure or devices in safe condition due to collapsed ceilings & soffits and missing handrails for handicap ramp. Violation corrected, permit 2012045934. Case closed on August 30, 2012

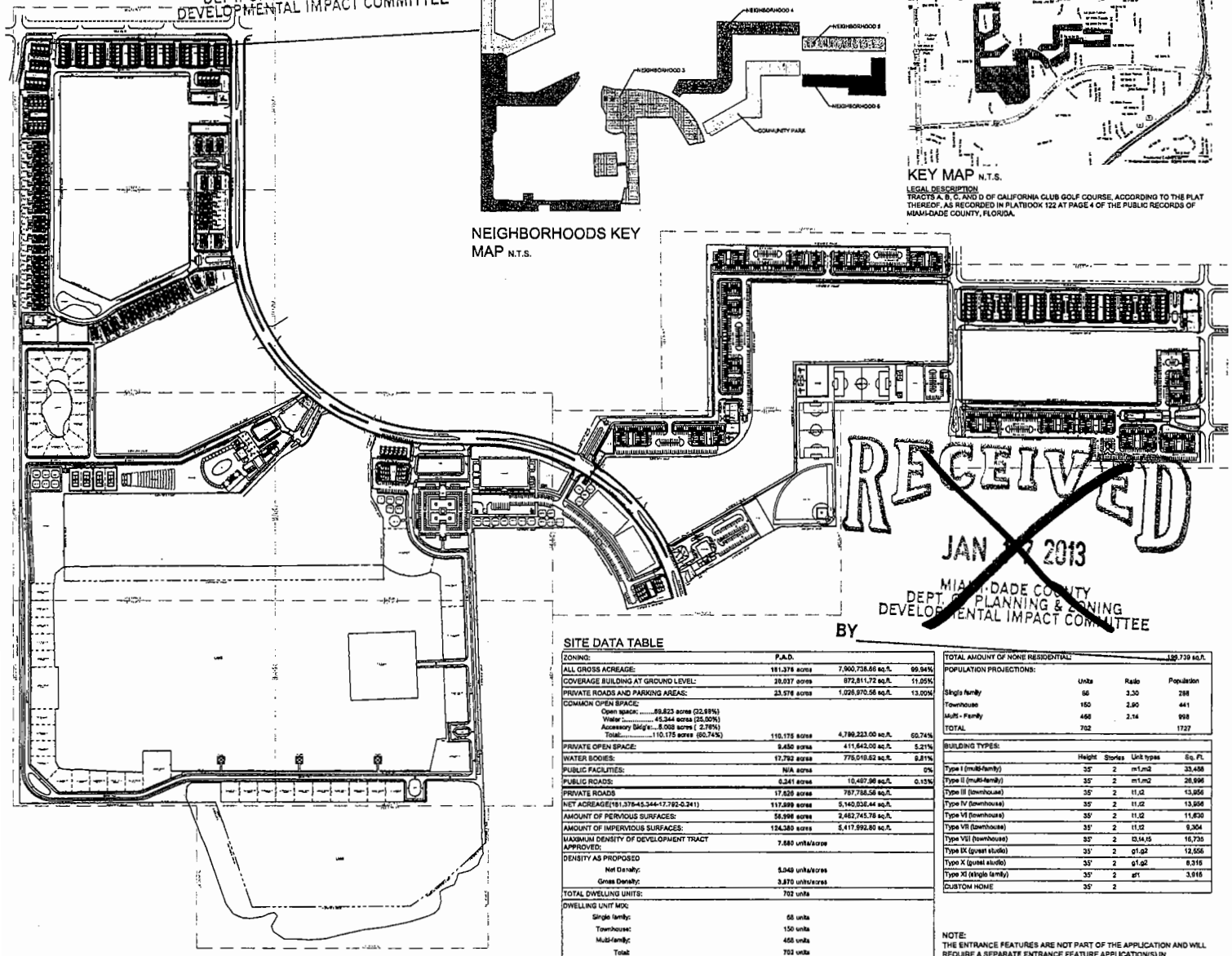
LE Club Resort, LLC

## OUTSTANDING FINES, PENALTIES, COST OR LIENS INCURRED PURSUANT TO CHAPTER 8CC:

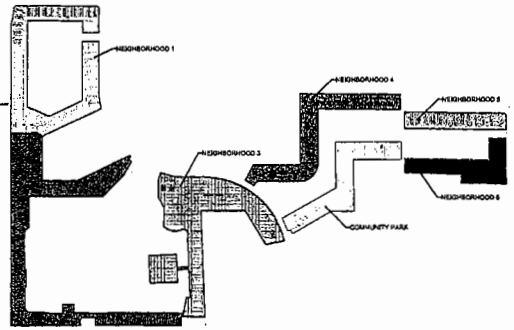
## REPORTER NAME:

RECEIVED
JAN 1 8 2013
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE

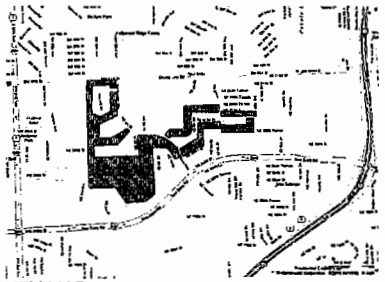
52



GENERAL SITE PLAN SCALE 1"=250'

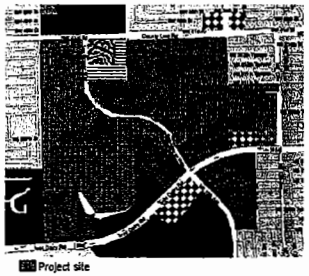



NEIGHBORHOODS KEY MAP N.T.S.



KEY MAP N.T.S.

LEGAL DESCRIPTION
TRACTS A, B, C, AND D OF CALIFORNIA CLUB GOLF COURSE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLATBOOK 122 AT PAGE 4 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



- Project site
- Low Density Residential 2.5-6 DU/AC
- Low -Medium Density Residential 6-13 DU/AC
- Medium Density Residential 13-25 DU/AC
- Industrial And Office
- Business And Office
- Parks And Recreation
- Environmentally Protected Parks

LAND USE MAP N.T.S.

RECEIVED
JAN 2 2013
MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

## SITE DATA TABLE

| | | | |
|---|---|---|---|
| ZONING: | P.A.D. | | |
| ALL GROSS ACREAGE: | 181.375 acres | 7,900,738.66 sq.ft. | 99.94% |
| COVERAGE BUILDING AT GROUND LEVEL: | 20.037 acres | 872,811.72 sq.ft. | 11.05% |
| PRIVATE ROADS AND PARKING AREAS: | 23.576 acres | 1,026,970.56 sq.ft. | 13.00% |
| COMMON OPEN SPACE: Open space: .....69.823 acres (32.98%); Water .....45.344 acres (25.00%); Accessory Bldg's:...5.008 acres ( 2.76%); Total.....110.175 acres (60.74%) | 110.175 acres | 4,799,223.00 sq.ft. | 60.74% |
| PRIVATE OPEN SPACE: | 9.450 acres | 411,642.00 sq.ft. | 5.21% |
| WATER BODIES: | 17.792 acres | 775,018.52 sq.ft. | 9.81% |
| PUBLIC FACILITIES: | N/A acres | | 0% |
| PUBLIC ROADS: | 0.241 acres | 10,497.96 sq.ft. | 0.13% |
| PRIVATE ROADS | 17.535 acres | 767,758.56 sq.ft. | |
| NET ACREAGE(181.375-45.344-17.792-0.241) | 117.999 acres | 5,140,036.44 sq.ft. | |
| AMOUNT OF PERVIOUS SURFACES: | 56.996 acres | 2,482,745.76 sq.ft. | |
| AMOUNT OF IMPERVIOUS SURFACES: | 124.380 acres | 5,417,992.80 sq.ft. | |
| MAXIMUM DENSITY OF DEVELOPMENT TRACT APPROVED: | 7.580 units/acres | | |
| DENSITY AS PROPOSED | | | |
| Net Density: | 5.949 units/acres | | |
| Gross Density: | 3.870 units/acres | | |
| TOTAL DWELLING UNITS: | 702 units | | |
| DWELLING UNIT MIX: | | | |
| Single family: | 58 units | | |
| Townhouse: | 150 units | | |
| Multi-family: | 494 units | | |
| Total: | 702 units | | |
| TOTAL NUMBER OF BEDROOMS: | 1,964 bedrooms | | |
| TOTAL NUMBER OF BUILDING TYPES | 11 types | | |

| | |
|---|---|
| TOTAL AMOUNT OF NONE RESIDENTIAL: | 139,739 sq.ft. |

POPULATION PROJECTIONS:

| | Units | Ratio | Population |
|---|---|---|---|
| Single family | 58 | 3.30 | 288 |
| Townhouse | 150 | 2.90 | 441 |
| Multi - Family | 494 | 2.14 | 998 |
| TOTAL | 702 | | 1727 |

BUILDING TYPES:

| | Height | Stories | Unit types | Sq. Ft. |
|---|---|---|---|---|
| Type I (multi-family) | 35' | 2 | m1,m2 | 33,488 |
| Type II (multi-family) | 35' | 2 | m1,m2 | 26,996 |
| Type III (townhouse) | 35' | 2 | t1,t2 | 13,856 |
| Type IV (townhouse) | 35' | 2 | t1,t2 | 13,856 |
| Type VI (townhouse) | 35' | 2 | t1,t2 | 11,830 |
| Type VII (townhouse) | 35' | 2 | t1,t2 | 9,304 |
| Type VIII (townhouse) | 35' | 2 | t3,t4,t5 | 16,735 |
| Type IX (guest studio) | 35' | 2 | g1,g2 | 12,556 |
| Type X (guest studio) | 35' | 2 | g1,g2 | 8,316 |
| Type XI (single family) | 35' | 2 | sf1 | 3,916 |
| CUSTOM HOME | 35' | 2 | | |

NOTE:
THE ENTRANCE FEATURES ARE NOT PART OF THE APPLICATION AND WILL REQUIRE A SEPARATE ENTRANCE FEATURE APPLICATION(S) IN ACCORDANCE WITH THE COUNTY'S ADMINISTRATIVE ENTRANCE FEATURE REVIEW PROCESS PURSUANT TO ARTICLE VI, DIVISION 4, OF THE CODE OF MIAMI-DADE COUNTY.

NEIGHBORHOOD BREAKDOWN

Neighborhood 1

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Townhouse: | 78 units | x 2.00 = | 156.00 | 0* |
| | | / 4.00 = | 19.50(Guest) | 31 |
| Single family: | 42 units | x 2.00 = | 84.00 | 84 |
| Total | 120 units | Total | 259.50 | 115 |

Neighborhood 2

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Single family: | 38 units | x 2.00 = | 76.00 | 76 |
| Clubhouse: | | | n/a | 56 |
| Tennis court: 16 | courts | / 4 = | 4.00 | 6 |
| Total | 38 units | Total | 80.00 | 136 |

Neighborhood 3

| Program | | | | Parking Required | Parking Provided |
|---|---|---|---|---|---|
| Multy-family: | 1 Bed / 1 Bath | 30 units | x 1.50 = | 45.00 | 45 |
| | | | | 0.00 (Guest) | 6** |
| Single Family: | | 6 units | x 2.00 = | 12.00 | 12 |
| Covered Arena: | Seat: 384 | seats | / 4.00 = | 96.00 | 96 |
| | Store: 1,270 | sq.ft. | / 250 = | 5.08 | 6 |
| | Cafeteria: 1,600 | sq.ft. | / 250 = | 6.40 | 7 |
| Stable &Dressages | | | | | |
| | 3 Bed / 3 Bath | 4 units | x 2 = | 8.00 | 8 |
| | 1 Bed / 1 Bath | 2 units | x 1.50 = | 3.00 | 3 |
| | Office : 2,085 | sq.ft. | / 300 = | 6.95 | 8 |
| | Conference: 917 | sq.ft. | / 300 = | 3.06 | 4 |
| | Total | 42 units | Total | 184.49 | 193 |

Neighborhood 4

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Multy family: | 1 Bed / 1 Bath | 96 units | x 1.50 = 144.00 | 144 |
| | 2 Bed / 2 Bath | 160 units | x 1.75 = 280.00 | 280 |
| | Total | 256 units | 0.00 (Guest) | 80** |
| | | | Total 424.00 | 488 |

Neighborhood 5

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Townhouse: | 3 Bed / 2.5 Bath | 72 units | x 2 = 144.00 | 0* |
| | Total | 72 units | / 4.00 = 18.00 (Guest) | 25 |
| | | | Total 162.00 | 25 |

Neighborhood 6

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Multy family: | 1 Bed / 1 Bath | 66 units | x 1.50 = 99.00 | 99 |
| | 2 Bed / 2 Bath | 108 units | x 1.75 = 189.00 | 189 |
| | Total | 174 units | 0.00 (Guest) | 12** |
| | | | Total 288.00 | 300 |

Community Park 11.27 ACRES

| Program | | | Parking Required | Parking Provided |
|---|---|---|---|---|
| Community center: | Gathering hall | 4460 sq.ft. | / 100 = 44.60 | 45 |
| | office | 558 sq.ft. | / 300 = 1.86 | 2 |
| | Multi-purpose room | 1500 sq.ft. | / 100 = 15.00 | 15 |
| Open Fields | | 136 acres | / 4 = 34.00 | 34 |
| | | | Total 95.46 | 96 |

* PARKING SPACES ARE PROVIDED IN PARKING GARAGES.
** GUEST PARKING PROVIDED BUT NOT REQUIRED BY CODE.

JOB NO.: 1502

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CLIENT:
LE CLUB RESORT, LLC
240 OLD FEDERAL HIGHWAY, OFFICE # 130
HALLANDALE, FL 33009

# LE CLUB RESORT
## GENERAL SITE PLAN

| REVISIONS | BY |
|---|---|
| 12/05/2012 | |

NOT FOR CONSTRUCTION
DATE: 08-01-10

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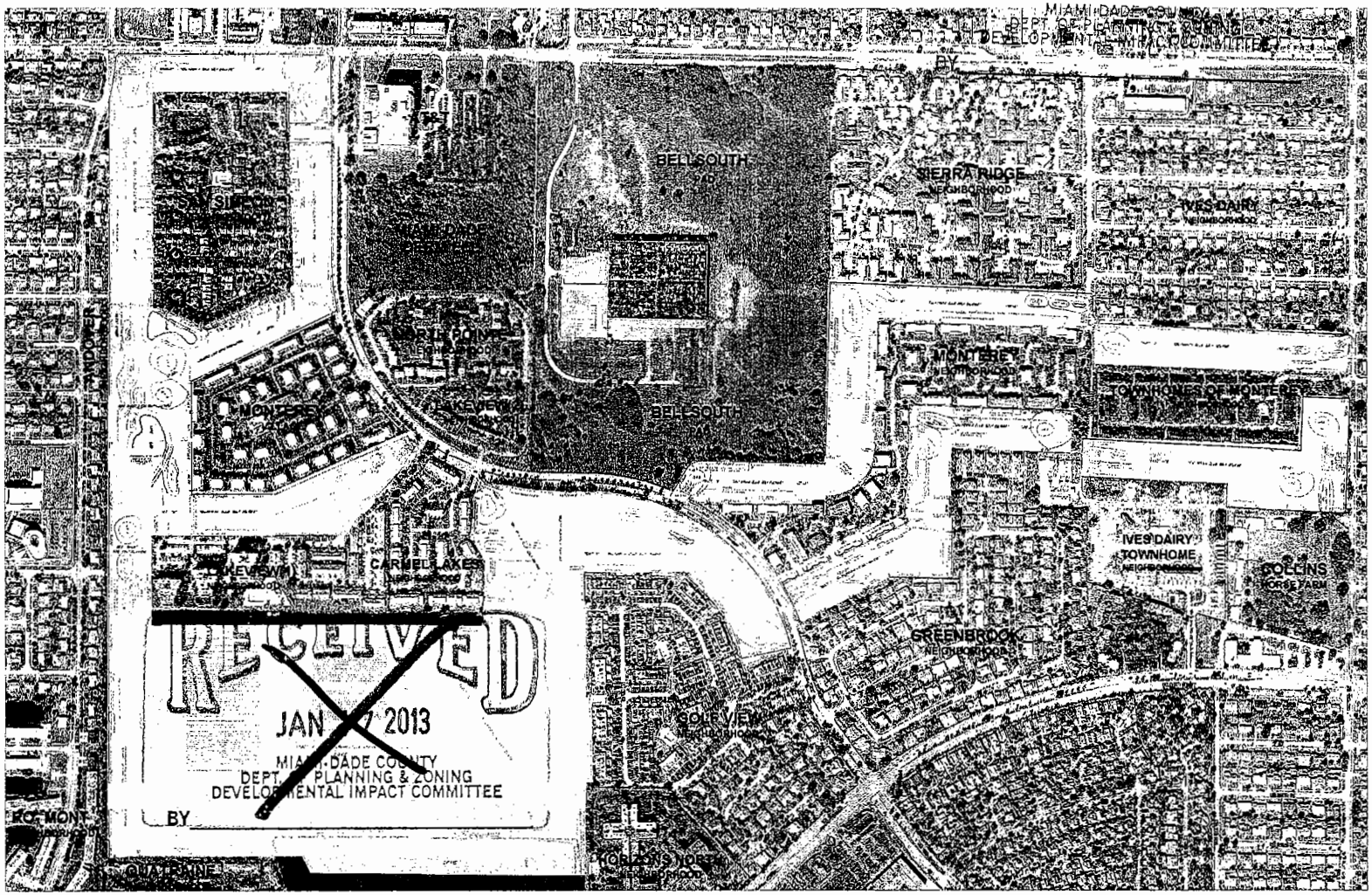


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## NEIGHBORHOODS SURROUNDING LE CLUB RESORT

| NEIGHBORHOOD NAME: | SAN SIMEON | MONTEREY VILLAGE | CARMEL LAKES | LAKEVIEW(1) | LAKEVIEW(2) | NORTH POINTE | BELLSOUTH PAD | QUATRAINE | HORIZONS NORTH | GOLF VIEW | GREENBROOK | IVES DAIRY TOWNHOME | COLLINS HORSE FARM | MONTEREY | TOWNHOMES OF MONTEREY | SIERRA RIDGE | RO-MONT | ANDOVER | IVES DAIRY |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| LAND USE: | MF / SF(zero-lot line) | MF | MF | MF | MF/TH | MF | MF | MF | MF | TH (fee simple) | SF | TH (fee simple) | N/A | MF | TH (fee simple) | MF | MF | SF | SF |
| ZONING: | RU-4L | RU-4L | RU-4A | RU-4M | RU-3M | RU-3M | PAD | RU-4L | RU-4L | RU-4L | RU-4L | RU-3M | AU | RU-4L | RU-4L | RU-3M | RU-4L | RU-1 | RI-1 |
| DENSITY(UNITS PER ACRE): | 10.50 | 20.79 | 18.27 | 16.30 | 10.03 | 10.03 | 12.30 | 20.26 | 23.00 | 8.05 | 4.65 | 11.92 | 0.10 | 21.11 | 13.10 | 11.29 | 20 | 4.65 | 4.65 |
| NUMBER OF STORIES: | 2 & 4 | 2 | 2 | 2,3,&7 | 2 | 2 | 2 & 3 | 2 | 4 | 2 | 2 | 2 | 2 Max. | 2 | 2 | 2 | 2 | 2 Max. | 2 Max. |

LEGEND: MF: MULTI- FAMILY SF: SINGLE FAMILY TH:TOWNHOUSE

JOB NO: 1502

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CLIENT:
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HALLANDALE, FL 33009

# LE CLUB RESORT
## NEIGHBORHOODS

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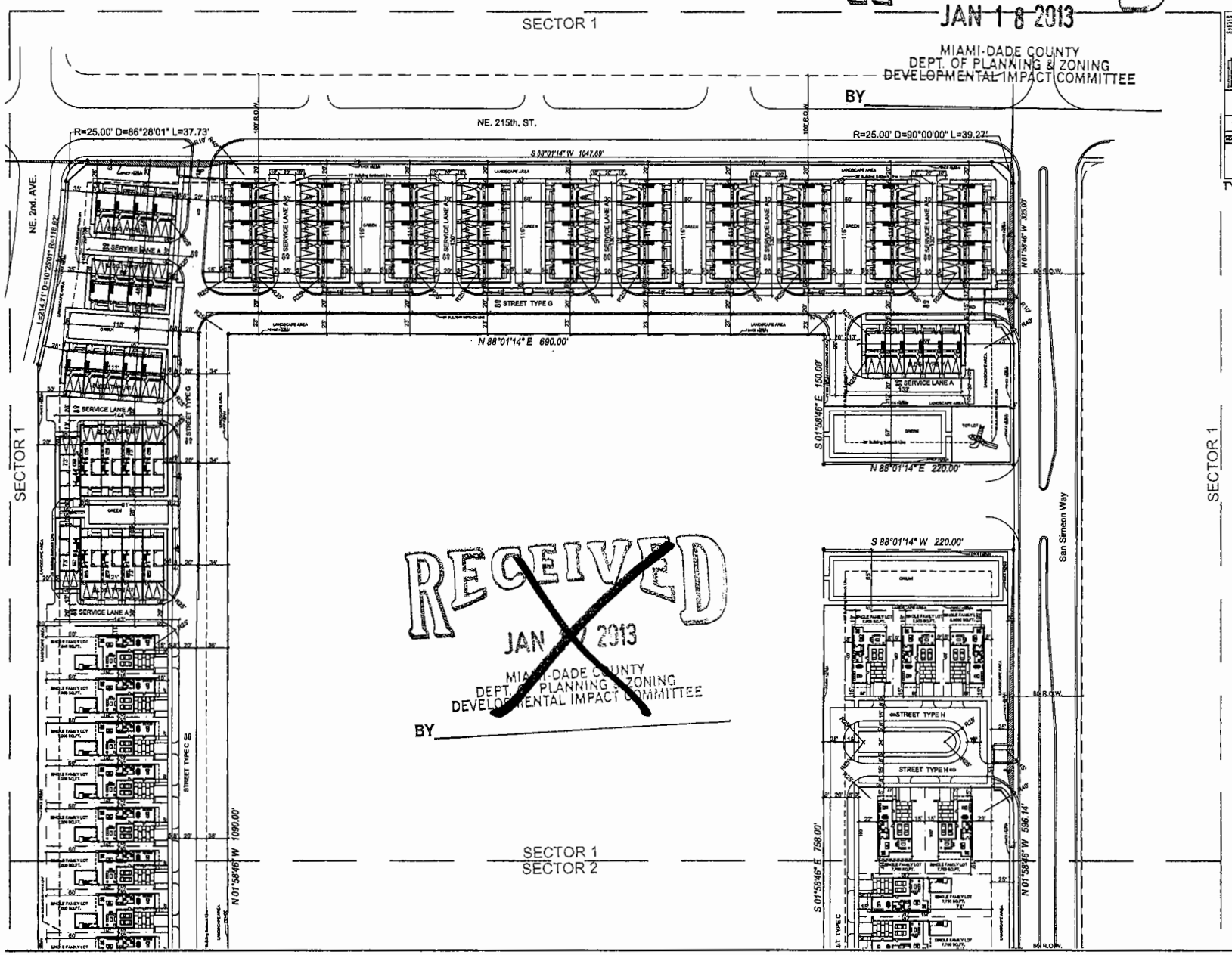


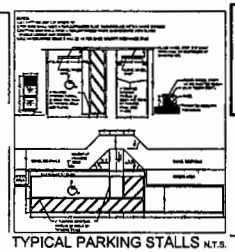

TYPICAL PARKING STALLS N.T.S.

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# LE CLUB RESORT
## DETAIL SITE PLAN

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DETAIL SITE PLAN
- SECTOR 1
SCALE 1"=50'

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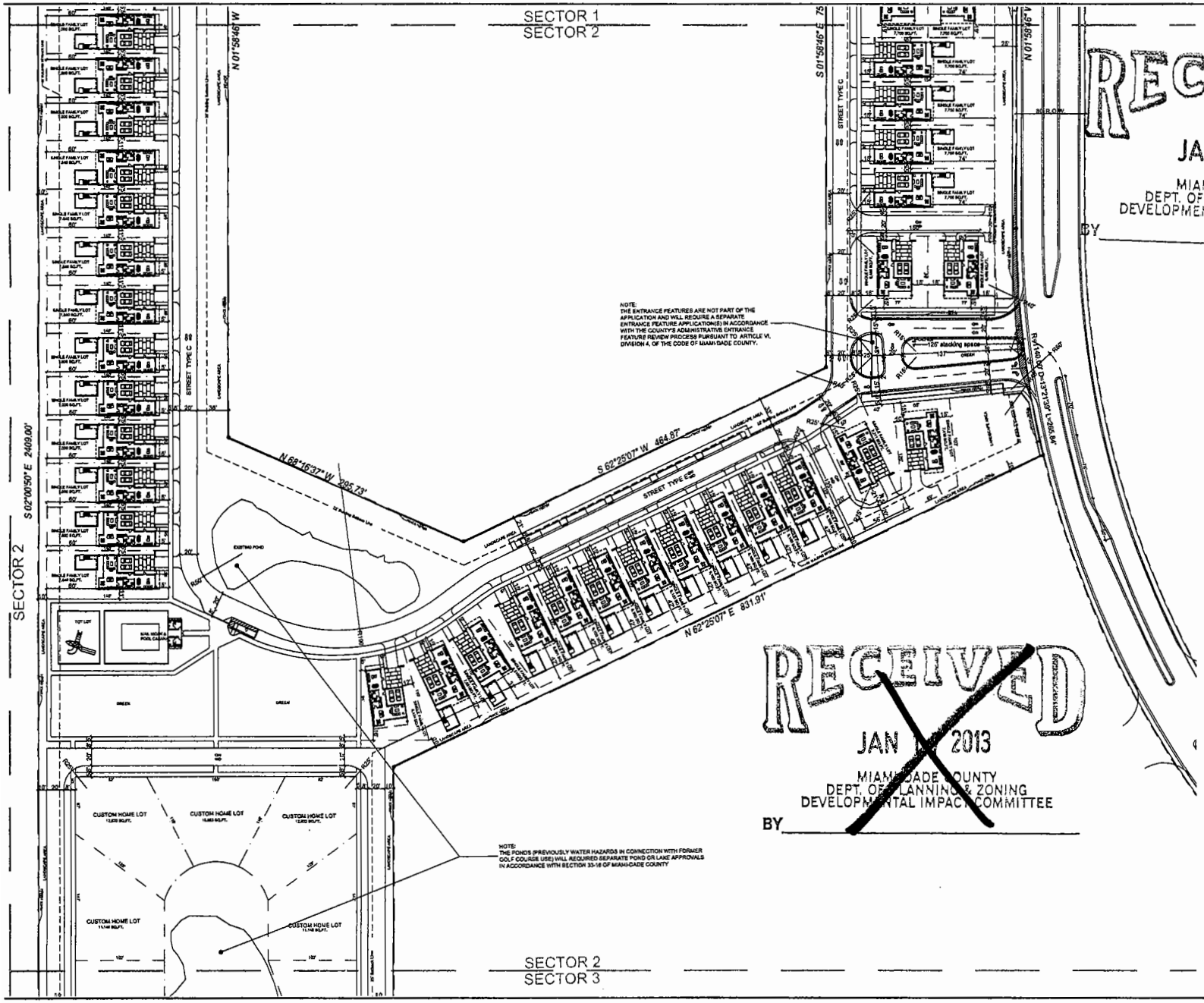


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- SECTOR 2
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NOTE:
THE PONDS (PREVIOUSLY WATER HAZARDS IN CONNECTION WITH FORMER GOLF COURSE USE) WILL REQUIRED SEPARATE POND OR LAKE APPROVALS IN ACCORDANCE WITH SECTION 33-16 OF MIAMI-DADE COUNTY

NOTE:
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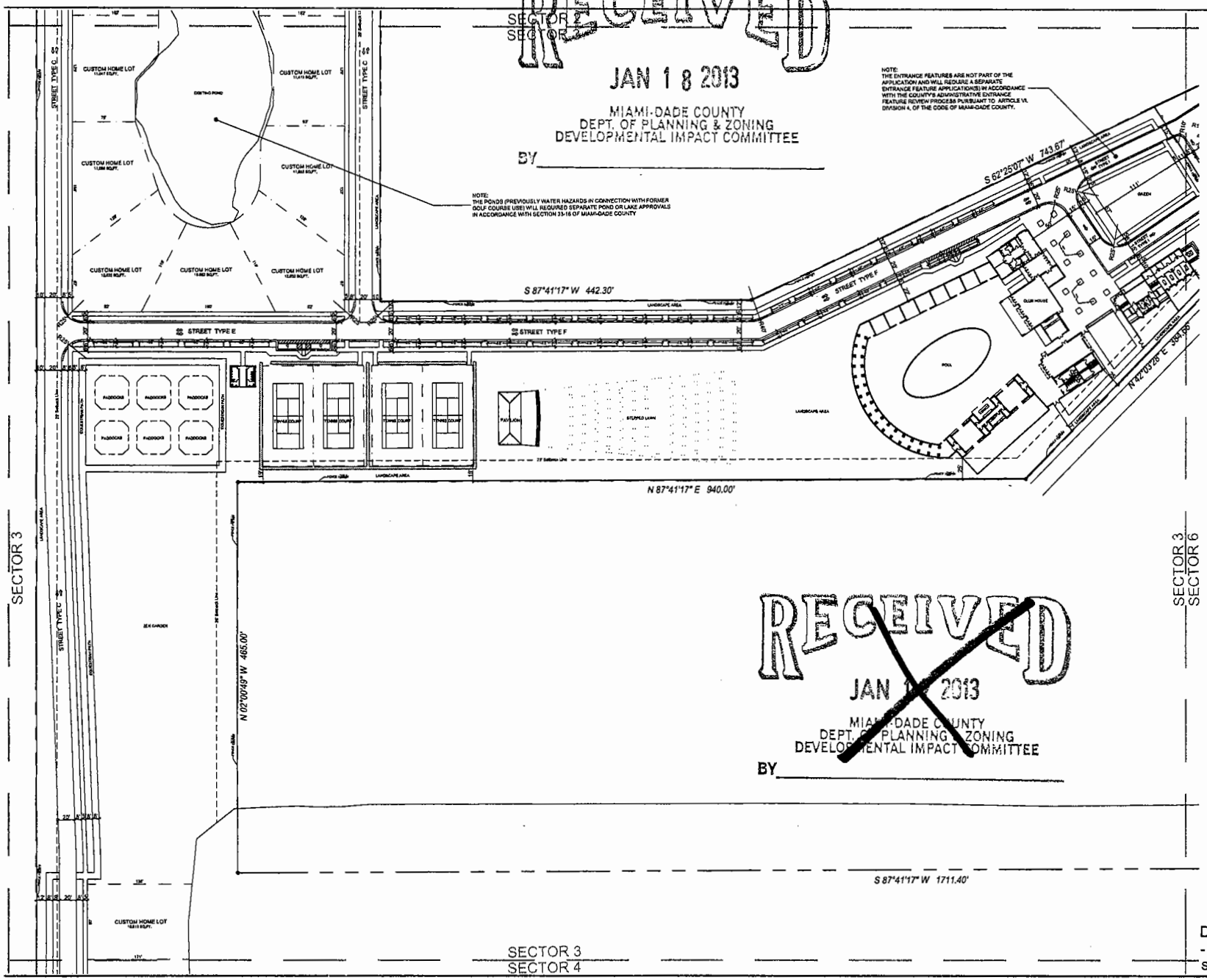


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HALLANDALE, FL 33009

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DETAIL SITE PLAN
- SECTOR 3
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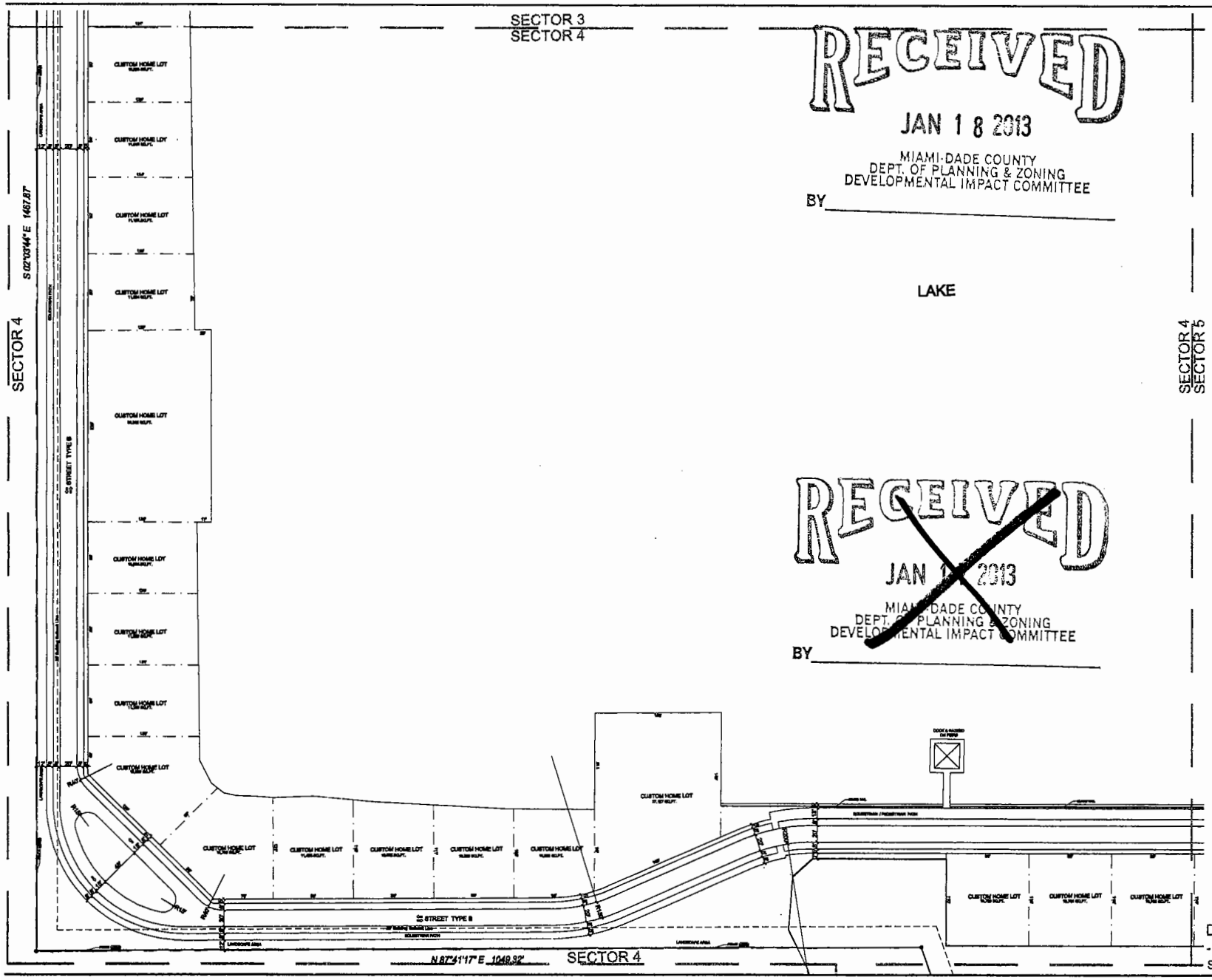


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DETAIL SITE PLAN
- SECTOR 4
SCALE 1"=50'

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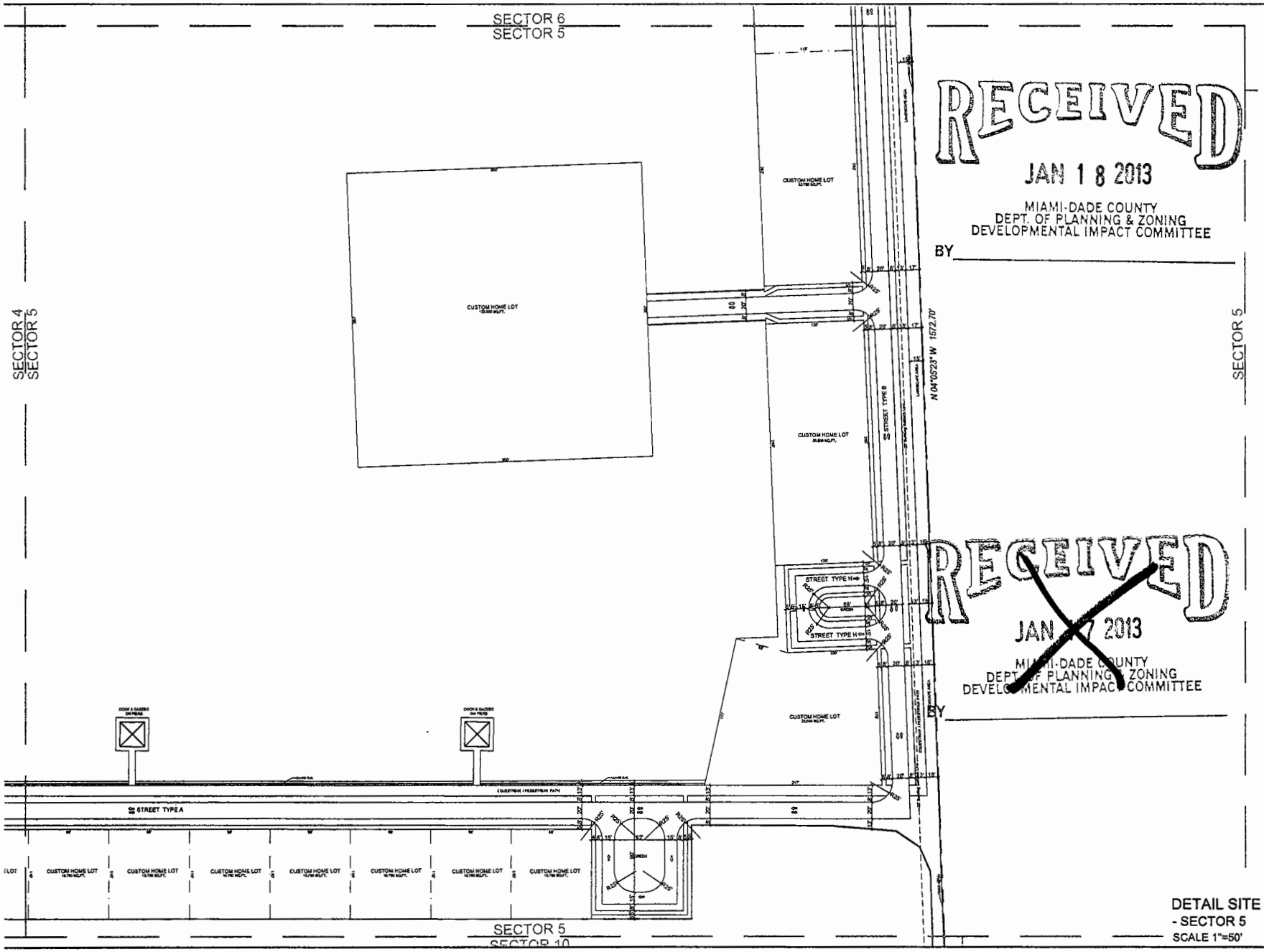


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DETAIL SITE PLAN
- SECTOR 5
SCALE 1"=50'

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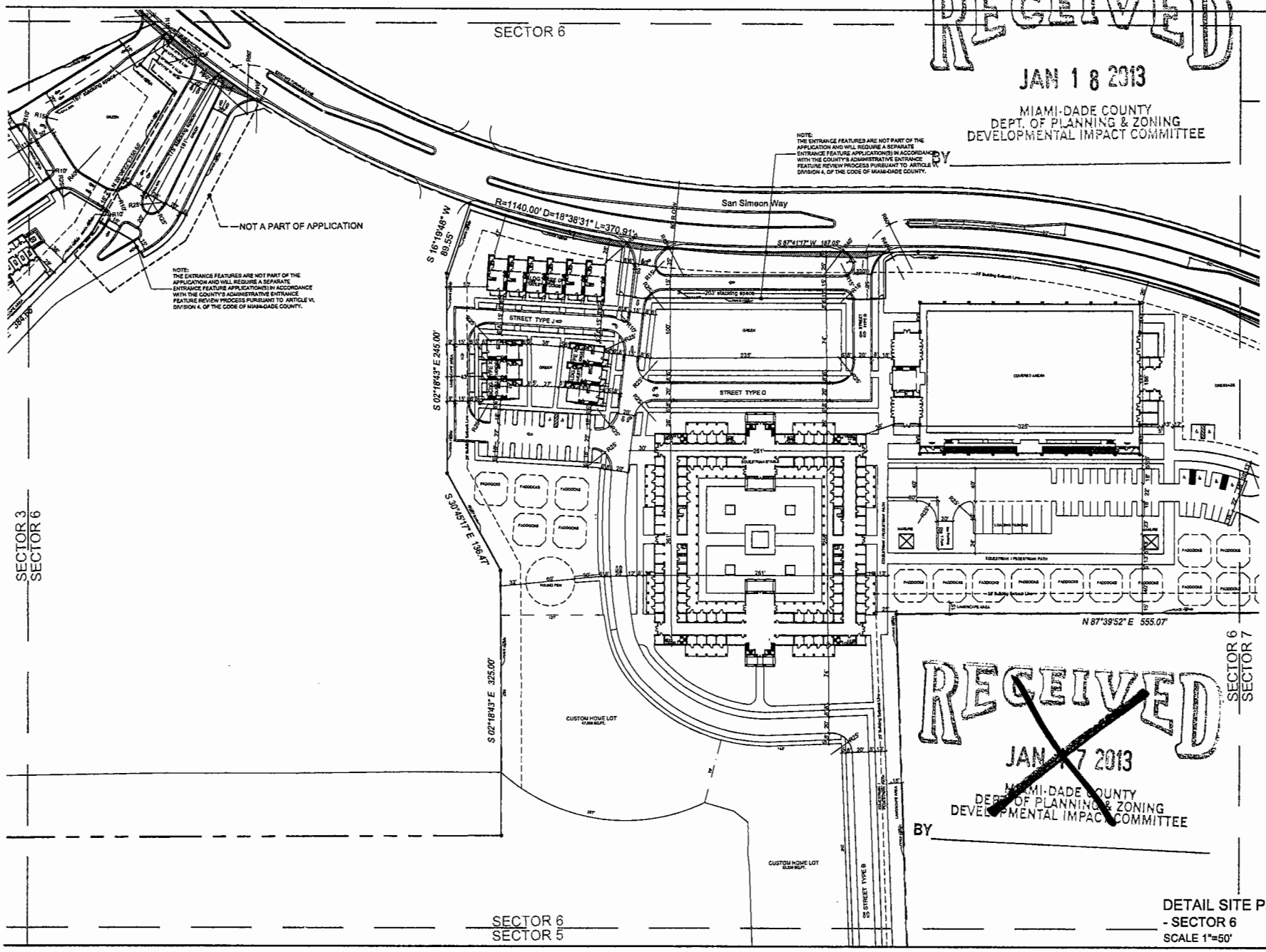


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# LE CLUB RESORT
## DETAIL SITE PLAN

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DETAIL SITE PLAN
- SECTOR 6
SCALE 1"=50'

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AS-2-06

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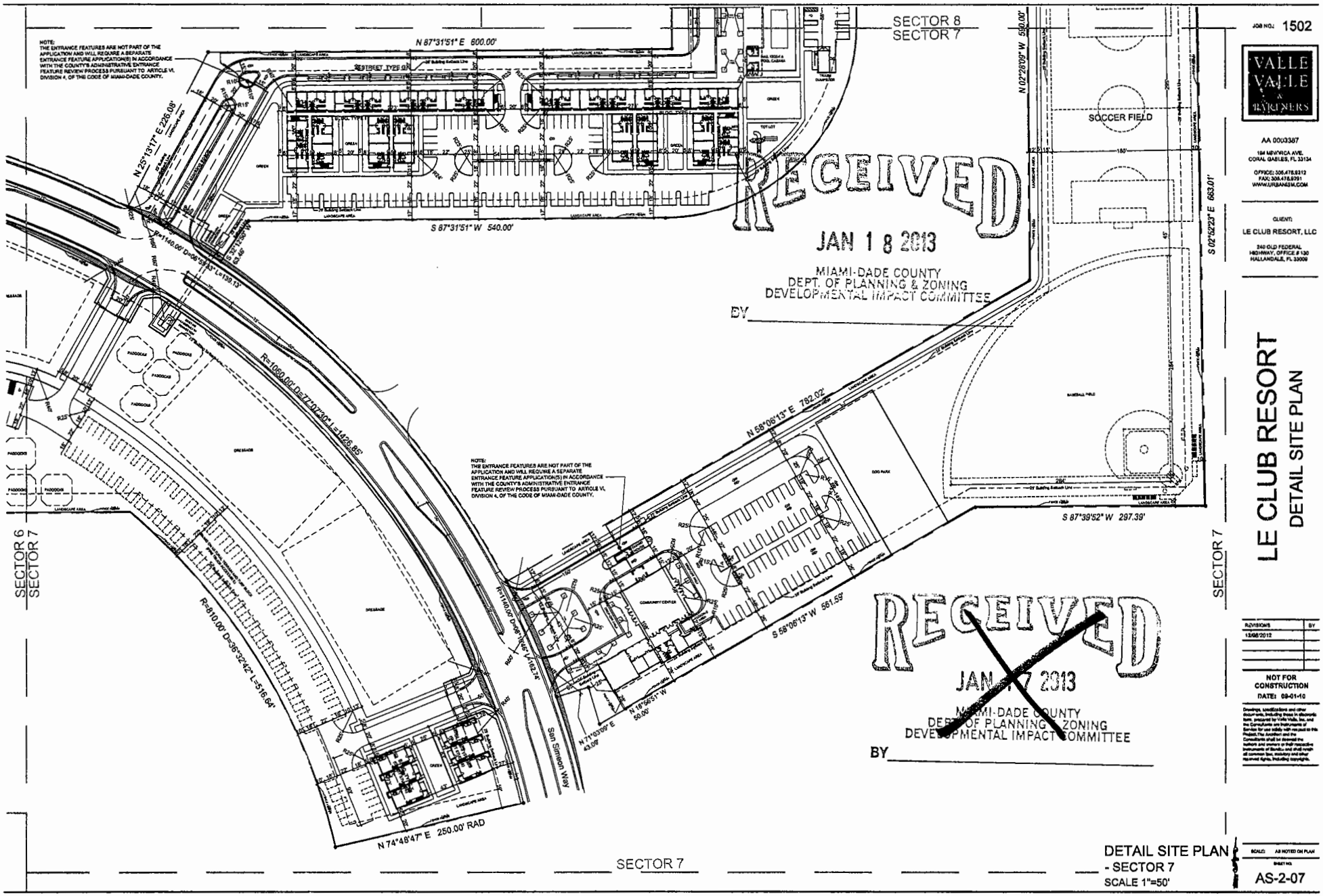
SECTOR 8
SECTOR 7
SECTOR 6
SECTOR 7
SECTOR 7
N 87°31'51" E 600.00'
S 87°31'51" W 540.00'
N 25°13'17" E 226.08'
N 02°28'09" W 590.00'
S 02°52'23" E 663.01'
N 58°06'13" E 782.02'
S 58°06'13" W 561.59'
S 87°39'52" W 297.39'
N 74°48'47" E 250.00' RAD
San Simeon Way
SOCCER FIELD
BASEBALL FIELD
DOG PARK
COMMUNITY CENTER
PADDOCKS
DRESSAGE
NOTE:
THE ENTRANCE FEATURES ARE NOT PART OF THE APPLICATION AND WILL REQUIRE A SEPARATE ENTRANCE FEATURE APPLICATION(S) IN ACCORDANCE WITH THE COUNTY'S ADMINISTRATIVE ENTRANCE FEATURE REVIEW PROCESS PURSUANT TO ARTICLE VI, DIVISION 4, OF THE CODE OF MIAMI-DADE COUNTY.
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DETAIL SITE PLAN
- SECTOR 7
SCALE 1"=50'
JOB NO.: 1502
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HALLANDALE, FL 33009
LE CLUB RESORT
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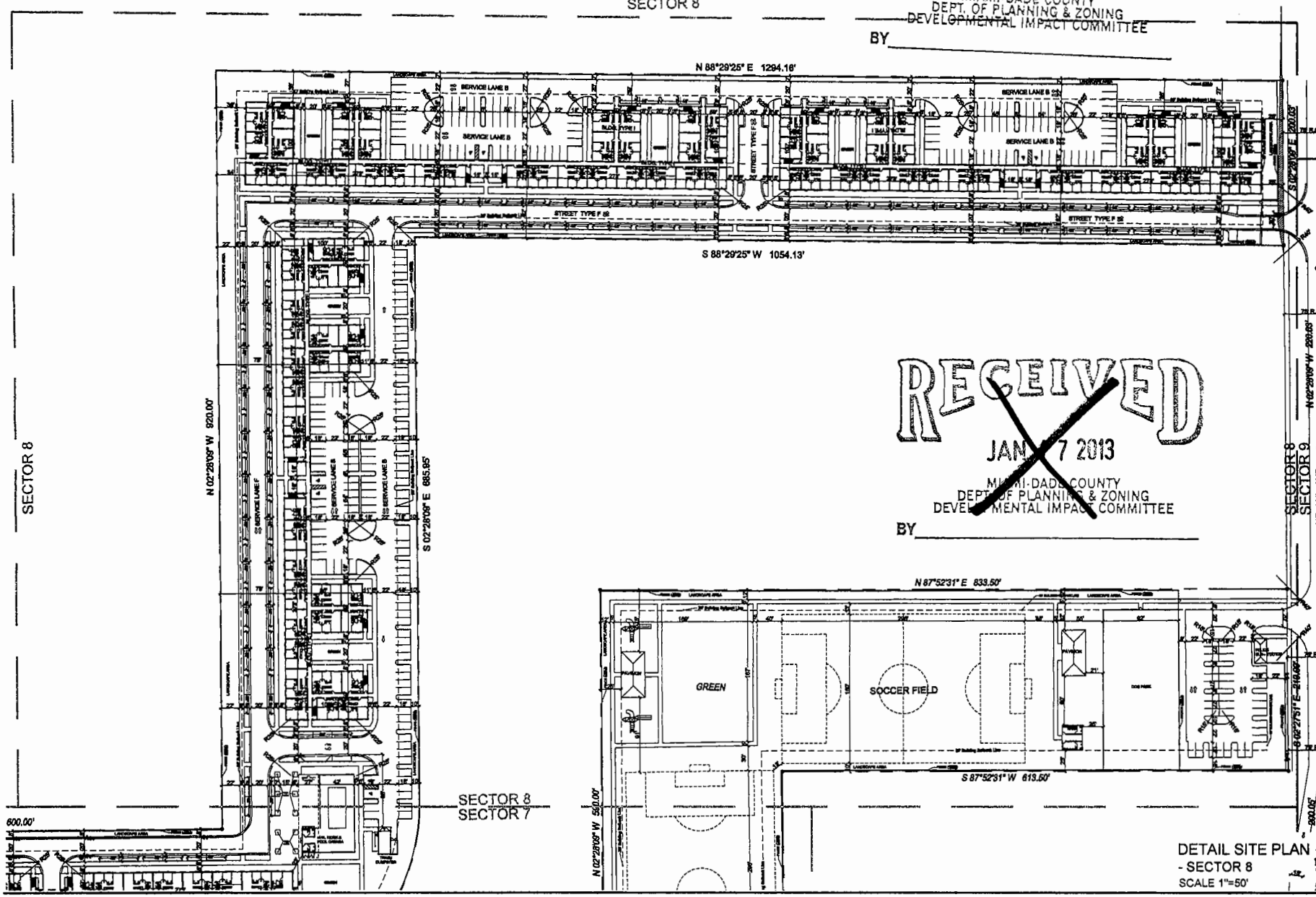
# LE CLUB RESORT
## DETAIL SITE PLAN

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DETAIL SITE PLAN
- SECTOR 8
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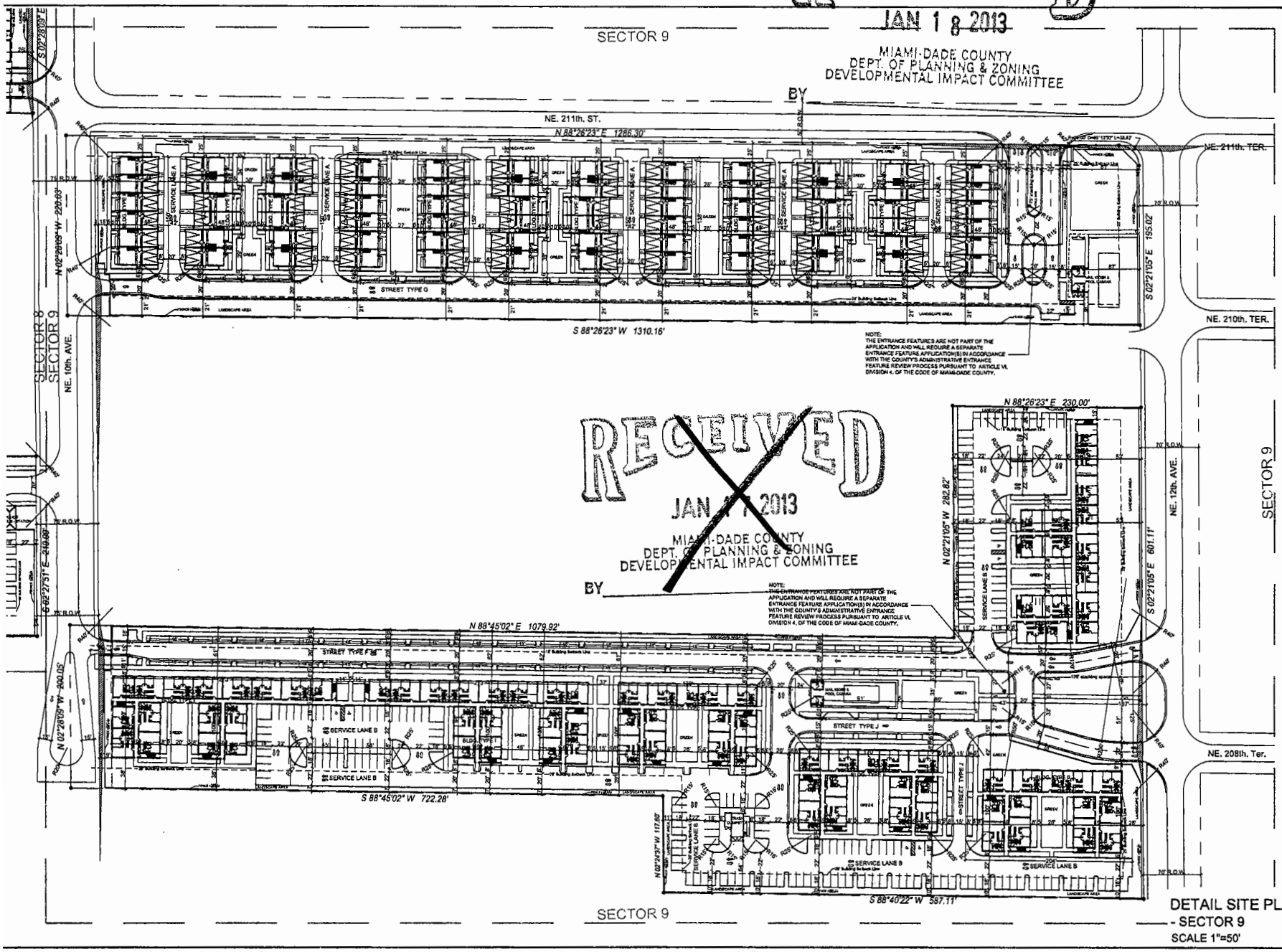


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CLIENT:
LE CLUB RESORT, LLC
240 OLD FEDERAL HIGHWAY, OFFICE # 130
HALLANDALE, FL 33009

# LE CLUB RESORT
## DETAIL SITE PLAN

| REVISIONS | BY |
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DATE: 09-01-10

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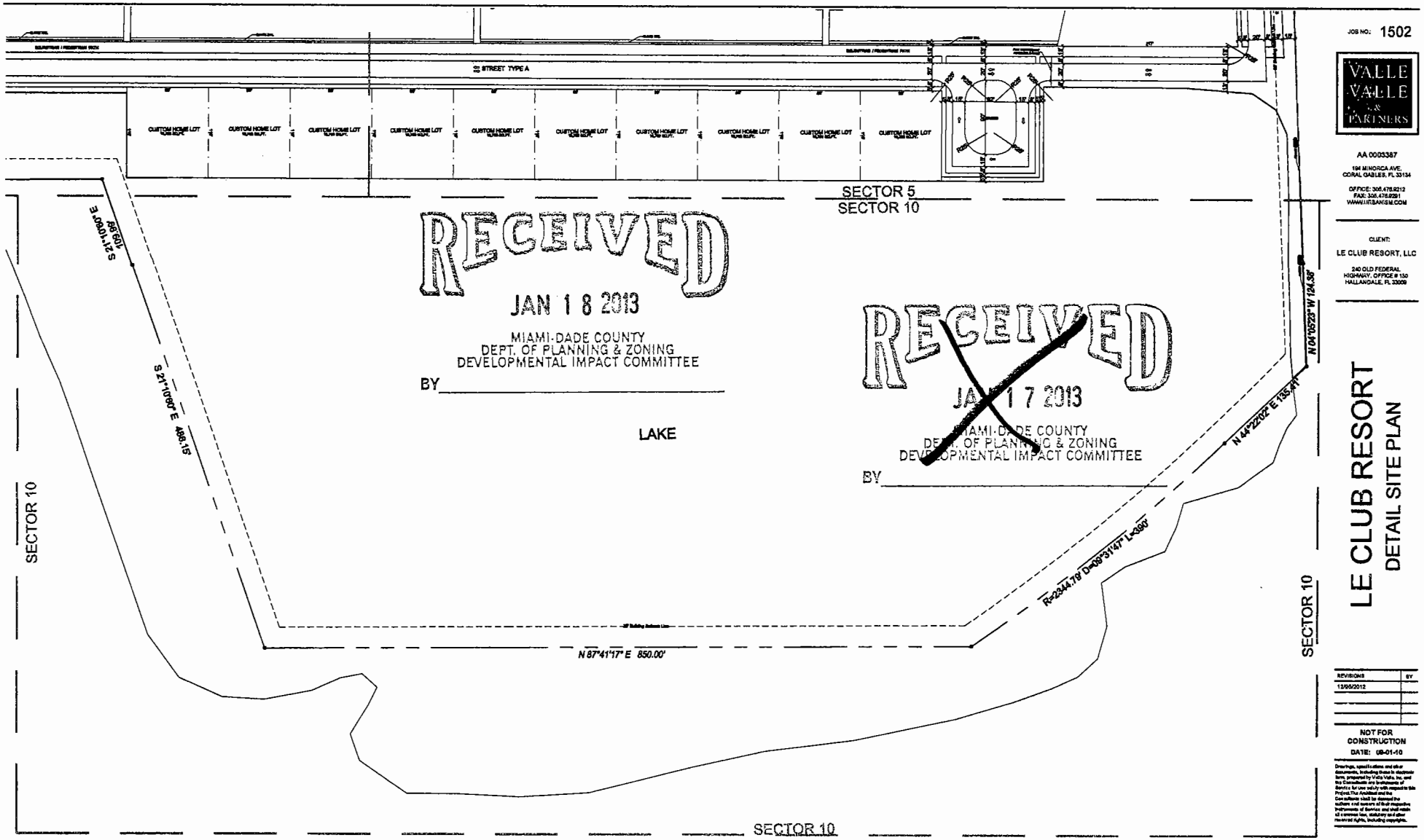
DETAIL SITE PLAN
- SECTOR 9
SCALE 1"=50'

SCALE: AS NOTED ON PLAN
SHEET NO.
AS-2-09

63

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DETAIL SITE PLAN
- SECTOR 10
SCALE 1"=50'

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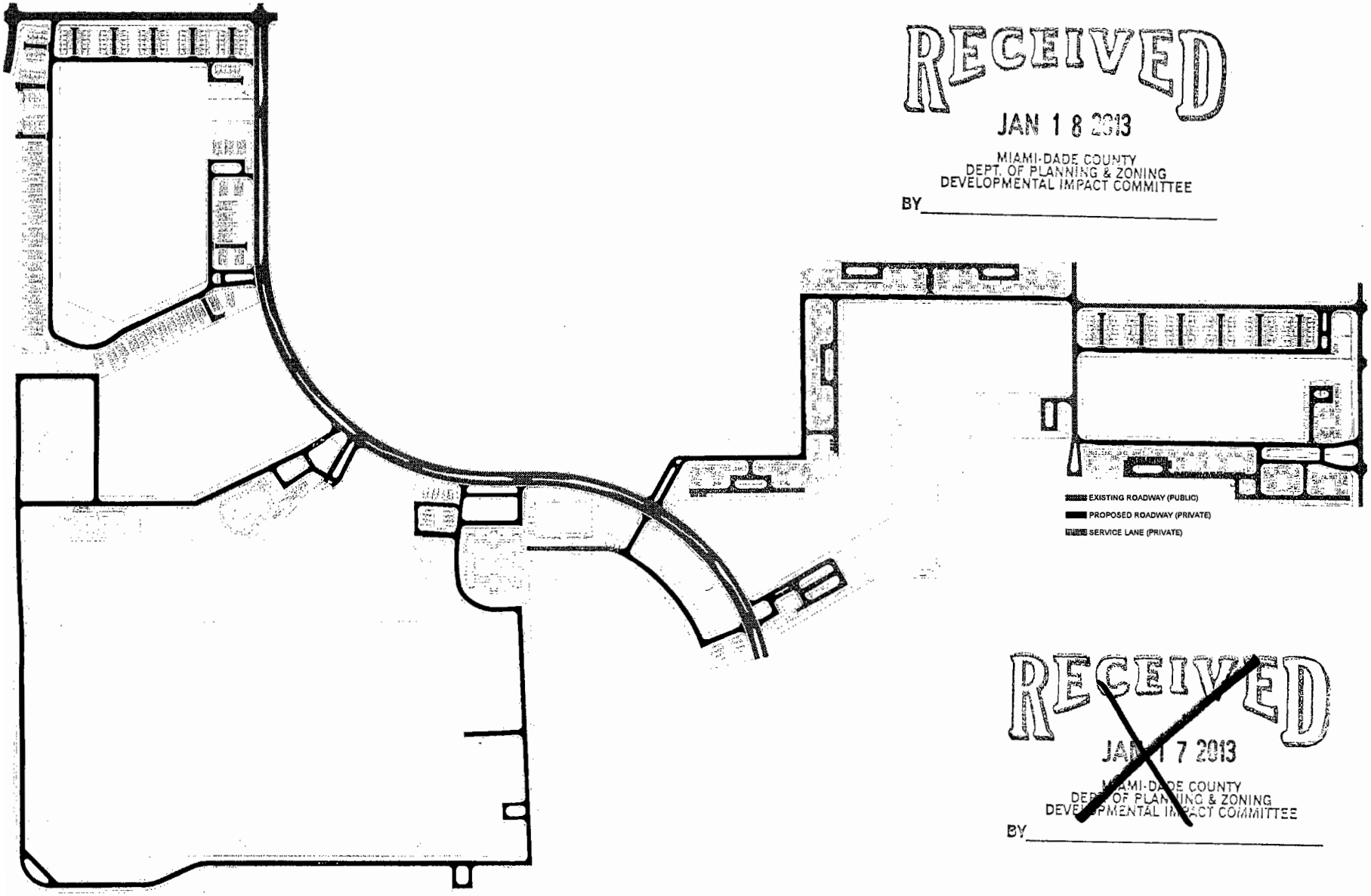


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VEHICULAR CIRCULATION DIAGRAM
N.T.S.

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# LE CLUB RESORT
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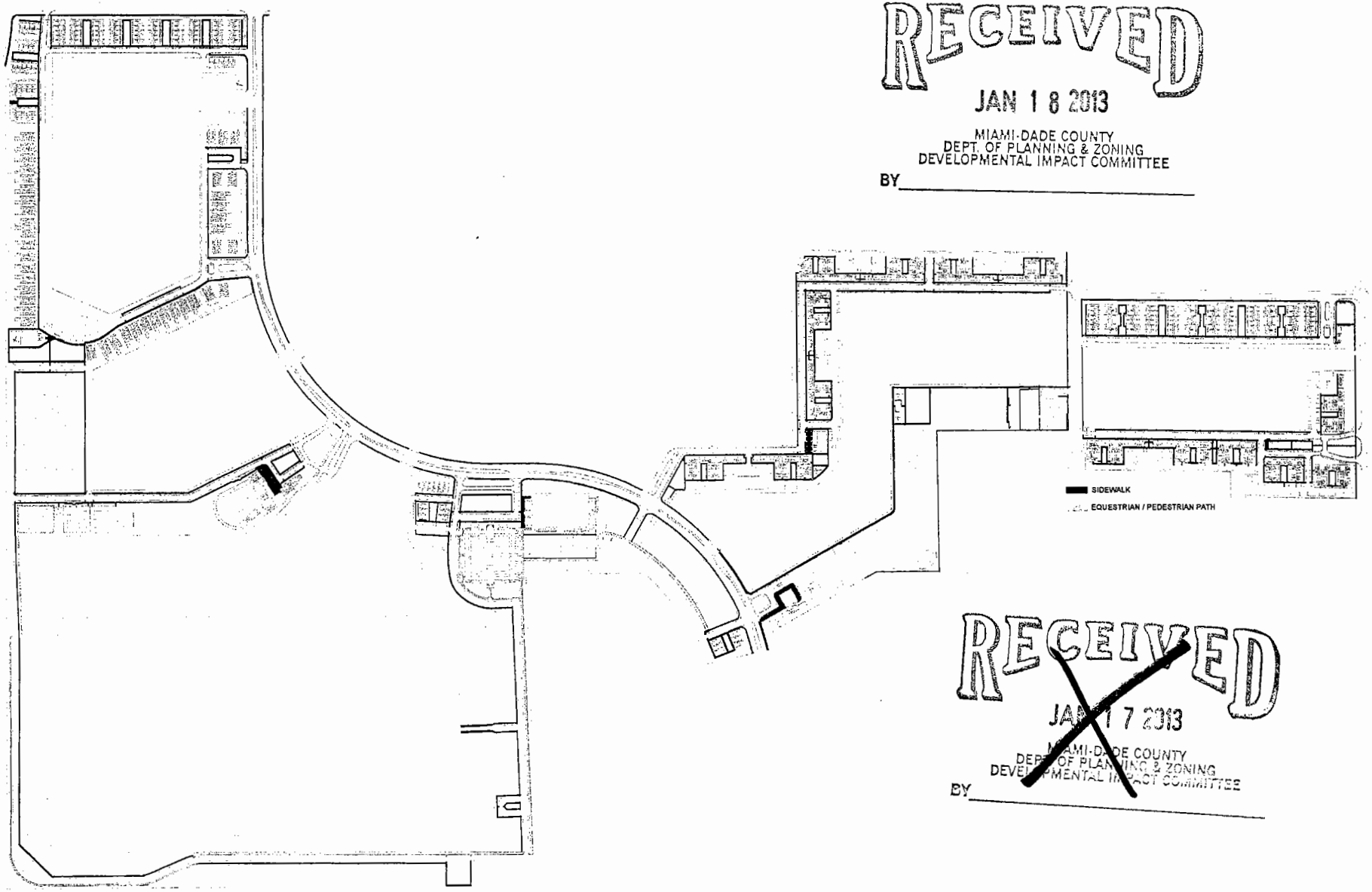


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CIRCULATION DIAGRAM
N.T.S.

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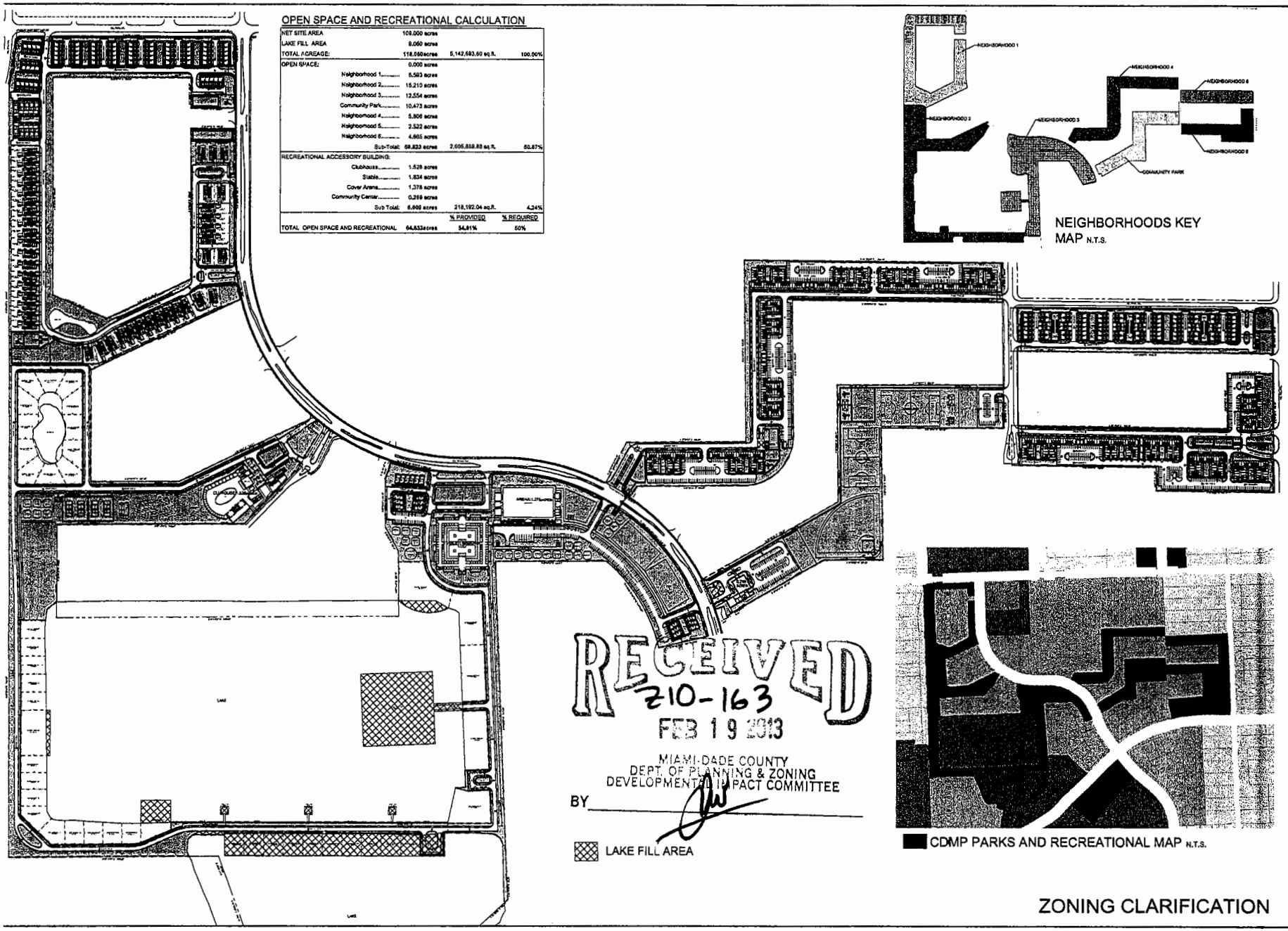
SHEET NO
AS-3-02

## OPEN SPACE AND RECREATIONAL CALCULATION

| | | | |
|---|---|---|---|
| NET SITE AREA | 109.000 acres | | |
| LAKE FILL AREA | 9.050 acres | | |
| TOTAL ACREAGE: | 118.050 acres | 5,142,693.60 sq.ft. | 100.00% |
| OPEN SPACE: | 0.000 acres | | |
| Neighborhood 1 | 8.593 acres | | |
| Neighborhood 2 | 15.210 acres | | |
| Neighborhood 3 | 12.554 acres | | |
| Community Park | 10.473 acres | | |
| Neighborhood 4 | 5.806 acres | | |
| Neighborhood 5 | 2.522 acres | | |
| Neighborhood 6 | 4.665 acres | | |
| Sub-Total: | 59.823 acres | 2,605,859.88 sq.ft. | 50.67% |
| RECREATIONAL ACCESSORY BUILDING: | | | |
| Clubhouse | 1.528 acres | | |
| Stable | 1.834 acres | | |
| Cover Arena | 1.378 acres | | |
| Community Center | 0.268 acres | | |
| Sub Total: | 5.008 acres | 218,192.04 sq.ft. | 4.24% |
| | | % PROVIDED | % REQUIRED |
| TOTAL OPEN SPACE AND RECREATIONAL | 64.833 acres | 54.91% | 50% |




NEIGHBORHOODS KEY MAP N.T.S.






CDMP PARKS AND RECREATIONAL MAP N.T.S.

LAKE FILL AREA

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# LE CLUB RESORT
## OPEN SPACE AND RECREATIONAL

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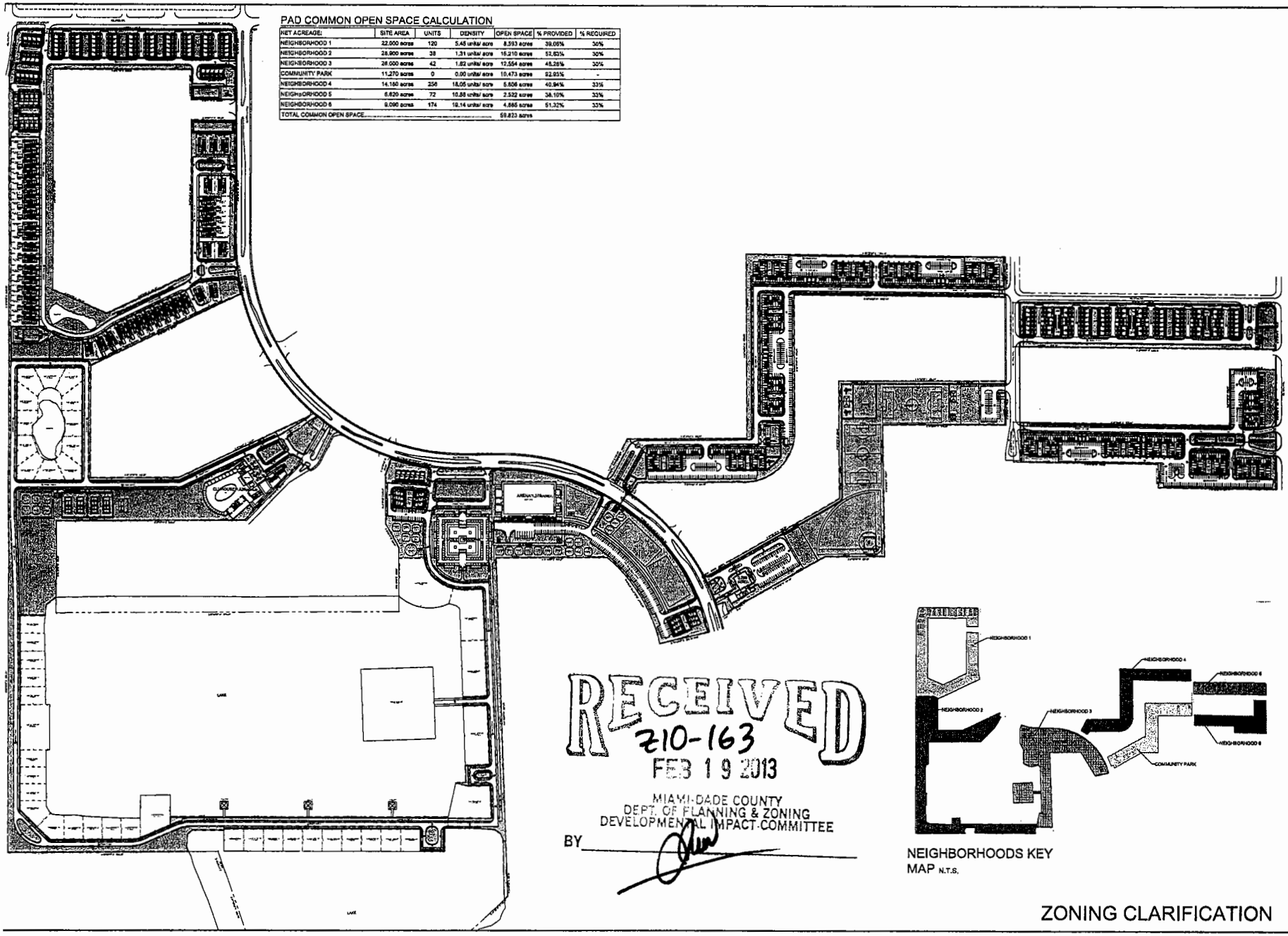
## PAD COMMON OPEN SPACE CALCULATION

| NET ACREAGE: | SITE AREA | UNITS | DENSITY | OPEN SPACE | % PROVIDED | % REQUIRED |
|---|---|---|---|---|---|---|
| NEIGHBORHOOD 1 | 22.000 acres | 120 | 5.45 units/ acre | 8.593 acres | 39.06% | 30% |
| NEIGHBORHOOD 2 | 28.900 acres | 38 | 1.31 units/ acre | 15.210 acres | 52.63% | 30% |
| NEIGHBORHOOD 3 | 28.000 acres | 42 | 1.82 units/ acre | 12.554 acres | 45.26% | 30% |
| COMMUNITY PARK | 11.270 acres | 0 | 0.00 units/ acre | 10.473 acres | 92.93% | - |
| NEIGHBORHOOD 4 | 14.150 acres | 256 | 18.05 units/ acre | 5.806 acres | 40.94% | 33% |
| NEIGHBORHOOD 5 | 6.820 acres | 72 | 10.55 units/ acre | 2.522 acres | 36.10% | 33% |
| NEIGHBORHOOD 6 | 9.090 acres | 174 | 19.14 units/ acre | 4.665 acres | 51.32% | 33% |
| TOTAL COMMON OPEN SPACE | | | | 59.823 acres | | |




NEIGHBORHOODS KEY MAP N.T.S.

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# LE CLUB RESORT
## COMMON OPEN SPACE

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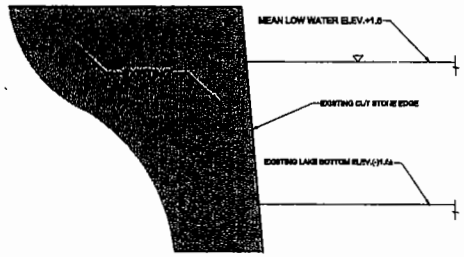
NO FILLING OF EXISTING LAKE SLOPES IS PROPOSED IN THESE AREA

NO FILLING OF EXISTING LAKE SLOPES IS PROPOSED IN THESE AREA

EXISTING LAKE

NO MODIFICATION TO EXISTING LAKE SLOPES IS PROPOSED. GUARDRAIL OR OTHER PROTECTIVE BARRIER TO BE PROVIDE WHERE ROAD/ DRIVE ABUTS THE LAKE




CROSS SECTION C-C
1"=5H 1"=5V

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# LE CLUB RESORT
## LAKE SECTION

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2

SHEET INDEX:


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L-8 SECTOR 7
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L-10 SECTOR 9
L-11 TYPICAL BLDG TYPE I LANDSCAPE
L-12 TYPICAL BLDG TYPE IV LANDSCAPE
L-13 TYPICAL SINGLE FAMILY LOT LANDSCAPE
L-14 TYPICAL ESTATE LOT LANDSCAPE
L-15 LANDSCAPE DETAILS



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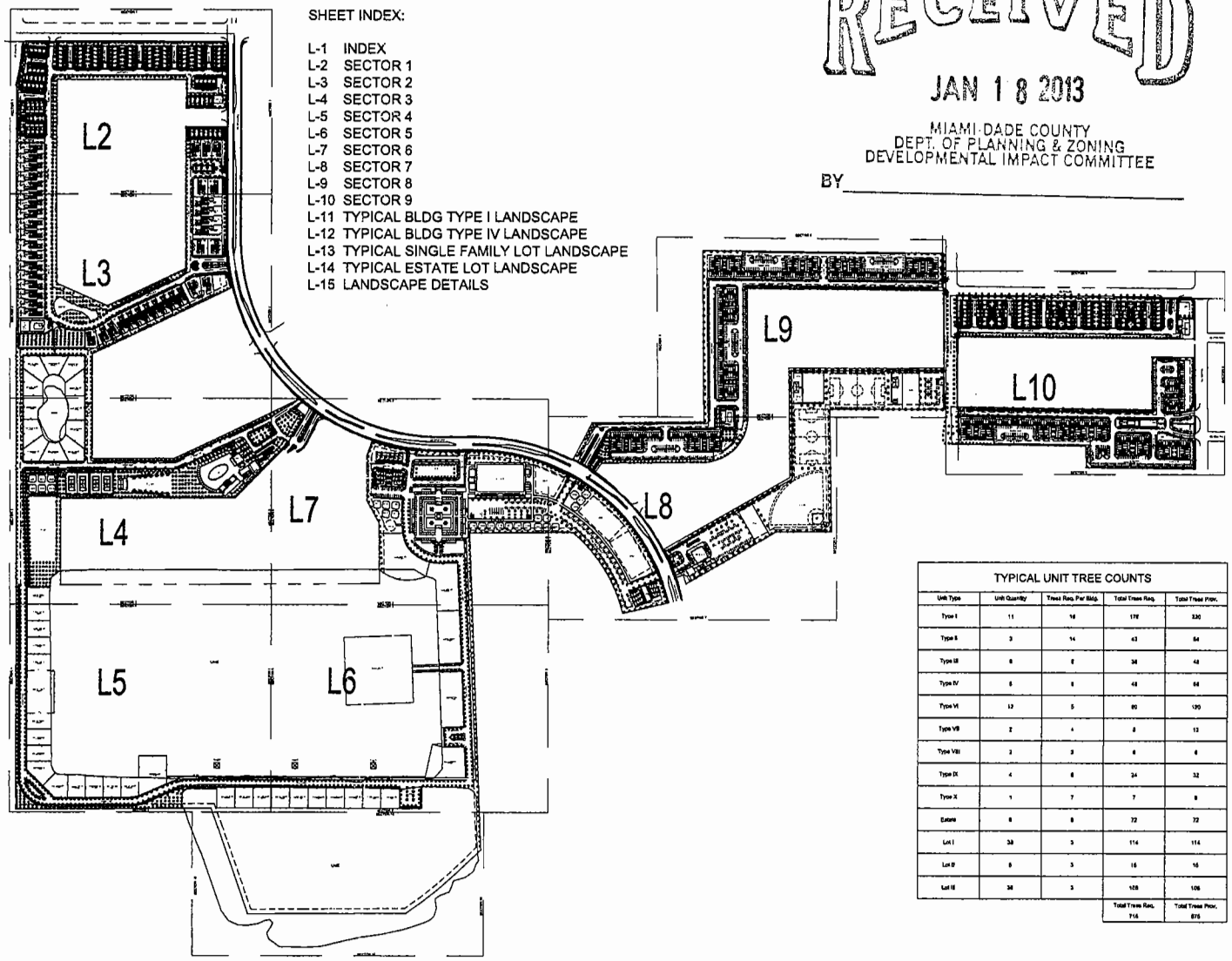


## LE CLUB OVERALL SITE TREE LIST

| QUAN. | KEY | BOTANICAL / COMMON NAME | DESCRIPTION |
|---|---|---|---|
| 143 | | * Bursera simaruba GUMBO LIMBO | 12' ht. X 5' spr. F.G. |
| 625 | | Calophyllum brasiliense BRAZILIAN BEAUTYLEAF | 12' ht. X 5' spr. F.G. |
| 79 | | * Conocarpus erectus GREEN BUTTONWOOD | 12' ht. X 5' spr. F.G. |
| 1320 | | * Quercus virginiana LIVE OAK | 12' ht. X 6' spr. F.G. |
| 53 | | Senna surattensis GLAUCOUS CASSIA | 10' ht. X 5' spr. F.G. |
| 1614 | | * Swietenia mahogani MAHOGANY | 12' ht. X 6' spr. F.G. |
| 308 | | Tabebuia heterophylla PINK TRUMPET TREE | 12' ht. X 8' spr. F.G. |
| 28 | | Veitchia monigomeryana MONTGOMERY PALM | 14' o. a. match hts. F.G. |
| 170 | | * Roystonea elata FLORIDA ROYAL PALM | 18' o. a. match hts. min. 4' grey wd. F.G. |
| 124 | | Magnolia grandiflora 'Little Gem' MAGNOLIA | 12' ht. X 5' spr. F.G. |
| 129 | | * Conocarpus erectus sericeus SILVER BUTTONWOOD | 12' ht. X 5' spr. F.G. |

* INDICATES NATIVE SPECIES

## TYPICAL UNIT TREE COUNTS

| Unit Type | Unit Quantity | Trees Req. Per Bldg. | Total Trees Req. | Total Trees Prov. |
|---|---|---|---|---|
| Type I | 11 | 16 | 176 | 330 |
| Type II | 3 | 14 | 42 | 84 |
| Type III | 8 | 6 | 48 | 48 |
| Type IV | 5 | 8 | 40 | 64 |
| Type VI | 13 | 5 | 65 | 130 |
| Type VII | 2 | 4 | 8 | 12 |
| Type VIII | 2 | 3 | 6 | 6 |
| Type IX | 4 | 8 | 34 | 32 |
| Type X | 1 | 7 | 7 | 8 |
| Estate | 8 | 9 | 72 | 72 |
| Lot I | 38 | 3 | 114 | 114 |
| Lot II | 8 | 3 | 16 | 16 |
| Lot III | 36 | 3 | 108 | 108 |
| | | | Total Trees Req. 715 | Total Trees Prov. 875 |

## LE CLUB LANDSCAPE LEGEND

Information Required to be Permanently Affixed to Plan

Zoning District: P.A.D. Net Lot Area 117,999 acres 5,135,844 s.f.

| OPEN SPACE | REQUIRED | PROVIDED |
|---|---|---|
| A. Square Feet of open space required by Chapter 33, as indicated on site plan; Net lot area = 5,135,844 s.f. x .30 % = 1,541,603.32 s.f. | 1,541,603.32 | 4,788,913 |
| B. Square Feet of parking lot open space required by Chapter VII, as indicated on site plan; No. outside/ground-level parking spaces 1,381 x 10 s.f. per parking space = | 13,810 | 13,810 |
| C. Total s.f. of landscaped open space required by Chapter VII: A + B = | 1,555,603.32 | 4,799,723 |
| LAWN AREA CALCULATION | | |
| A. 1,555,603.32 total s.f. of landscaped open space required by Chapter 33: | 1,555,603.32 | 4,799,723 |
| B. Maximum lawn area (sod) permitted = 40 % x 1,555,603.32 s.f. = | 622,241.33 | 679,889 |
| TREES | | |
| A. No. trees required per net lot acre: Less existing number of trees meeting minimum requirements = 38 trees x net lot acres = | 3,302 | 5,500** SEE NOTE BELOW |
| B. % Palms Allowed: No. trees required x 30% = | 992 | 992 |
| % Palms permitted to count as street trees 1:1 basis x 30% | N/A | N/A |
| C. % Natives Required: No. trees provided x 30% = | 992 | 992 |
| D. Street trees (maximum average spacing of 30' o.c.): 11,030 linear feet along street / 30 = | 330 | 330 |
| E. Street trees located directly beneath power lines (maximum average spacing of 20' o.c.): N/A linear feet along pines / 20 = | N/A | N/A |
| F. Total Trees Required: A + D + E = Total Trees | 3,632 | 5,500** SEE NOTE BELOW |
| SHRUBS | | |
| A. No. trees required x 10 = No. of shrubs allowed | 36,320 | 36,860 |
| B. No. shrubs allowed x 30% = No. of native shrubs required | 10,896 | 17,068 |

IRRIGATION PLAN: If required by Chapter 33

TABLE: Containing information as indicated in sample below:

SEE LANDSCAPE LIST ABOVE

*See data provided on site plan by architects for breakdown of individual TND components

**Minimum number of lot trees and shrubs to be provided as architectural features are developed and landscape plans for those features are developed.

*** INCLUDES 575 TREES TO BE PROVIDED FOR TYPICAL RESIDENTIAL UNITS. SEE TABLE TYPICAL UNIT TREE COUNTS' AT LEFT FOR CALCULATIONS AND SHEETS L-11 THROUGH L-15 FOR A REPRESENTATIVE SAMPLING OF LANDSCAPE PLANS.

INDIVIDUAL UNIT PLANTINGS SHALL BE SUBMITTED FOR REVIEWING AND WILL PROVIDE ALL REQUIREMENTS. THE SAME SIGHT DISTANCE TRIANGLE AREA SHALL NOT CONTAIN OBSTRUCTIONS TO CROSS-VISIBILITY AT A HEIGHT OR TWO AND ONE-HALF (2.5) FEET OR MORE ABOVE THE PAVEMENT. GROUND COVERS AND SHRUBS MAY NOT EXCEED 30" IN HEIGHT IN SIGHT TRIANGLES.


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KEY PLAN

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WITKIN HULTS DESIGN GROUP


Le Club P. A. D.'s

Miami Dade County, Florida

INDEX

Project:

Revisions:

Seal:

Lic. # LA0000988

Drawing: Index

Date: 12/06/2012

Scale: NTS

Drawn by: DC

Sheet No.: L-1

Cad Id.: 2010-294

70

| TREES | | | |
|---|---|---|---|
| SYMBOL | QUAN. | PROPOSED MATERIAL | DESCRIPTION |
| | 8 | Carpentaria acuminata<br>CARPENTARIA PALM | 18' O.A. HEIGHT<br>F. G. |
| | 6 | *Eugenia<br>Eugenia | 7' O.A. HT. TOPIARY CONE<br>10 GAL. |
| | 7 | *Conocarpus erectus 'sericeus'<br>SILVER BUTTONWOOD | 10' HT. X 4' SPR. 2" CAL.<br>F. G. |
| | 2 | Magnolia grandiflora 'Little Gem'<br>LITTLE GEM MAGNOLIA | 8' HT. X 4' SPR. 1.5" DBH<br>F.G. |
| | 2 | Ravenala madagascariensis<br>TRAVELER PALM | 10' OA HT., FULL |
| | 8 | Senna surattensis<br>GLAUCOUS CASSIA | 6-8' HT. X 6' SPR. 2" CAL.<br>F. G. |
| | 4 | Veitchia montgomeryana 'double'<br>DOUBLE MONTGOMERY PALM | 30' O.A. HT. MIN. DOUBLE<br>F.G. STAGGERED. |

| SHRUBS AND GROUNDCOVERS | | | |
|---|---|---|---|
| SYMBOL | QUAN. | PROPOSED MATERIAL | DESCRIPTION |
| CI | 111 | *Chrysobalanus icaco 'Red Tip'<br>RED TIP COCOPLUM | 24" HT. X 24" SPR. / 24" O.C.<br>3 GAL. |
| DE | 120 | Duranta erecta 'Gold Mound'<br>GOLD MOUND DURANTA | 18" HT. X 18" SPR. / 18" O.C.<br>3 GAL. |
| FM | 296 | Ficus microcarpa 'Green Island'<br>GREEN ISLAND FICUS | 12" HT. X 12" SPR. / 18" O.C.<br>1 GAL. |
| SV | 34 | Schefflera arboricola 'Trinette'<br>VARIEGATED SCHEFFLERA | 24" HT. X 24" SPR. / 24" O.C.<br>3 GAL. |
| IV | 74 | Ilex vomitoria 'Stokes Dwarf'<br>DWARF YAUPON | 18" HT. X 18" SPR. / 24" O.C.<br>3 GAL. |
| IY | 25 | Ixora 'Maui Yellow'<br>YELLOW DWARF IXORA | 24" HT. X 18" SPR. / 18" O.C.<br>3 GAL. |
| JI | 5 | Jatropha integerrima<br>JATROPHA | 8' O.A. HT.<br>15 GAL. |

* DENOTES NATIVE SPECIES

Quantities for Plant Material Multiplied by 11.

## LANDSCAPE LEGEND
## CHAPTER 33

ZONE DISTRICT: PAD (PLANNED AREA DEVELOPMENT)

Gross Land: .57 Acres Net Land: .57 Acres Water Bodies: 0

| | REQ. | PROV. |
|---|---|---|
| Landscape Open Space (If applicable) | N/A | N/A |
| Greenbelt Width (If applicable) | N/A | N/A |
| Lawn Area (As defined In Ordinance) | 40% | 40% |
| TREES: | | |
| Trees per Acre: 28 | 16 | 20 |
| Note: 30% of required trees and/or palms shall be native species. | | |
| Street Trees: | 1 | 1 |
| TOTAL NUMBER OF TREES | 17 | 17 |
| SHRUBS: (10 shrubs for each tree req.) | 170 | 170 |

30% shrubs/hedge shall be native species.
Irrigation system required pursuant to Chapter 33 of Dade County Code

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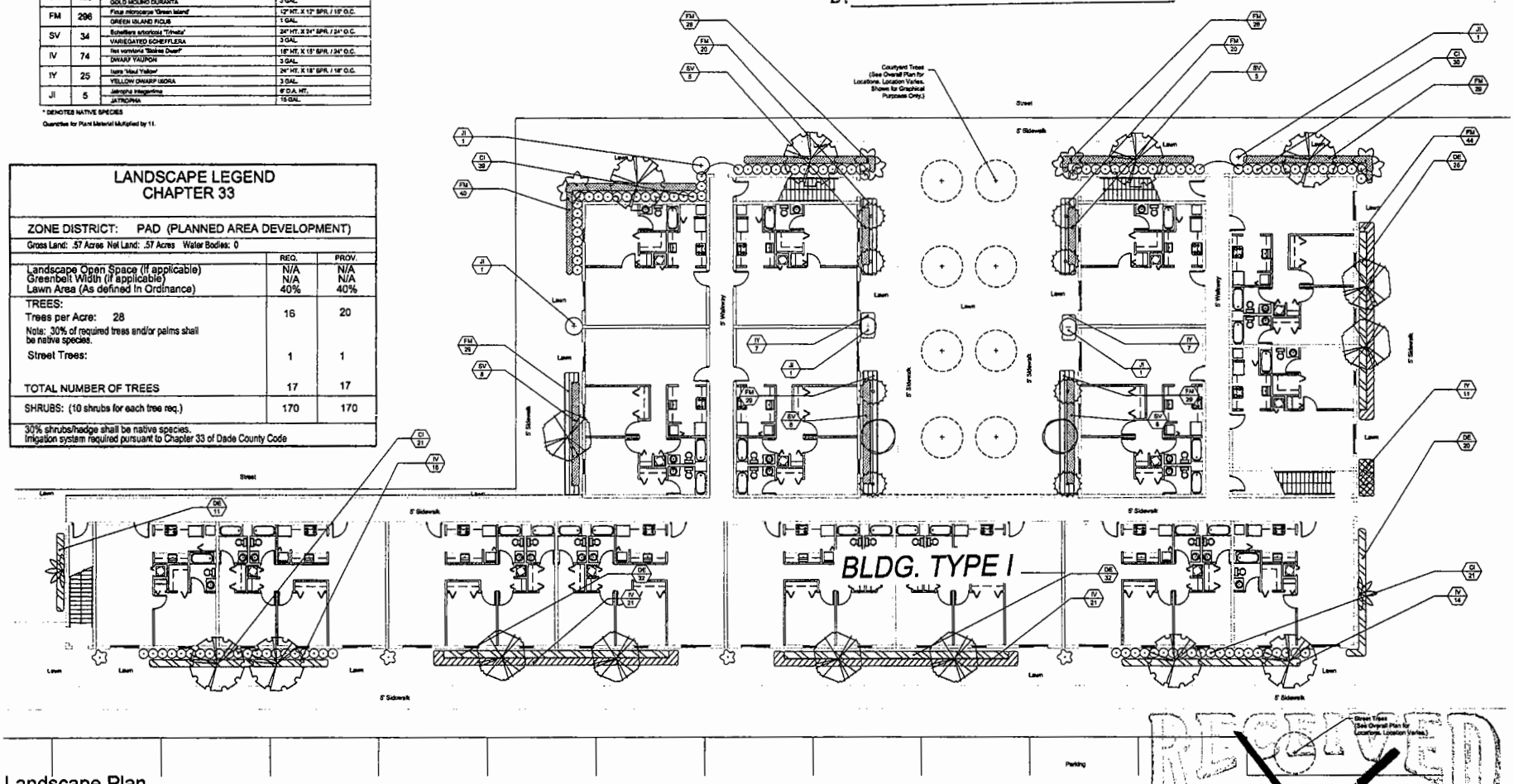


Landscape Plan

Scale: 1"=10'(Unit Type Repeats 11 Times)

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phone: (954) 922-2227 fax: (954) 922-2228 mobile: 954.922.2228
witkinhultsdesign.com

Le Club Typical Units
Miami-Dade County, Florida
LANDSCAPE PLAN

Project:

Restrictions:

Seal:

Lic. # LA0000088
Member: A.S.L.A.

Drawing: Typical Building Type I
Date: 08/01/2010
Scale: 1"=10'-0"
Drawn by: DC
Sheet No.:
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Cad Id.: 2010-294

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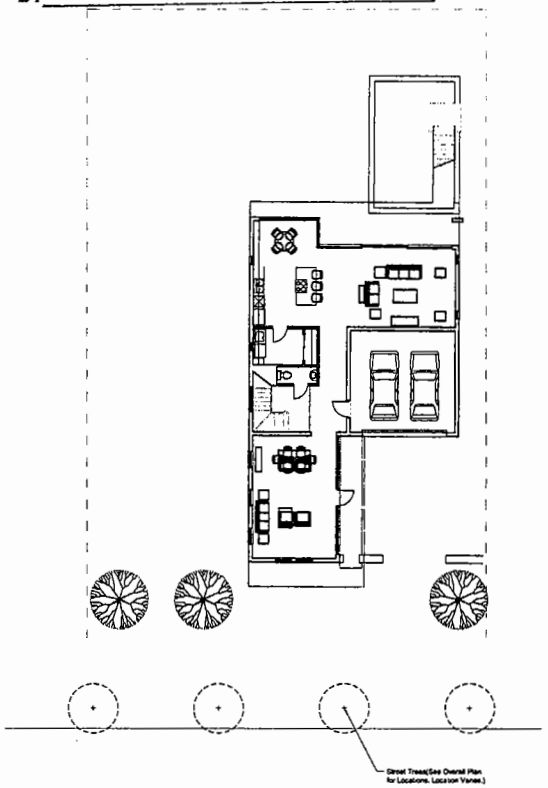
## LANDSCAPE LIST

| TREES | | | |
|---|---|---|---|
| SYMBOL | QUAN. | PROPOSED MATERIAL | DESCRIPTION |
| | 3 | *Ilex cassine<br>DAHOON HOLLY | 10' HT. X 4' SPR. 2" CAL.<br>F. G. |

* DENOTES NATIVE SPECIES




## LANDSCAPE LEGEND
## CHAPTER 33

ZONE DISTRICT: RU-1 (SINGLE FAMILY RESIDENTIAL)

Gross Land: .18 Acres Net Land: .18 Acres Water Bodies: 0

| | REQ. | PROV. |
|---|---|---|
| Landscape Open Space (if applicable)<br>Greenbelt Width (if applicable)<br>Lawn Area (As defined in Ordinance) | N/A<br>N/A<br>60% | N/A<br>N/A<br>60% |
| TREES:<br>Trees per Acre: 9<br>Note: 30% of required trees and/or palms shall be native species. | 3 | 3 |
| Street Trees: | 4 | 4 |
| TOTAL NUMBER OF TREES | 7 | 7 |
| SHRUBS: (10 shrubs for each tree req.) | 70 | 70 |

30% shrubs/hedge shall be native species.
Irrigation system required pursuant to Chapter 33 of Dade County Code

*Minimum number of lot trees and shrubs to be provided as architectural features are developed and landscape plans for those features are developed.

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DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

## Landscape Plan

Scale: 1"=10'

WITKIN HULTS DESIGN GROUP

Le Club Typical Units
Miami-Dade County, Florida
LANDSCAPE PLAN

Project:

Revisions:

Seal:

Lic. # LA0000689
Member: A.S.L.A.

Drawing: Typical Building Type XI SFH
Date: 06/01/2010
Scale: 1"=10'-0"
Drawn by: DC
Sheet No.:

L-13

Cert Id.: 2010-294

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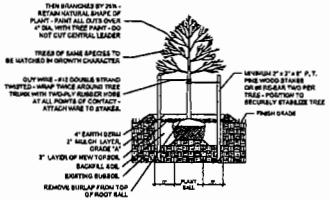
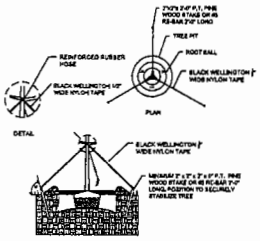
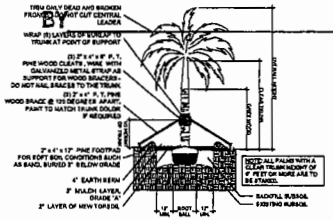
LARGE TREE PLANTING DETAIL



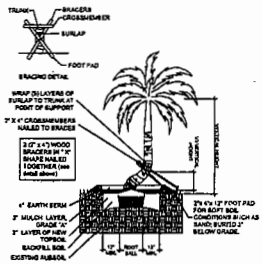
SMALL TREE PLANTING DETAIL



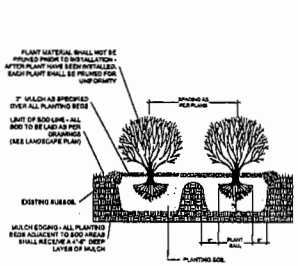
TYPICAL TREE GUYING DETAIL



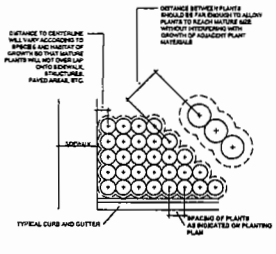
STRAIGHT TRUNK PALM PLANTING DETAIL



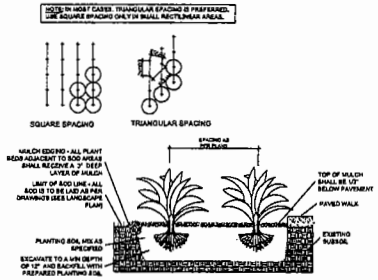
CURVED TRUNK PALM PLANTING DETAIL



TYPICAL SHRUB PLANTING DETAIL



TYPICAL CONTAINER SPACING DETAIL



TYPICAL GROUNDCOVER PLANTING DETAIL

## PLANTING NOTES:

-All plant material is to be Florida Number 1 or better pursuant to the Florida Department of Agriculture's Grades and Standards for Nursery Plants.

-All plants are to be top dressed with a minimum 3" layer of Melaleuca mulch, Eucalyptus mulch or equal.

-Planting plans shall take precedence over plant list in case of discrepancies.

-No changes are to be made without the prior consent of the Landscape Architect and Owner. Additions and or deletions to the plant material must be approved by the project engineer.

-Landscape Contractor is responsible for providing their own square footage takeoffs and field verification for 100% sod coverage for all areas specified.

- All landscape areas are to be provided with automatic sprinkler system which provide 100% coverage, and 50% overlap.

- All trees in lawn areas are to receive a 24" diameter mulched saucer at the base of the trunk.

- Trees are to be planted within parking islands after soil is brought up to grade. Deeply set root balls are not acceptable.

- Planting soil for topsoil and backfill shall be 50/50 mix, nematode free. Planting soil for annual beds to be comprised of 50% Canadian peat moss, 25% salt free coarse sand and 25% Aerolite.

- Tree and shrub pits will be supplemented with "Agriform Pells", 21 gram size with a 20-10-5 analysis, or substitute application accepted by Landscape Architect. Deliver in manufacturer's standard containers showing weight, analysis and name of manufacturer.

## SOD NOTES:

-Sod is to be grade "A" weed free.

-All areas marked "LAWN" shall be solid sodded with St. Augustine 'Floratam' solid sod. See limit on plan. All areas marked 'Bahia Grass' shall be solid sodded with Paspalum.

-Provide a 2" deep blanket of planting soil as described in planting notes this sheet. Prior to planting, remove stones, sticks, etc. from the sub soil surface. Excavate existing non-conforming soil as required so that the finish grade of sod is flush with adjacent pavement or top of curb as well as adjacent sod in the case of sod patching.

-Place sod on moistened soil, with edges tightly butted, in staggered rows at right angles to slopes.

-Keep edge of sod bed a minimum of 18" away from groundcover beds and 24" away from edge of shrub beds and 36" away from trees, measured from center of plant.

-Sod Shall be watered immediately after installation to uniformily wet the soil to at least 2" below the bottom of the sod strips.
-Excavate and remove excess soil so top of sod is flush with top of curb or adjacent pavement or adjacent existing sod.

## GENERAL NOTES:

-The Landscape Contractor is to locate and verify all underground and overhead utilities prior to beginning work. Contact proper utility companies and / or General Contractor prior to digging for field verification. The Owner and the Landscape Architect shall not be responsible for any damages to utility or irrigation lines (see Roadway Plans for more utility notes).

-Landscape Contractor is to varify all current drawings and check for discrepancies and bring to the attention of the Landscape Architect prior to commencing with the work.

-All unattended and unplanted tree pits are to be properly barricaded and flagged during installation.

-All planting plans are issued as directives for site layout. Any deviations, site changes, etcetera are to be brought to the attention of the Landscape Architect for clarification prior to installation.

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MIAMI-DADE COUNTY
DEPT. OF PLANNING & ZONING
DEVELOPMENTAL IMPACT COMMITTEE
BY

WITKIN HULTS DESIGN GROUP
307 north 21st avenue, hollywood, florida
phone: (954) 927-2020 fax: (954) 927-2021
www.witkinhultsdesign.com

Le Club P. A. D.'s
Miami-Dade County, Florida
LANDSCAPE DETAILS

Project:

Revisions:

Seal:

Lic. # LA0000888
Member: A.S.L.A.

Drawing: Landscape Details
Date: 08/11/2010
Scale: NTS
Drawn by: DC
Sheet No.:

L-15

Cad Id.: 2010-294

DISCLOSURE OF INTEREST*

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

CORPORATION NAME: Le Club Resort, LLC, a limited Florida liability company

| NAME AND ADDRESS | Percentage of Stock |
|---|---|
| SEE EXHIBIT "B" ATTACHED HERETO | |

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210-163
SEP 22 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

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

TRUST/ESTATE NAME_____

| NAME AND ADDRESS | Percentage of Stock |
|---|---|
| | |
| | |
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| | |

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME:_____

| NAME AND ADDRESS | Percentage of Stock |
|---|---|
| | |
| | |
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| | |

If there is a **CONTRACT FOR PURCHASE**, by a Corporation, Trust or Partnership list purchasers below, including principal officers, stockholders, beneficiaries or partners. [Note: Where principal officers,

stockholders, beneficiaries or partners consist of other corporations, trusts, partnerships or other similar entities, further disclosure shall be made to identify natural persons having the ultimate ownership interests].

NAME OF PURCHASER:_____

| NAME AND ADDRESS AND OFFICE (if applicable) | Percentage of Stock |
|---|---|
| | |
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SEP 22 2010
ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY AH

Date of contract:_____

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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| | |
| | |

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

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

**Signature**:_____
Liliane Stransky

Sworn to and subscribed before me this 22nd day of Sept., 20 10. Affiant is personally know to me or has produced _____ as identification.

Siuby Fleites
(Notary Public)

SIUBY FLEITES
MY COMMISSION # DD 858036
EXPIRES: April 16, 2013
Bonded Thru Notary Public Underwriters

My commission expires:_____

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

EXHIBIT B

(BREAKDOWN OF BENEFICIAL INTEREST)

LE CLUB RESORT, LLC, a Florida limited liability company, is owned 100% by Lilith Investment Group, Ltd., a Florida limited liability partnership.

LILITH INVESTMENT GROUP, LTD., is owned 100% by Lilith Investment Management, Inc., a Florida corporation. Its general partner is Liliane Stransky.

LILITH INVESTMENT MANAGEMENT, INC, is owned 100% by Liliane Stransky. Its president is Liliane Stransky.

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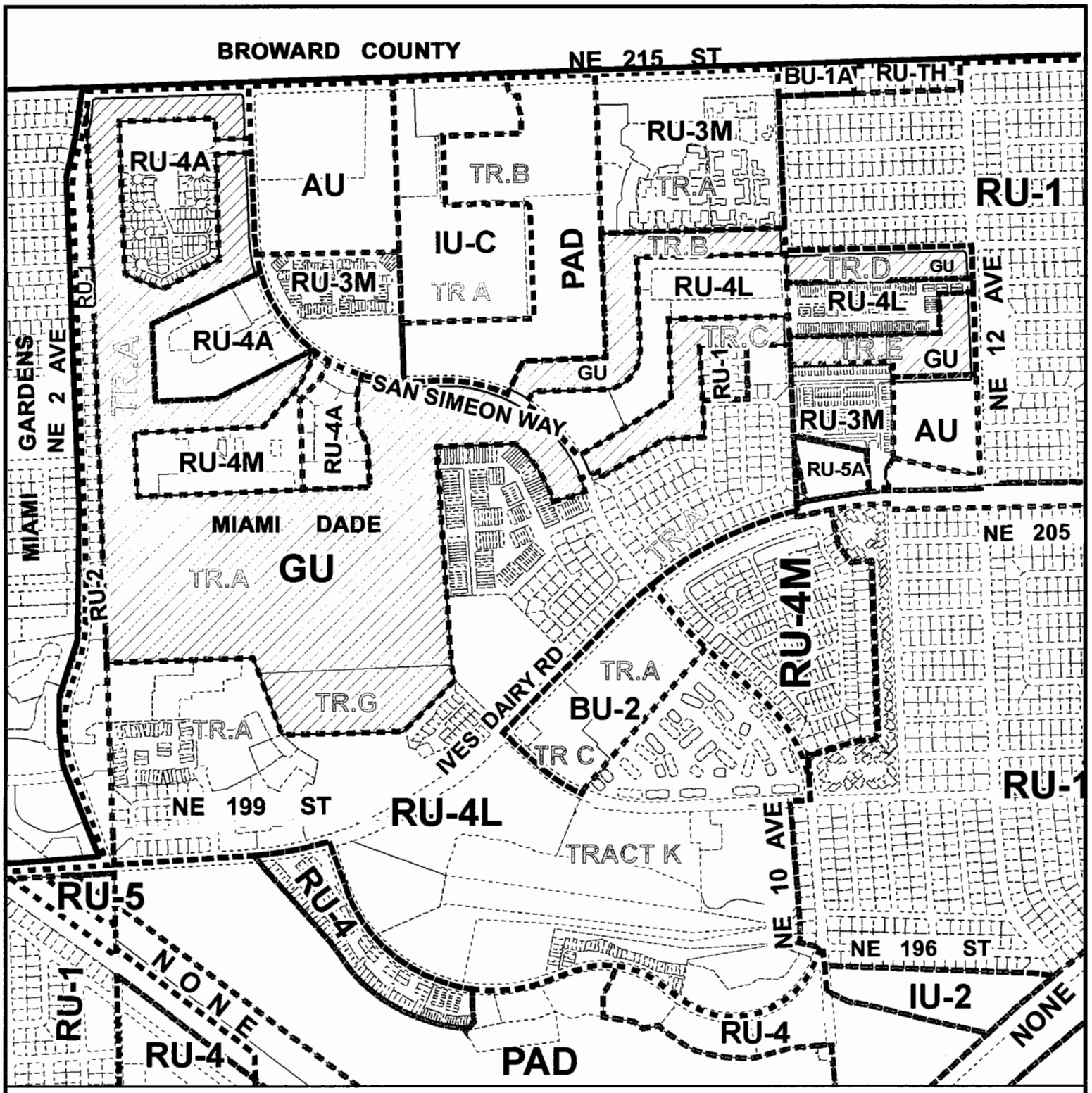
21-163
SEP 22 2021
ZONING HEARING SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY




**MIAMI-DADE COUNTY**

**HEARING MAP**

**Process Number**

**Z2010000163**

**Section: 32/31 Township: 51 Range: 42**
**Section: 36 Township: 51 Range: 41**
**Applicant: LE CLUB RESORT, LLC**
**Zoning Board: C2**
**Commission District: 1**
**Drafter ID: JEFFER GURDIAN**
**Scale: NTS**

N
W E
S

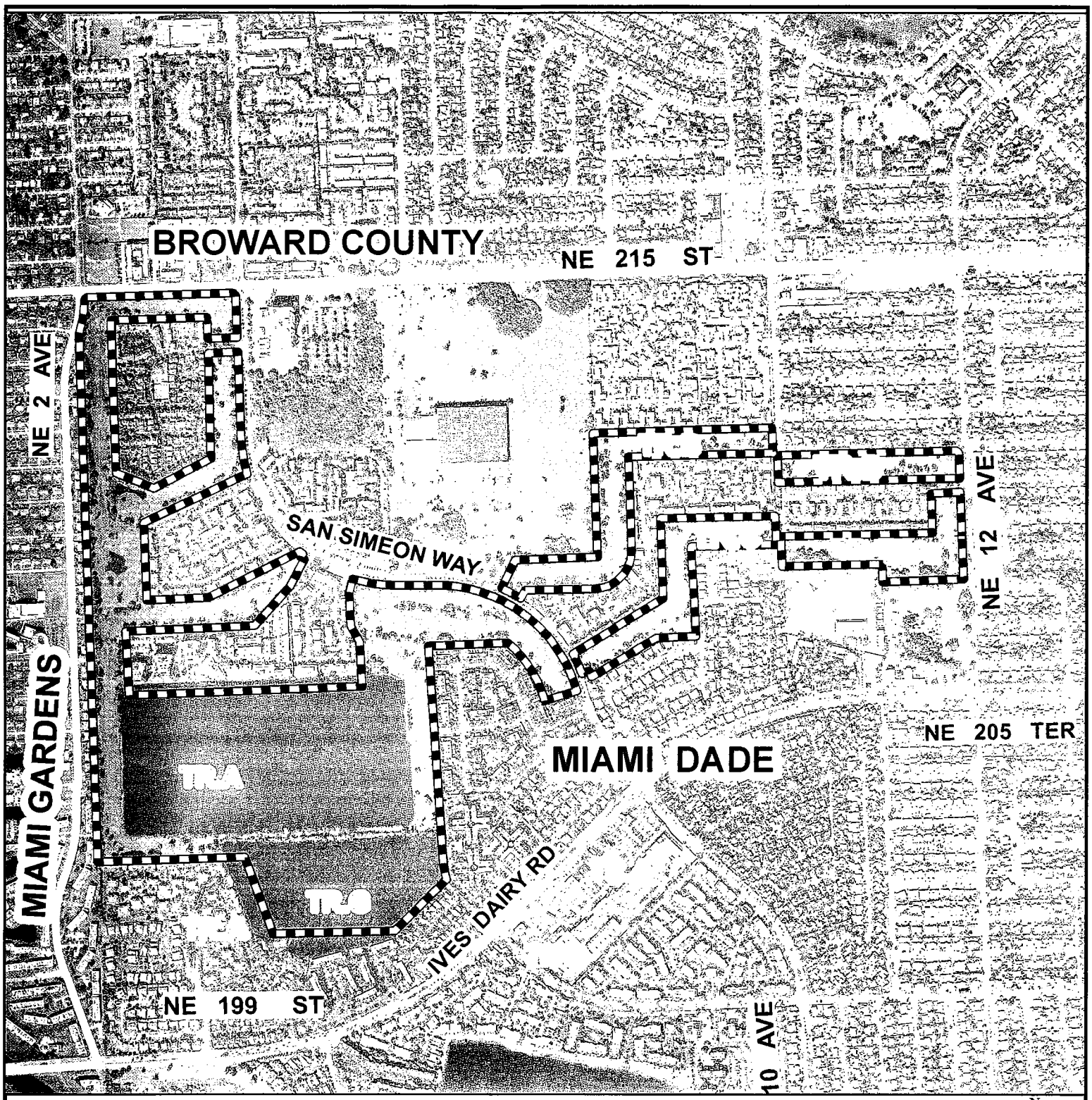
**Legend**

Subject Property Case

MIAMI-DADE COUNTY

**SKETCH CREATED ON: Wednesday, September 29, 2010**

| REVISION | DATE | BY |
|---|---|---|
| | | 76 |




# MIAMI-DADE COUNTY

**AERIAL YEAR 2009**

**Process Number**

**Z2010000163**

**Section: 32/31 Township: 51 Range: 42**
**Section: 36 Township: 51 Range: 41**
**Applicant: LE CLUB RESORT, LLC**
**Zoning Board: C2**
**Commission District: 1**
**Drafter ID: JEFFER GURDIAN**
**Scale: NTS**

N W E S

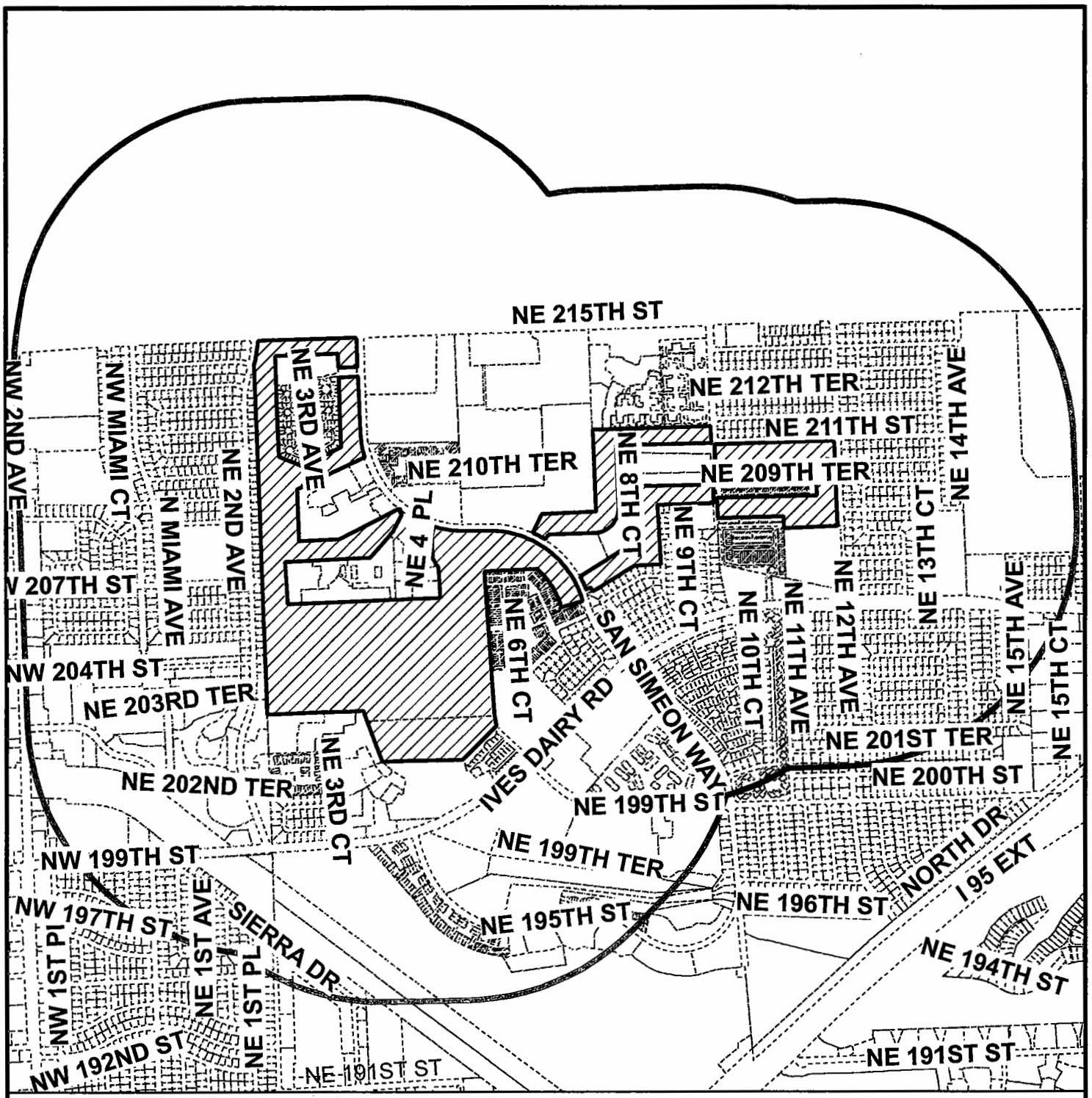
**Legend**

Subject Property

MIAMI-DADE

**SKETCH CREATED ON: Wednesday, September 29, 2010**

| REVISION | DATE | BY |
|---|---|---|
| | | 77 |




# MIAMI-DADE COUNTY

**RADIUS MAP**

**Process Number**

**Z2010000163**

**RADIUS: 2640**

**Section: 32/31 Township: 51 Range: 42**
**Section: 36 Township: 51 Range: 41**
**Applicant: LE CLUB RESORT, LLC**
**Zoning Board: C2**
**Commission District: 1**
**Drafter ID: JEFFER GURDIAN**
**Scale: NTS**

N
W E
S

**Legend**

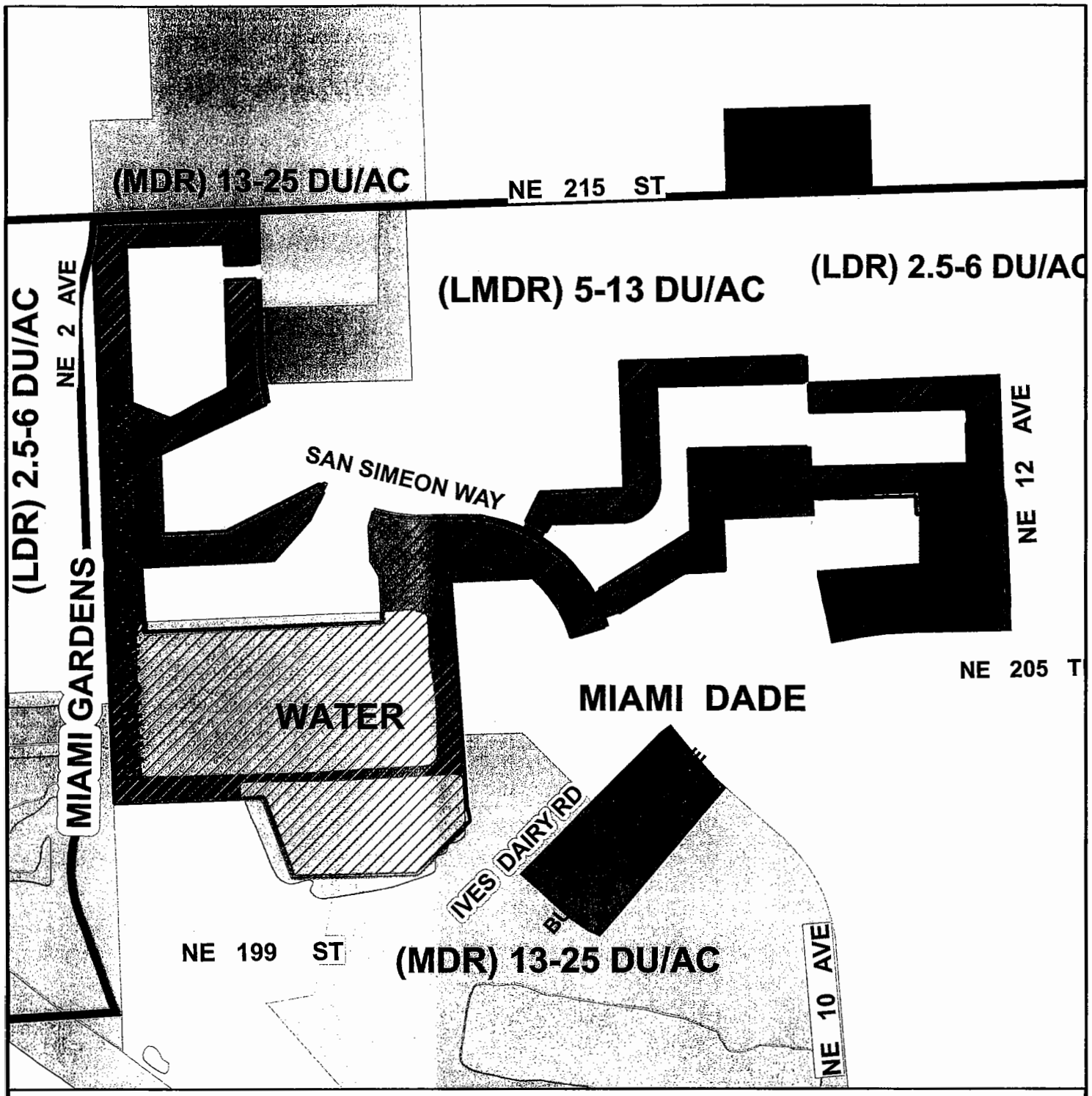
Subject Property

Buffer

MIAMI-DADE COUNTY

**SKETCH CREATED ON: Tuesday, September 28, 2010**

| REVISION | DATE | BY |
|---|---|---|
| | | 78 |




# MIAMI-DADE COUNTY

**CDMP MAP**

**Process Number**

**Z2010000163**

**Section: 32/31 Township: 51 Range: 42**
**Section: 36 Township: 51 Range: 41**
**Applicant: LE CLUB RESORT, LLC**
**Zoning Board: C2**
**Commission District: 1**
**Drafter ID: JEFFER GURDIAN**
**Scale: NTS**

N W E S

**Legend**

Subject Property Case

MIAMI-DADE COUNTY

**SKETCH CREATED ON: Wednesday, September 29, 2010**

| REVISION | DATE | BY |
|---|---|---|
| | | |

Le Club Resort, LLC

# 10-163

Item # 1

This instrument was prepared by:
Name: Juan J. Mayol, Esq.
Address: Holland & Knight LLP
701 Brickell Avenue, Suite 3000
Miami, FL 33131

Received by
Zoning Agenda Coordinator

APR 04 2013

**(Space reserved for Clerk)**

---

**PLANNED AREA DEVELOPMENT AGREEMENT**

*WHEREAS*, the undersigned Owner, **Le Club Resort, LLC** (the "Owner"), holds the fee simple title to the land in Miami-Dade County, Florida, described in Exhibit "A," attached hereto, and hereinafter called the "Property," which is supported by the attorney's opinion;

*WHEREAS*, the Owner filed Application No. 10-163 (the "Application") with Miami-Dade County (the "County"), for the approval of a Planned Area Development ("PAD") district, pursuant to Article XXXIIID of the Code of Miami-Dade County (the "Code") on the Property;

*WHEREAS*, Section 33-284.26 of the Code requires the Owner to submit to the Department of Regulatory and Economic Resources a recordable agreement guaranteeing the development of the PAD Property in accordance with promises made in the written and graphic documents, as approved by the Board of County Commissioners.

*IN ORDER TO ASSURE* the County that the representations made by the Owner during consideration of the Application will be abided by the Owner freely, voluntarily and without duress makes the following Planned Area Development Agreement covering and running with the Property:

1. **Site Plan**. That said Property shall be developed substantially in accordance with the plans previously submitted, entitled "Le Club Resort," as prepared by Valle Valle & Partners, Ludovici & Orange, Civil Engineer, and Witkin Hults Design Group, Landscape Architect, dated stamped received January 17, 2013 (the "Plans"), as may be modified at

**(Public Hearing)**

**Section-Township-Range: 31-51-42**
**Folio numbers: 30-1231-029-0010, 30-1231-029-0020, 30-1231-029-0030, 30-1231-029-0040, 30-1231-029-0050, 30-1231-029-0070**

the public hearing on the Application. The plans being on file with the Miami-Dade County Department of Regulatory and Economic Resources, and by this reference are made a part of this Agreement.

2. **Residential Density Restriction**. The maximum number of dwelling units on the Property shall be 702 dwelling units at an average density of 3.870 units per gross acre.

3. **Development Schedule**. Development of the Property is projected to commence no later than 24 months following the final approval of the Application. Completion of the project is estimated to be no less than 10 years from the date of commencement.

4. **Additional Quantitative Data**.

   a. Total Number of Bedrooms. The total number of bedrooms on the Property shall not exceed 1,964.

   b. Total Building Coverage. The total area of building for the Property shall not exceed 20.037± acres, or 11.05% of the PAD Property.

   c. Open Space. The area of common open space for the Property shall consist of at least 110.175± acres, or 60.74% of the PAD Property, and shall be in accordance with Section 33-284.27(I) of the Code. The common open space areas, including the existing lakes, within the Property shall be accessible to future residents of the Property and their guests. The Applicant may establish rules and regulations for the use and accessibility of the common open space within the Property.

   d. Residential Density. The maximum residential density on the Property shall be 3.870 units per gross acre. The maximum residential density of the buildable site area, which consists of 117.999 acres, shall be 5.949 units per net acre.

   e. Total Nonresidential Construction. The total nonresidential construction shall not exceed 199,739 sq. ft.

f. Private Roads. The area of those private roadways shown as private on the Plans shall be no less than 17.626± acres.

g. Population Projection. The estimated population projection resulting from the development of the Property is 1,727 people or an average of 2.46 persons per unit.

5. **Types of Dwelling Units**. The Owner agrees that the Property shall be developed with a variety of housing types to include detached single-family residences, townhouses and multi-family dwelling units with a number of models and sizes[1] as follows:

a. Multi-Family

1/1 - Approx. 702 sq. ft.

2/2 - Approx. 934 sq. ft.

b. Townhouses

3/2.5 - Approx. 1,887 s.f. - 2,844 sq. ft.

c. Guest Studios

1/1 - Approx. 934 sq. ft. - 1,197 sq. ft.

d. Single-Family Residences (Non-custom home lots)

3/3.5 - Approx. 3,488 sq. ft.

i. Single-family residences (non-custom home lots) may have guest houses so long as said guest houses meet the following minimum setback requirements:

Front Setback: 50 feet

Rear Setback: 5 feet

Between Buildings: 10 feet

Interior Side Setback: 10% of lot width

Side Street Setback: 20 feet

[1] The unit sizes provided reflect the amount of space under air conditioning.

e. Custom Home Lots

Minimum lot width: 85 feet

Minimum lot depth: 75 feet

Minimum lot size: 10,000 sq. ft.

Minimum home size: 3,500 sq. ft.

Maximum building coverage: 40%

Minimum green open space: 20%

Minimum private open space: 125% of the interior gross first floor area

Maximum building height: 35 feet

Minimum setbacks: Front - 20 feet
Side - 20 feet
Rear - 10 feet

6. Residences within custom home lots may have guest houses so long as said guest houses meet the following requirements:

Custom Home Guesthouses

Maximum Rear Yard Lot Coverage: 25%

Maximum Building Height: 35 feet

Minimum Setbacks: Front: 50 feet
Rear: 5 feet
Sides: 10 feet
Between Buildings: 10 feet

Combining of Multiple Lots for Custom Home Lots. The Owner reserves the ability to combine two Custom Home lots into a single Custom Home development site. The reduction of residential density on the Property resulting from the combination of lots to form single development sites shall be deemed consistent with the Plans, the Miami-Dade County Code, and the applicable provisions and designations in the Comprehensive Development Master Plan.

7. **Accessory Uses**. The Owner agrees that the accessory uses on the Property shall include entrance features, guard houses, swimming pools and pool cabanas, clubhouse, equestrian club and riding academy, community center, associated recreational uses, and all other uses related and incidental thereto shall be in substantial compliance with the Plan.

8. **Community Park**. The Community Park located east of San Simeon Way, as shown on the Plans and containing facilities including but not limited to a baseball field, soccer fields, dog park areas, pavilions, and rest areas, shall be completed prior to the issuance of the first certificate of occupancy for a residential unit. The Owner may substitute the type of recreational facilities provided within the Community Park from time to time, subject to the approval of the Director of the Miami-Dade County Department of Regulatory and Economic Resources, or the executive officer of the successor of such Department, or in the absence of such director or executive officer by his assistant in charge of the office in his absence. The Community Park shall be open and accessible to residents of the Property and to those residents living within the area outlined in the sketch attached as Exhibit B and which area is generally bordered by NE 2 Avenue, Ives Dairy Road, NE 12 Avenue, and NE 215 Street. The Community Park shall be owned and maintained by the Owner or by a property owner's association or similar association approved by Miami-Dade County.

9. **Ownership and Maintenance of Roadways, Lake, Landscape and Common Areas**. One or more property owners' association(s) or similar association(s) or special taxing district(s) or Community Development District (CDD) approved by Miami-Dade County shall be created for the maintenance of the roadways, lakes, landscaping and common areas within the PAD Property.

10. **Pedestrian and Vehicular Access**. The Owner agrees to provide permanent and safe access for pedestrian and vehicular traffic within the Property at all times. Access shall also be provided at all times to fire, police, health, sanitation, and other public service personnel and vehicles. Furthermore, all streets or accessways within the Property shall

be installed by the Owner, including, but not limited to, sidewalks, drainage facilities, water, sewers, and fire hydrants, subject to the approval of the appropriate departments of Miami-Dade County.

11. **Ponds.** The ponds (previously water hazards in connection with former golf course use) will require separate pond or lake approvals in accordance with Section 33-16 of the Code of Miami-Dade County.

12. **Entrance Features**. The Owner agrees that all entrance features depicted on the Plans shall require the submittal of a separate entrance feature application(s) in accordance with Article VI, Division 4, Chapter 33, of the Code of Miami-Dade County.

13. **Water and Sewer Provider**. Water and sewer utility services shall be provided to the Property by the Miami-Dade Water and Sewer Department or its successor entity in accordance with Miami-Dade County Code requirements.

14. **County Inspection.** As further part of this Planned Area Development Agreement, it is hereby understood and agreed that any official inspector of Miami-Dade County, or its agents duly authorized, may have the privilege at any time during normal working hours of entering and inspecting the use of the premises to determine whether or not the requirements of the building and zoning regulations and the conditions herein agreed to are being complied with.

15. **Covenant Running with the Land**. This Planned Area Development Agreement on the part of the Owner shall constitute a covenant running with the land and may be recorded, at the Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the Owner, and heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real and for the benefit of Miami-Dade County and the public welfare. The Owner, the heirs, successors and assigns, acknowledge that

acceptance of this Planned Area Development Agreement does not in any way obligate or provide a limitation on the County.

16. **Term.** This Planned Area Development Agreement is to run with the land and shall be binding on all parties and all persons claiming under it for a period of thirty (30) years from the date this Planned Area Development Agreement is recorded after which time it shall be extended automatically for successive periods of ten (10) years each, unless an instrument signed by the, then, owner(s) of the Property has been recorded agreeing to change the covenant in whole, or in part, provided that the Planned Area Development Agreement has first been modified or released by Miami-Dade County.

17. **Modification, Amendment, Release.** This Planned Area Development Agreement may be modified, amended or released as to the land herein described, or as to any Neighborhood, as defined in the Plans. A modification, amendment or release shall be by a written instrument executed by the, then, owner(s) of all of the Property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or the Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing.

18. **Enforcement**. Enforcement shall be by action against any parties or person violating, or attempting to violate, any covenants. The prevailing party in any action or suit pertaining to or arising out of this declaration shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney. This enforcement provision shall be in addition to any other remedies available at law, in equity or both.

19. **Authorization for Miami-Dade County to Withhold Permits and Inspections**. In the event the terms of this Planned Area Development Agreement are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any

approvals, until such time as this Planned Area Development Agreement is complied with.

20. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

21. **Presumption of Compliance**. Where construction has occurred on the Property or any portion thereof, pursuant to a lawful permit issued by the County, and inspections made and approval of occupancy given by the County, then such construction, inspection and approval shall create a rebuttable presumption that the buildings or structures thus constructed comply with the intent and spirit of this Planned Area Development Agreement.

22. **Severability**. Invalidation of any one of these covenants, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect. However, if any material portion is invalidated, the County shall be entitled to revoke any approval predicated upon the invalidated portion

23. **Recording**. This Planned Area Development Agreement shall be filed of record in the public records of Miami-Dade County, Florida, at the cost of the Owner following the approval of the Application. This Planned Area Development Agreement shall become effective immediately upon recordation. Notwithstanding the previous sentence, if any appeal is filed, and the disposition of such appeal results in the denial of the Application, in its entirety, then this Planned Area Development Agreement shall be null and void and of no further effect. Upon the disposition of an appeal that results in the denial of the Application, in its entirety, and upon written request, the Director of the Department of Regulatory and Economic Resources or the executive officer of the successor of said Department, or in the absence of such director or executive officer by his/her assistant in charge of the office in his/her absence, shall forthwith execute a

written instrument, in recordable form, acknowledging that this Planned Area Development Agreement is null and void and of no further effect.

24. **Acceptance of Planned Area Development Agreement.** Acceptance of this Planned Area Development Agreement does not obligate the County in any manner, nor does it entitle the Owner to a favorable recommendation or approval of any application, zoning or otherwise, and the Board of County Commissioners and/or any appropriate Community Zoning Appeals Board retains its full power and authority to deny each such application in whole or in part and to decline to accept any conveyance or dedication.

25. **Owner.** The term Owner shall include the Owner, and its heirs, successors and assigns.

[Execution Page Follows]

IN WITNESS WHEREOF, we have hereunto set out hands and seal this _____ day of _____, 201__.

WITNESSES:

Le Club Resort, LLC
a Florida limited liability corporation

_____
Signature

By: _____

Name: _____
Title: _____

_____
Printed Name

_____
Signature

_____
Printed Name

STATE OF FLORIDA )
)
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this _____ day of _____, 201___, by _____, as _____of Le Club Resort, LLC, on behalf of said limited liability corporation. She/He is personally known to me and acknowledged that she/he executed this instrument freely and voluntarily for the purposes stated herein.

My commission expires:

_____
Notary Public

## EXHIBIT A

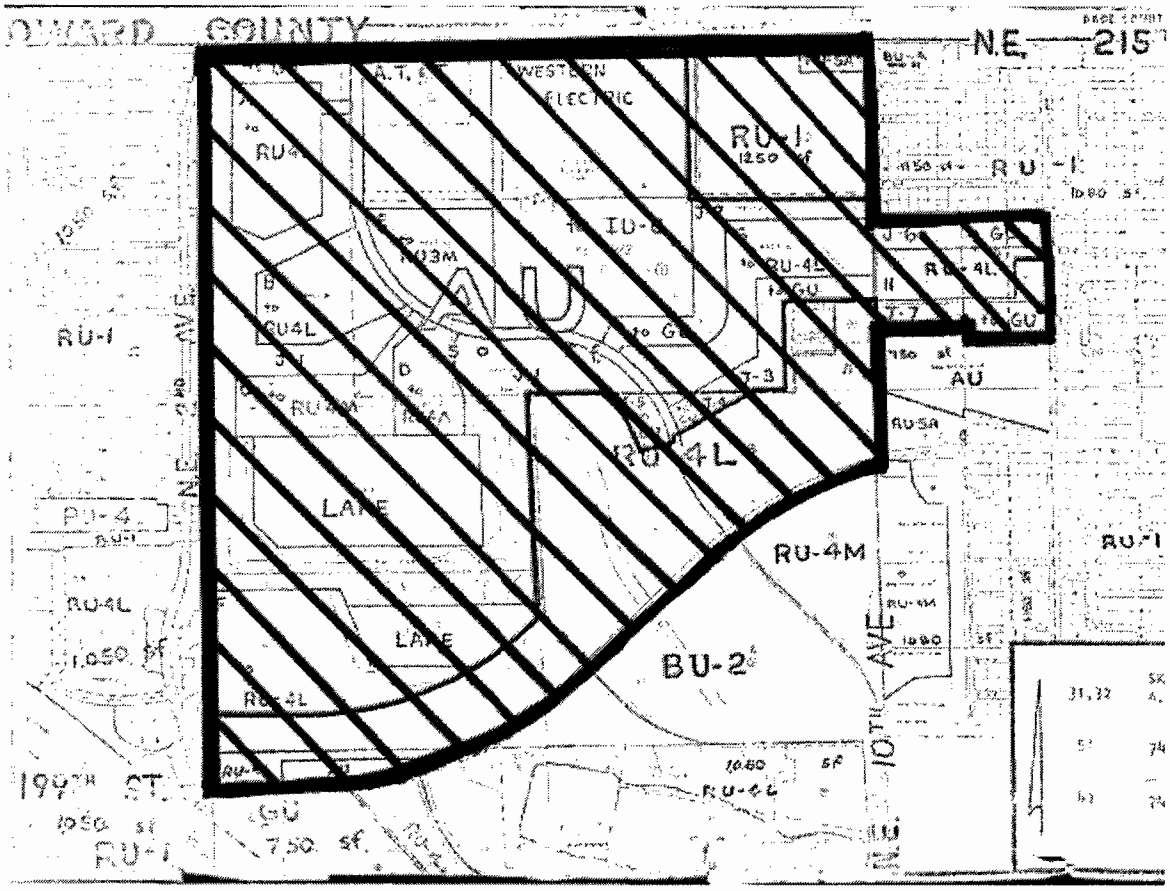
## LEGAL DESCRIPTION OF PROPERTY

LEGAL DESCRIPTION:

TRACT A, B, C, D, E AND G OF CALIFORNIA CLUB GOLF COURSE ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 122, AT PAGE 4, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**EXHIBIT B**

**SKETCH OF AREA WITH ACCESSIBILITY TO COMMUNITY PARK**

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