



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

**TIME OF MEETING** 9:30 AM

<u>APPEAL(S):</u>	<u>HEARING #</u>	<u>DISTRICT(S)</u>
<p>1. <b><u>FIVE STAR JEWELERS, INC.</u></b></p> <p>Request(s): - The Director of the Department of Regulatory and Economic Resources is appealing the decision of Community Zoning Appeals Board #11 on Five Start Jewelers, Inc., which approved the following:</p> <p>The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.</p> <p>Location: 16205 SW 88<sup>th</sup> Street, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)</p>	13-053	11
<p>2. <b><u>TADPOLE INVESTMENTS, INC.</u></b></p> <p>Request(s): - The Director of the Department of Regulatory and Economic Resources is appealing the decision of Community Zoning Appeals Board #10 on Tadpole Investments Inc., which approved the following:</p> <p>The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.</p> <p>Location: 2275 SW 87<sup>th</sup> Avenue, Miami-Dade County, Florida. Within the Urban Development Boundary (UDB)</p>	10-016	10

**CURRENT:**

**HEARING #    DISTRICT(S)**

**3.            LE JEUNE AIRPORT PARK SUITES INC**

**13-068**

**06**

Request(s): - The applicant is seeking a zone change to BU-2

Location:    7391 NW 11<sup>th</sup> Street and 7370 NW 12<sup>th</sup> Street,  
Miami-Dade County, Florida.  
Within the Urban Development Boundary (UDB)

**4.            FERRO DEVELOPMENT, LLC**

**12-128  
(DIC)**

**11**

Request(s): - The applicant seeks to permit a charter school grades K-12 for  
3,000 students.

Location:    South Side of SW of SW 8<sup>th</sup> Street & Between SW 152<sup>nd</sup> Avenue  
and SW 153<sup>rd</sup> Place, Miami-Dade County, Florida.  
Within the Urban Development Boundary (UDB)



# Official Zoning Agenda

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BOARD OF COUNTY COMMISSIONERS

**COUNTY COMMISSION MEETING OF THURSDAY, APRIL 24, 2014**

**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.

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**SWEARING IN OF WITNESS**

1. **FIVE STAR JEWELERS, INC. 13-11-CZ11-1 (13-053)**

**32-54-39  
BCC/Dist. 11**

THE DIRECTOR OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES is appealing the decision of Community zoning Appeals Board #11 on FIVE STAR JEWELERS, INC., which approved the following:

USE VARIANCE to permit a pawnbroker use in the BU-1A, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Shopping Center Plaza" as prepared by Octavio A. Santurio A.I.A dated stamped received 5/22/13 and consisting of 2 sheets and a plan entitled "Five Star Jewelers" as prepared by Roger Perez, dated stamped received 6/25/13, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 16205 SW 88 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 7.53 Acres

Department of Regulatory and  
Economic Resources  
Recommendation:

Denial without prejudice.

Protests: \_\_\_\_\_ 151 \_\_\_\_\_

Waivers: \_\_\_\_\_ 0 \_\_\_\_\_

DENIAL OF APPEAL (SUSTAIN C.Z.AB.): \_\_\_\_\_

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): \_\_\_\_\_

DEFERRED: \_\_\_\_\_

2. **TADPOLE INVESTMENTS, INC (13-12-CZ10-1 (10-016)**

**10-54-40  
BCC/Dist. 10**

THE DIRECTORY OF THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES is appealing the decision of Community Zoning Appeals Board #10 on TADPOLE INVESTMENTS INC., which approved the following

USE VARIANCE to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers- Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 18.95 Acres

Department of Regulatory and  
Economic Resources

Recommendation: Deferral (at applicant's request).

Protests: 3 Waivers: 0

DENIAL OF APPEAL (SUSTAIN C.Z.AB.): \_\_\_\_\_

APPROVAL OF APPEAL (OVERRIDE C.Z.A.B.): \_\_\_\_\_

DEFERRED: \_\_\_\_\_

**3. LE JEUNE AIRPORT PARK SUITES, INC. (14-4-CC-1 (13-068))**

**53-53-40  
BCC/Dist. 6**

DISTRICT BOUNDARY CHANGE from IU-1 to BU-2.

LOCATION: 7391 NW 11 Street & 7370 NW 12 Street, MIAMI-DADE COUNTY, FLORIDA.

SIZE OF PROPERTY: 5.09 Acres

Department of Regulatory and  
Economic Resources

Recommendation: Approval, subject to the board's acceptance of the proffered covenant.

Protests: 0 Waivers: 0

APPROVED: \_\_\_\_\_ DENIED WITH PREJUDICE \_\_\_\_\_

DENIED WITHOUT PREJUDICE: \_\_\_\_\_ DEFERRED: \_\_\_\_\_



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.



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

**PH: Z13-053 (13-11-CZ11-1)**

**April 24, 2014**

Item No. 1

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Five Star Jewelers, Inc.
<b>Summary of Requests</b>	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
<b>Location</b>	16205 SW 88 <sup>th</sup> Street, Miami-Dade County, Florida.
<b>Property Size</b>	7.53 acres
<b>Existing Zoning</b>	BU-1A
<b>Existing Land Use</b>	Retail
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a), <b>Use Variance</b> standards (see attached Zoning Recommendation Addendum)
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**On December 10, 2013, the Community Zoning Appeals Board (CZAB) #11, approved the application for a use variance to permit a pawn shop use in the BU-1A zone as would be permitted in the BU-3 zone with conditions, contrary to staff's recommendation.**

On December 16, 2013, the appellant, the Department of Regulatory and Economic Resources appealed the CZAB-11 decision to the Board of County Commissioners (BCC).

For the reasons outlined below in the CDMP and Zoning analysis of the requests, staff opines that the BCC should reverse the CZAB 11 decision, thus denying the use variance as recommended by the Department.

**REQUEST:**

USE-VARIANCE to permit a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Shopping Center Plaza", as prepared by Octavio A. Santurio A.I.A. dated stamped received 5/22/13 and consisting of 2 sheets and a plan entitled "Five Star Jewelers" as prepared by Roger Perez, dated stamped received 6/25/13, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The site has been the subject of several zoning actions from 1988 to 1993, for district boundary changes, modifications to prior declarations of restrictions and plans, and variances from the zoning regulations. The current application seeks a pawn broker use in the BU-1A zone, as would be permitted in the BU-3 zone, only upon approval after public hearing, for the pawning of jewelry only. The site plan submitted by the applicant depicts an existing 1,204 sq. ft. jewelry store within an 87,939 sq. ft. shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-1A; shopping center	Business and Office
<b>North</b>	RU-3M; lake	Water
<b>South</b>	BU-1A; restaurants BU-2; vacant land & bodies of water	Business and Office
<b>East</b>	RU-TH; townhouse residences RU-4L; single-family residences BU-1A; restaurant	Low Density Residential, (2.5 to 6 dua) Business and Office
<b>West</b>	BU-1A; shopping center	Business and Office

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located within a shopping center located at 16205 SW 88 Street. The area surrounding the subject property is characterized by commercial uses to the west, residential uses to the east, a lake to the north and vacant land to the south.

**SUMMARY OF THE IMPACTS:**

The approval of this application will provide an additional service for the surrounding community. However, approval of the request to allow a pawnbroker use which is typically located in a zoning district that allows more intensive commercial uses only upon approval after public hearing, could have a negative impact on the surrounding area. Furthermore, approval of the same could result in an increase in the intensity and types of uses that would be allowed in this area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Business and Office** use. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* As such, the existing jewelry store use and requested pawnbroker use are **consistent** with the CDMP Land Use Element interpretative text for the Business and Office designation.

The CDMP Land Use Element **Objective LU-4** states that *Miami-Dade County shall, continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The **Land Use Element Policy LU-4A** of said interpretive text provides that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* Staff notes that the existing jewelry store is located within a shopping center that consists of various commercial uses such as a grocery store, restaurants, a karate studio, beauty salon, a mail store, and office uses, among other uses. In staff's opinion, the requested pawnbroker use for jewelry only is an accessory use to the existing jewelry store and therefore, would be **consistent** with the

Business and Office designation on the CDMP Land Use Plan map and **consistent with Objective LU-4** based on the criteria outlined in **Land Use Element Policy LU-4A**.

**ZONING ANALYSIS:**

The current application seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-1A zoning district. The pawnbroker use is not permitted in the BU-1A district and is permitted in the BU-3 district only upon approval after public hearing. The letter of intent indicates that the applicant intends to limit the pawnbroker use solely for jewelry and will not permit the pawning of other merchandise.

The existing jewelry store is located within a shopping center that is within the BU-1A zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services for the residents. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district upon approval after public hearing. Staff notes that the applicant is requesting this use variance in order to establish a pawnbroker, which is not permitted in the existing BU-1A zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-1A district, such as gun shops; secondhand stores for the disposal of furniture, fixtures and tools; locksmith shops, sharpening and grinding shops; garage and mechanical services; commercial chicken hatcheries; and pawnbrokers; the applicant has indicated that the pawn broker use would be limited to the pawning of secondhand jewelry only in conjunction with the existing jewelry store.

When the subject request, to permit a pawnbroker use in the BU-1A zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, staff opines that the request is not consistent with the general purpose and intent of the zoning regulations. Section 33-311(A)(4)(a) provides that a **use variance** permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a **literal enforcement of the provisions thereof will result in unnecessary hardship**, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations. **To prove an unnecessary hardship the applicant must demonstrate that without the requested use variance, the applicant, under the existing zoning, has lost all reasonable use of the property.***

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously discussed, the subject property is currently in use and operating as a jewelry store; as such, provides the applicant with economic use and benefit. Furthermore, Section 33-247 of the Code provides eighty-four (84) permitted uses in the BU-1A zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

**CIRCULATION AND PARKING:**

The subject property has ingress and egress points along SW 88 Street and SW 162 Avenue.

**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:CH:JC



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

## ZONING RECOMMENDATION ADDENDUM

*Five Star Jewelers, Inc.*  
Z13-053

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Division)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Spaces	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

<b>Business and Office</b> (Pg. I-41)	<i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i>
<b>Land Use Objective 4</b> (Pg. I-11)	<i>Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

### PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in <b>unnecessary hardship</b>, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i>
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PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY \_\_\_\_\_ AMOUNT OF FEE \_\_\_\_\_

RECEIPT # \_\_\_\_\_

DATE HEARD: 12/10/13

BY CZAB # 11

RECEIVED  
213-053  
DEC 16 2013

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

DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2013000053 (13-11-CZ11-1)

Filed in the name of (APPLICANT)

Name of Appellant, if other than applicant: Director of the Department of Regulatory and Economic Resources

Address/Location of APPELLANT: 111 NW 1 Street, 11<sup>th</sup> Floor, Miami, FL 33128

Application, or part of Application being Appealed (Explanation):

ENTIRE APPLICATION

Appellant (name): Director of the Department of Regulatory and Economic Resources

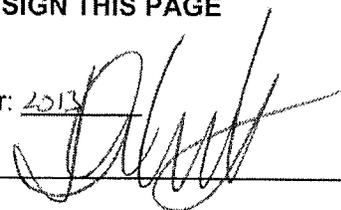
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

1. The applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions could constitute a practical difficulty or would result in unnecessary hardship.
2. The approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning.

**APPELLANT MUST SIGN THIS PAGE**

Date: 16<sup>th</sup> day of December, year: 2013

Signed \_\_\_\_\_



\_\_\_\_\_  
Jack Osterholt  
Print Name

\_\_\_\_\_  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor, Miami, FL 33128  
Mailing Address

\_\_\_\_\_  
(305) 375-2842                      (305) 372-6096  
Phone                                      Fax

**REPRESENTATIVE'S AFFIDAVIT**

If you are filing as representative of an association or other entity, so indicate:

Representing

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Address

\_\_\_\_\_  
City                                      State                      Zip

\_\_\_\_\_  
Telephone Number

Subscribed and Sworn to before me on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(stamp/seal)

Commission expires:

**1. FIVE STAR JEWELERS, INC.**  
**(Applicant)**

**13-11-CZ11-1 (13-053)**  
**Area 11/District 11**  
**Hearing Date: 04/24/14**

Property Owner (if different from applicant) **Kendall Park Plaza, LTD.**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1988	City National Bank of Miami, Trustee	- Zone change from GU to RU-3M, BU-1A. - Unusual Use for Lake Excavation. - Non-Use Variance of Lot Area.	BCC	Approved with condition(s)
1990	City National Bank, Trustee	- Modification of plan of Resolution.	ZAB	Approved with condition(s)
1992	City National Bank, Trustee	- Modification of Condition of Resolution.	ZAB	Denied without prejudice
1992	City National Bank	- Modification of Declaration of Resolution.	BCC	Approved
1993	City National Bank, Trustee	- Modification of Condition of Resolution.	BCC	Appeal Approved, Application Approved
1993	City National Bank	- Zone change from GU to RU-3M. - Modification of Declaration of Resolution.	BCC	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.

**MIAMI-DADE COUNTY  
COMMUNITY ZONING APPEALS BOARD - AREA 11  
MOTION SLIP**

#1

APPLICANT'S NAME: FIVE STAR JEWELERS, INC.

REPRESENTATIVE: Applicant

HEARING NUMBER	HEARING DATE	RESOLUTION NUMBER
13-11-CZ11-1 (13-053)	November 7, 2013	CZAB11      13

**REC: Denial without prejudice.**

WITHDRAW:  APPLICATION       ITEM(S): \_\_\_\_\_

DEFER:       INDEFINITELY       TO: December 10, 2013       W/LEAVE TO AMEND

DENY:       WITH PREJUDICE       WITHOUT PREJUDICE

ACCEPT PROFFERED COVENANT       ACCEPT REVISED PLANS

APPROVE:       PER REQUEST       PER DEPARTMENT       PER D.I.C.  
 WITH CONDITIONS

OTHER: At applicant's request due to the applicant's attorney being out of town during the hearing.

TITLE	M/S	NAME	YES	NO	ABSENT
COUNCILWOMAN	<b>M</b>	Carolina BLANCO	X		
COUNCILMAN		Socrates De Jesus	X		
VICE CHAIR		Miguel DIAZ			X
COUNCILMAN	<b>S</b>	Jay REICHBAUM	X		
COUNCILWOMAN		Beatriz SUAREZ			X
CHAIR WOMAN		Patricia DAVIS	X		
VOTE:			4	0	

EXHIBITS:  YES       NO

COUNTY ATTORNEY: THOMAS ROBERTSON

# Memorandum

**Date:** August 13, 2013

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

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

**Subject:** C-11 #Z2013000053-1<sup>st</sup> Revision  
Five Star Jewelers, Inc.  
16205 SW 88<sup>th</sup> Street, Miami, FL  
Use Variance to Permit a Pawnbroker  
(BU-1A) (7.53 Acres)  
32-54-39



The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) 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.

#### Wellfield Protection

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that restrict development, and regulate land uses within the wellfield protection area.

Since the subject request involves a non-residential land use or a zoning category which permits a variety of non-residential land uses, the owner of the property has submitted a properly executed covenant running with the land in favor of Miami-Dade County, as required by Section 24-43(5)(a) of the Code. The covenant provides that hazardous materials shall not be used, generated, handled, discharged, disposed of or stored on the subject property.

#### Potable Water Service

The subject property is currently connected to public water. Water services are provided by Miami-Dade Water and Sewer Department. Therefore, connection of the proposed development to the public water supply system shall be required in accordance with the Code requirements.

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

The subject property is currently connected to public sanitary sewer. Sewer services are provided by Miami-Dade Water and Sewer Department. All sewer lines serving the property shall comply with the exfiltration standards as applied to development within wellfield protection areas.

Currently, the corresponding downstream sanitary pump station 30-0648 is operating under Conditional Moratorium; downstream pump stations 30-0536 and the South District Wastewater Treatment Plant are operating in compliance within the requirements set forth in the First Partial Consent Decree, Case No.93-1109 CIV-Moreno, between the Environmental Protection Agency and Miami Dade County. Based on the letter of intent, to include resale, consign and pawning as an expansion of services in the existing jewelry store, will not result in an increase in the amount of wastewater flow generated at this location and can be considered as a no net increase during the sewer capacity certification process.

#### Stormwater Management

The proposed change will not affect the existing stormwater management system.

#### Wetlands

The subject property is located within the Bird Drive Wetlands Basin, in an area that normally contains wetlands. However, this property has already been included as part of a larger project, under Class IV Wetlands Permit FW87-110. All Class IV Wetland Permit requirements for this property have been completed under the previously issued permit. Therefore, this Section has no objection to the scheduling of this zoning application.

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.

#### Tree Preservation

The proposal stated on the letter of intent will not impact tree resources. Therefore, the Tree Permitting Program has no objection to this zoning application. Be advised that a Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

#### Enforcement History

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

#### 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.

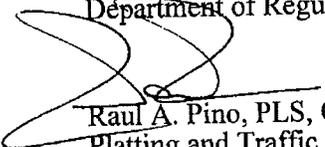
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** July 15, 2013

**To:** Eric Silva, Assistant Director  
Department of Regulatory and Economic Resources

**From:**   
Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2013000053  
Name: Five Star Jewelers, Inc.  
Location: 16205 SW 88 Street  
Section 32 Township 54 South Range 39 East

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

This land complies with Chapter 28 of the Miami-Dade County Code and was approved under Waiver of Plat D-20208.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This application meets the traffic concurrency criteria set for an Initial Development Order.

# Memorandum



**Date:** July 1, 2013

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources Department

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

**Subject:** #13\_053  
Five Star Jewelers, Inc

---

The Public Works and Waste Management Department (PWWM) has no objections to the proposed application.

The application requests a use variance to permit the pawning of second hand jewelry in connection to an existing jewelry store. The jewelry store on the property will likely be considered a commercial unit per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The 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. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

RESOLUTION NO. CZAB11-9-13

*WHEREAS*, FIVE STAR JEWELERS, INC. applied for the following:

USE VARIANCE to permit a pawnbroker use in the BU-1A, as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "New Shopping Center Plaza" as prepared by Octavio A. Santurio A.I.A dated stamped received 5/22/13 and consisting of 2 sheets and a plan entitled "Five Star Jewelers" as prepared by Roger Perez, dated stamped received 6/25/13, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tract A, less the East 245' of South 205' of WEST KENDALL BEST, PB 143-35.

LOCATION: 16205 SW 88 Street, MIAMI-DADE COUNTY, FLORIDA, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 11 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant had proffered the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director of Regulatory and Economic Resources, upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structures or structures, types, sizes and location of signs, light standards, off-street parking areas, 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 "New Shopping Plaza," as prepared by Octavio A. Santurio, A.I.A., consisting of two (2) sheets dated stamped received May 22, 2013, and entitled "Existing Jewelry Store Floor Plan," as prepared by Roger Perez, consisting of one (1) sheet dated stamped received June 25, 2013.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use and Occupancy from and promptly renew the same annually with the Miami-Dade County Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That no stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition the terms pawn, pawning, or pawnshop shall not be used in any outdoor signs.

6. That a Declaration of Use be submitted to and meet the approval of the Director; said Declaration of Use to be to the effect that the pawn shop activities shall be limited to jewelry only.
7. That the pawnshop use be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated, the pawnshop use will automatically expire and shall be discounted.
8. That the operating hours for the pawn shop use not extend beyond those for the jewelry store.

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter it is the opinion of this Board that the requested use variance to permit a pawnbroker use in the BU-1A, as would be permitted in the BU-3 zone, only upon approval after public hearing would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Socrates De Jesus, seconded by Beatrice Suarez, and upon a poll of the members present, the vote was as follows:

Carolina Blanco	aye	Miguel A. Diaz	absent
Socrates De Jesus	aye	Jay Reichbaum	absent
		Beatrice Suarez	aye
		Patricia G. Davis	aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 11 that the application be and the same is hereby approved, subject to the following conditions:

CONDITIONS PROFFERED BY THE APPLICANT:

1. That a site plan be submitted to and meet with the approval of the Director of Regulatory and Economic Resources, upon the submittal of an application for a building permit and/or Certificate of Use and Occupancy; said plan to include among other things but not be limited thereto, location of structures or structures, types, sizes and location of signs, light standards, off-street parking areas, 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 "New Shopping Plaza," as prepared by Octavio A. Santurio, A.I.A., consisting of two (2) sheets dated stamped received May 22, 2013, and entitled "Existing Jewelry Store Floor Plan," as prepared by Roger Perez, consisting of one (1) sheet dated stamped received June 25, 2013.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant obtain a Certificate of Use and Occupancy from and promptly renew the same annually with the Miami-Dade County Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
5. That no stringer lights, pennants, mobile or stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition the terms pawn, pawning, or pawnshop shall not be used in any outdoor signs.
6. That a Declaration of Use be submitted to and meet the approval of the Director; said Declaration of Use to be to the effect that the pawn shop activities shall be limited to jewelry only.
7. That the pawnshop use be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated, the pawnshop use will automatically expire and shall be discounted.
8. That the operating hours for the pawn shop use not extend beyond those for the jewelry store.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 10<sup>th</sup> day of December, 2013.

Hearing No. 13-11-CZ11-1  
ej

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2013.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 11, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB11-9-13 adopted by said Community Zoning Appeals Board at its meeting held on the 10<sup>th</sup> day of December, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of December, 2013.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade Department of Department of Regulatory  
and Economic Resources

SEAL



# Memorandum



**Date:** July 31, 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:** Z2013000053: FIVE STAR JEWELERS, INC.  
Revised plans dated stamped received through 5-22-2013

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**Application Name:** FIVE STAR JEWELERS, INC.

**Project Location:** The site is located at 16205 SW 88 STREET, Miami-Dade County.

**Proposed Development:** The applicant is seeking approval for a use variance to permit a pawn shop.

**Impact and demand:** The request of this application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Therefore, based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor



# Memorandum

**Date:** 26-JUN-13  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2013000053

**Fire Prevention Unit:**

No objection.

**Service Impact/Demand**

Development for the above Z2013000053 located at 16205 SW 88 STREET, MIAMI-DADE COUNTY, FLORIDA. in Police Grid 1777 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually. The estimated average travel time is: 5:33 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 56 - West Sunset - 16250 SW 72 Street  
 Rescue, ALS Engine Haz Mat Support

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
 None.

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

DATE: 11-OCT-13

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

FIVE STAR JEWELERS, INC.

16205 SW 88 STREET, MIAMI-  
DADE COUNTY, FLORIDA.

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APPLICANT

---

ADDRESS

Z2013000053

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HEARING NUMBER

**HISTORY:**

NC: THERE ARE NO CURRENT OPENED OR CLOSED NEIGHBORHOOD COMPLIANCE  
CASES.

BLDG: THERE ARE NO CURRENT OPENED OR CLOSED BUILDING SUPPORT CASES

FIVE STAR JEWELERS, INC

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

**REPORTER NAME:**





2/12/83  
ATX



**DISCLOSURE OF INTEREST\***

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

CORPORATION NAME: Five Star Jewelers, Inc.

NAME AND ADDRESS	Percentage of Stock
Jorge L. Carvajal	100%
13804 SW 152 Street	
Miami, Florida 33177	

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

TRUST/ESTATE NAME: \_\_\_\_\_

NAME AND ADDRESS	Percentage of Interest
	23.053

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

PARTNERSHIP OR LIMITED PARTNERSHIP NAME: Kendall Park Plaza, Ltd. F/W/A Company of Miami, Inc.

NAME AND ADDRESS	Percentage of Ownership
Domini Construction Corp	27%
- Augustin Heron 100%	
Florida Real Estate Corporation	49%
- Augustin Heron 100%	
BCEC, LLC	49%

- Augustin Heron 90%
- Augustin & Rosal Heron Children's Irrevocable Trust +0.5% Victoria Heron 5%
- Victoria Heron 100%
- Augustin & Rosal Heron Children's Irrevocable Trust +0.5% Isaac Heron 5%
- Isaac Heron 100%

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

NAME OF PURCHASER: \_\_\_\_\_

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

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

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

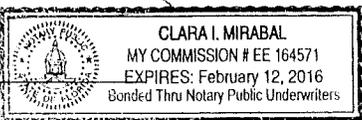
**NOTICE:** For changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final

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

Signature: Jorge L. Casero  
(Applicant)

Sworn to and subscribed before me this 21<sup>st</sup> day of April, 2013. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

Clara I. Mirabal  
(Notary Public)



My commission expires \_\_\_\_\_

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

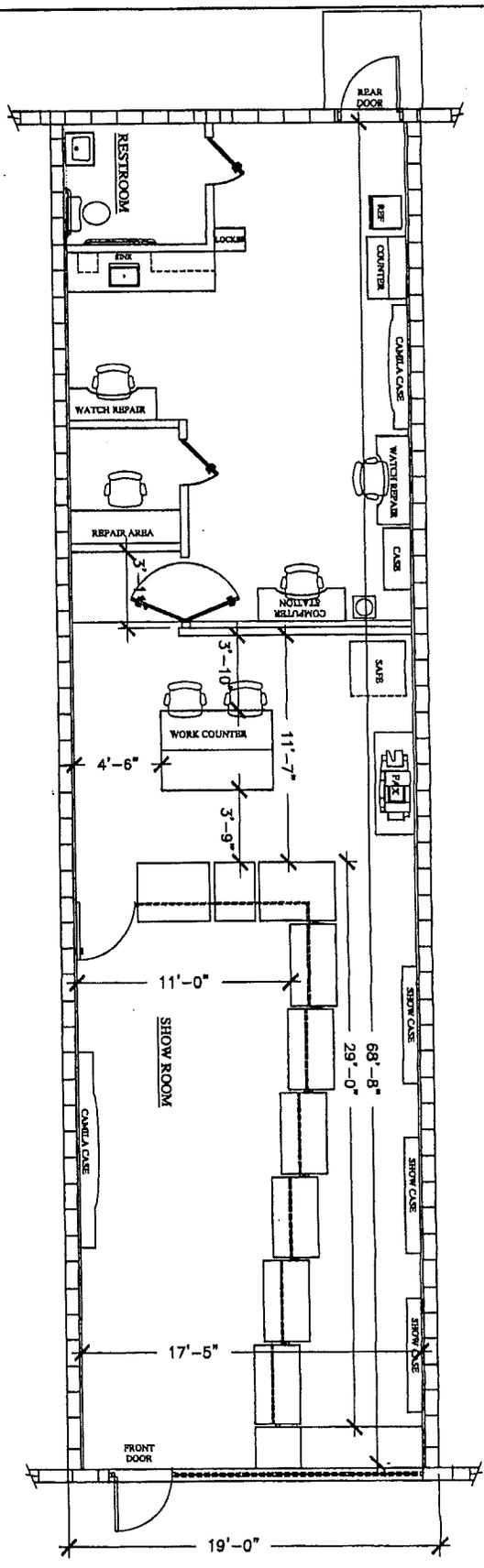
2013-053  
AT





**RECEIVED**  
 JUN 25 2013  
 2013

ZONING HEARINGS SECTION  
 MIAMI-DADE PLANNING AND ZONING DEPT.  
 BY *[Signature]*

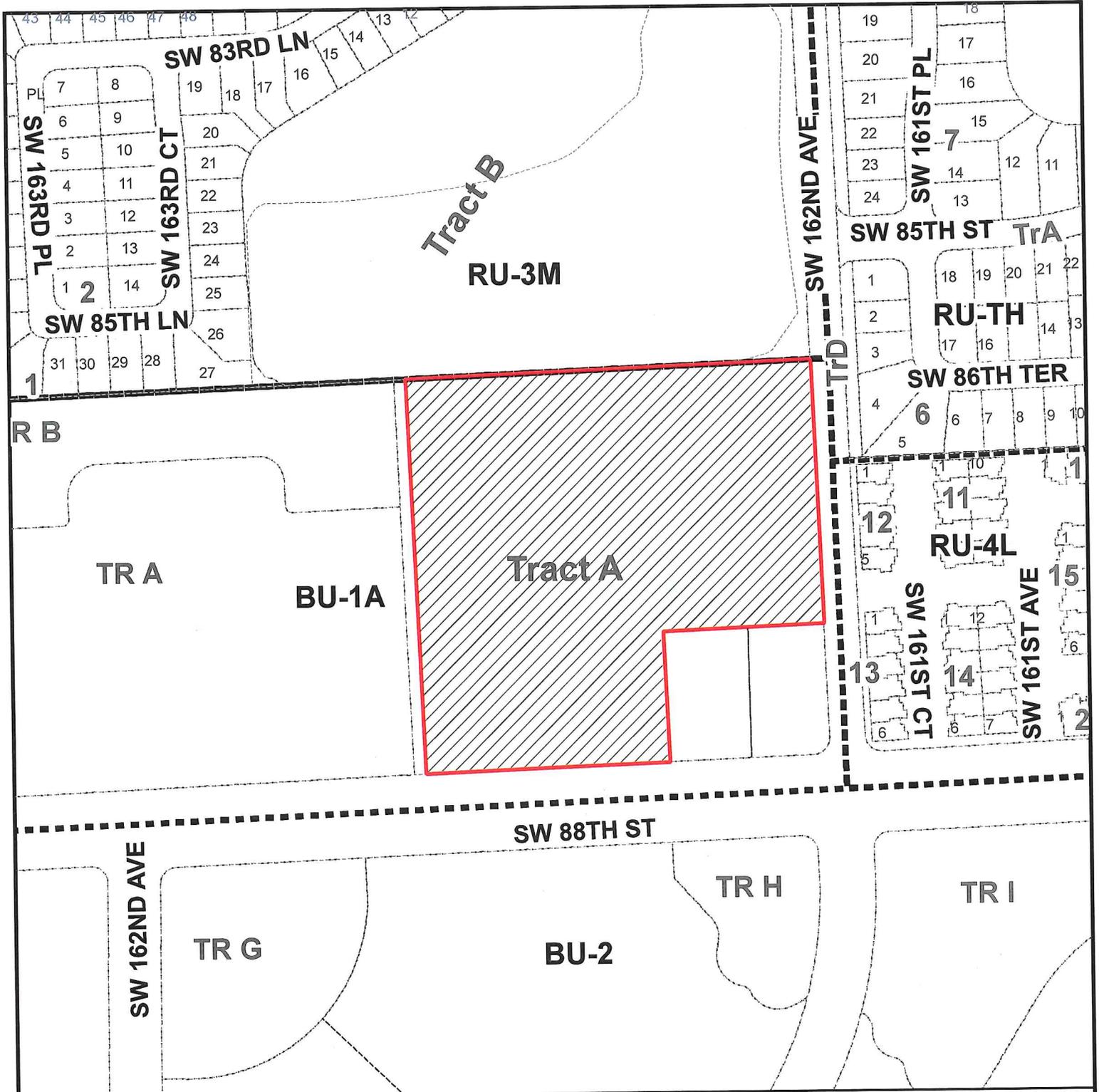


EXISTING SPACE PLAN  
 SCALE: 3/16"=1'-0"

NOTE: ALL INFORMATION ON  
 DRAWING WAS FIELD  
 VERIFIED.

**FIVE STAR JEWELERS**  
 16271 N. KENDALL DR, MIAMI FL.

EXISTING JEWELRY SHOP  
 FLOOR PLAN  
 DATE: 06-17-13 PREPARED BY: ROGER PEREZ



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

Process Number  
**Z2013000053**



Section: 32 Township: 54 Range: 39  
 Applicant: FIVE STAR JEWELERS, INC.  
 Zoning Board: C11  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case



SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number  
**Z2013000053**

**Legend**

-  MDC STL Index Poly
-  Subject Property
-  Zoning



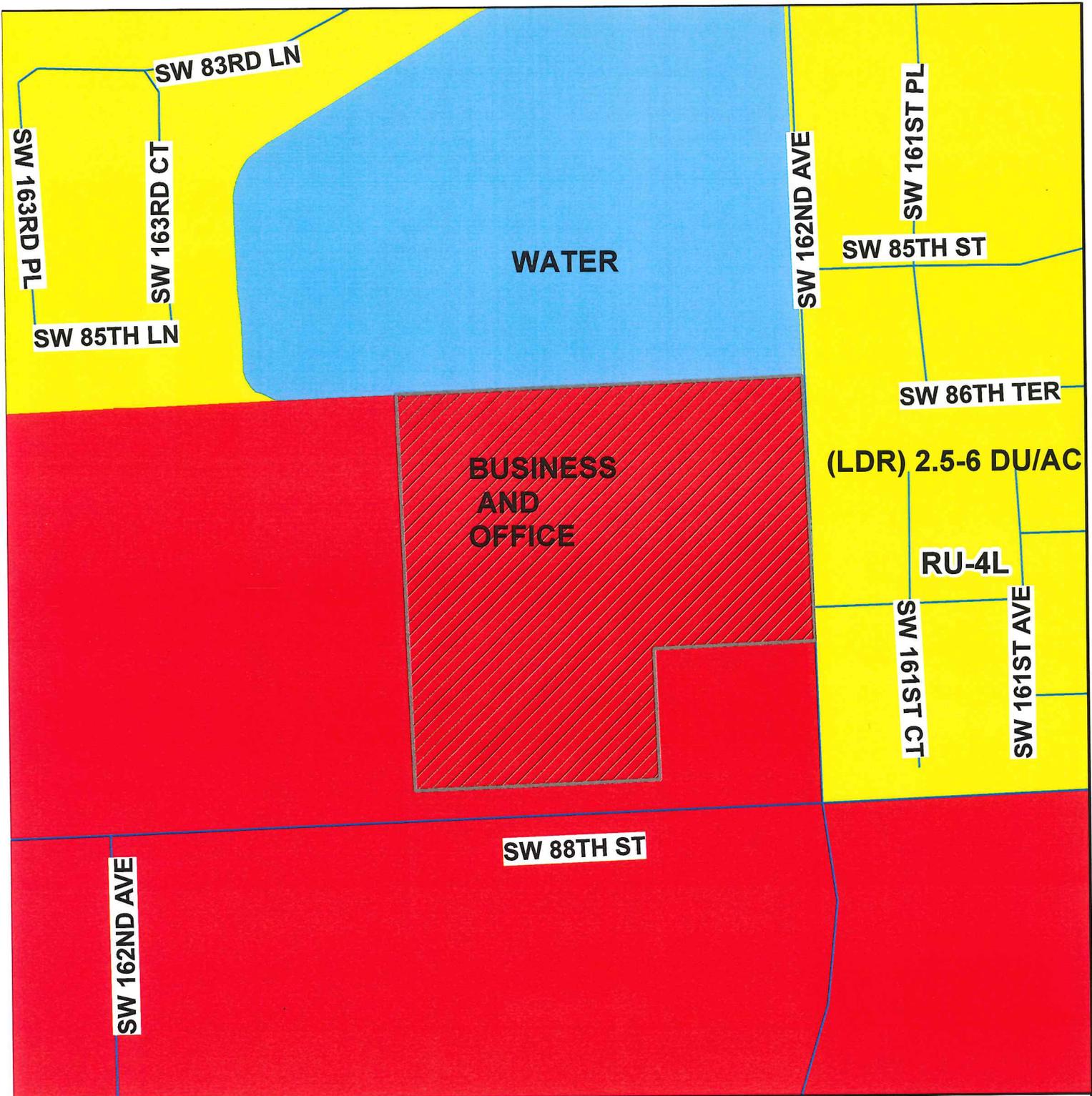
Section: 32 Township: 54 Range: 39  
 Applicant: FIVE STAR JEWELERS, INC.  
 Zoning Board: C11  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2013000053**



Section: 32 Township: 54 Range: 39  
 Applicant: FIVE STAR JEWELERS, INC.  
 Zoning Board: C11  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



SKETCH CREATED ON: Tuesday, June 18, 2013

REVISION	DATE	BY

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COMMUNITY ZONING APPEALS BOARD - AREA 11  
MEETING OF WEDNESDAY, DECEMBER 10, 2013  
KENDALL VILLAGE CENTER - CIVIC PAVILLION  
8265 S.W. 124 Avenue, Miami, Florida

ITEM A  
FIVE STAR JEWELERS, INC.  
(13-53)

COUNCIL MEMBERS PRESENT

Patricia S. Davis, Chair  
Carolina Blanco  
Beatriz Suarez  
Socrates De Jesus

STAFF

Carl Harrison

ASSISTANT COUNTY ATTORNEY

Abbie S. Raurell,

SPEAKER INDEX

Chairwoman Davis: 3-5, 7-8, 33-36, 38-40,  
42-53, 55-57, 60, 63-64, 67, 70, 74-75.

Councilwoman Blanco: 4, 68-70, 75,

Councilwoman Suarez: 4, 65-67, 74-75,

Councilman De Jesus: 4, , 34-35, 60-64, 74-75.

STAFF

Mr. Harrison: 4-5, 8, 66, 69, 75.

Ms. Raurell: --

APPLICANT'S REPRESENTATIVE

Mr. Mayol: 8-21, 36, 38, 50, 61, 63, 65-68,  
70, 72, 75.

SUPPORTERS

Jorge Carvajal: 18, 63-65.

Lawrence Percival: 35-36, 38.

Armando Mato: 39.

Denise Alvarez: 40, 42.

Letter read of Ory Dawes: 40.

Eliza Valenti: 43.

Marcus Ravelo: 45.

Grandon Carvajal: 46.

Vanessa Carvajal: 47.

Pedro Guerrero: 50.

Jorge Chayeb: 51.

Alicia Legra: 53.

Keith Holder: 54.

Amy Castillo: 56.

Clara Mirabal: 57.

OBJECTORS

--

1           (Thereupon, the following proceedings  
2           were had:)

3           Please turn all of your cell phones  
4           and beepers to silent, including mine,  
5           which are on vibrated at this moment, but  
6           I will turn them to silent.

7           Good evening.

8           The West Kendall Community Council is  
9           now in session. I see we have a Court  
10          Reporter and a County Attorney.

11          Tonight I'm going to ask Julio  
12          Celeres (sic), Councilman at Area 10 to  
13          come and lead us in the Pledge of  
14          Allegiance. And I think I said your last  
15          name wrong. I'm so sorry.

16          COUNCILMAN CACERES: That's okay.

17          Thank you, Madam Chair.

18          (Thereupon, the Pledge of Allegiance  
19          was had, after which the following  
20          transpired:)

21          CHAIRWOMAN DAVIS: Thank you. You  
22          may be seated.

23          CHAIRWOMAN DAVIS: Staff --  
24          Mr. Jones, would you please call the  
25          roll -- Mr. Harrison. I knew that you're

1 not -- sorry. It's going to be a night.

2 MR. HARRISON: Councilwoman Blanco?

3 COUNCILWOMAN BLANCO: Present.

4 MR. HARRISON: Councilman De Jesus?

5 COUNCIL MEMBER DE JESUS: Present.

6 MR. HARRISON: Please show Vice Chair  
7 Diaz absent.

8 Please show Councilman Reichbaum  
9 absent as well.

10 Councilwoman Suarez?

11 COUNCILWOMAN SUAREZ: Present.

12 MR. HARRISON: And Chairwoman Davis?

13 CHAIRWOMAN DAVIS: Present.

14 MR. HARRISON: We have a quorum.

15 CHAIRWOMAN DAVIS: Thank you.

16 Those of you who are present who wish  
17 to speak tonight, you must stand at this  
18 time and the Court Reporter will swear you  
19 in. Even if you're not sure, go ahead and  
20 do it.

21 (Thereupon, all interested  
22 individuals seeking to present testimony  
23 in these proceedings were duly sworn to  
24 tell the truth, the whole truth, and  
25 nothing but the truth, after which the

1 following transpired:)

2 CHAIRWOMAN DAVIS: Thank you.

3 There will now be an introductory  
4 statement read by staff.

5 MR. HARRISON: In accordance with the  
6 Code of Miami-Dade County, all items to be  
7 heard tonight have been legally advertised  
8 in the newspaper. Notices have been  
9 mailed, and the properties have been  
10 posted.

11 Additional copies of the agenda are  
12 available here at the meeting.

13 Items will be called up to be heard  
14 by agenda number and the name of  
15 applicant. The record of the hearing on  
16 each application will include the records  
17 of the Department of Regulatory and  
18 Economic Resources.

19 All these items are physically  
20 present this evening, available to all  
21 interested parties, and available to the  
22 members of the Board who examine items  
23 from the record during the hearing.

24 Parties have the right of cross  
25 examination.

1           This statement along with the fact  
2           that all witnesses have been sworn, should  
3           be included in any transcript of all or  
4           any part of the proceedings.

5           In addition, the following  
6           departments have representatives present  
7           here at the meeting to address any  
8           questions. The Zoning Evaluation and  
9           Platting and Traffic Review sections of  
10          the Department of Regulatory and Economic  
11          Resources, and the County Attorney's  
12          Office.

13          All exhibits used in presentation  
14          before the Board becomes part of the  
15          public record, and will not be returned.

16          Any person making impertinent or  
17          slanderous remarks, or who becomes  
18          boisterous while addressing the Community  
19          Zoning Appeals Board, shall be barred from  
20          further audience before the Community  
21          Zoning Appeals Board by the presiding  
22          officer unless permission to continue, or  
23          again address the Board be granted by the  
24          majority vote of the Board Members  
25          present.

1           The number of filed protests and  
2           waivers on each application will be read  
3           into the record at the time of hearing as  
4           each application is read.

5           Those items not heard prior to the  
6           ending time for this meeting will be  
7           deferred to the next available zoning  
8           hearing meeting date for this Board.

9           CHAIRWOMAN DAVIS: Thank you very  
10          much.

11          Now, before I say anything else,  
12          since we have a full room, there's a  
13          couple of things you need to know about  
14          this room. The acoustics. If you're  
15          whispering in the back, we can hear you  
16          here. So please be mindful that sound  
17          carries very, very well in this room.

18          We also have a tradition here. If  
19          you agree with something, you go like this  
20          (indicating). We don't do hand clapping.  
21          We don't do shouting, we don't do carrying  
22          on. You can raise your hands, and do  
23          that, (indicating). If you raise your  
24          hand against it, be mindful that there are  
25          children and everybody in the room. So

1 nothing bad with the hand signals.

2 Other than that, let me first ask, do  
3 we have any withdrawals or deferrals this  
4 evening? Seeing none, I will ask that  
5 staff, please call the items in the order  
6 we agreed on.

7 (Thereupon, other matters not related  
8 to this case were heard, after which the  
9 following transpired:)

10 CHAIRWOMAN DAVIS: You may call the  
11 next application.

12 MR. HARRISON: The next item on the  
13 agenda is Item A, 13-11-CZ11-1, Five Star  
14 Jewelers, Incorporated. Application  
15 Number 13-053, zero protests, zero  
16 waivers.

17 Madam Chairwoman, members of the  
18 Council, Juan Mayo1 along with Mike Freire  
19 with the law firm of Holland and Knight at  
20 701 Brickell Avenue on behalf of the  
21 applicant. Unfortunately for you, you're  
22 stuck with me for a little longer tonight,  
23 but actually this is a very simple  
24 request, and I think we can get through it  
25 pretty swiftly.

1           It is a pleasure and an honor to  
2 appear before you on behalf of Jorge  
3 Carvajal and his family. They're joining  
4 us tonight. And I know at least one or  
5 two will speak to you tonight. I plan to  
6 introduce Jorge and ask him a couple  
7 questions about the process.

8           I'd be remiss if I didn't thank you,  
9 because you agreed to defer this item when  
10 it came up before you on November 7th. I  
11 was out of town. I was actually  
12 celebrating my 22nd wedding anniversary,  
13 and I didn't think I could -- I think my  
14 partner would actually stab me if I had to  
15 come. So I really appreciate it.

16           This is an item where we really took  
17 community outreach to I think a new level.  
18 Not only were there 1,338 notices sent out  
19 by the client -- by the County at the  
20 client's expense -- at the applicant's  
21 expense, but it was actually sent out  
22 twice. Jorge and his family knocked on  
23 400, and they mailed 500 letters  
24 explaining what the application was about.

25           What we did was, we got a copy of the

1 mailing list that the County uses, and  
2 they actually mailed out letters to the  
3 500 closest neighbors. Many of those  
4 neighbors are actually here to express  
5 their support for this application.

6 I brought a few handouts, and I do  
7 apologize in advance, because they're  
8 pretty voluminous. I could tell you that  
9 I don't expect you to read them all  
10 tonight. I'm just going to simply point  
11 to the different areas in the town  
12 homes -- in the handout.

13 So we have two packets. One is a bit  
14 thinner, and one is -- it actually goes  
15 from one through 16. Sixteen different  
16 tabs. The copies of the exhibits that are  
17 before you are also in that booklet just  
18 in case it's easier to see from up close.

19 We also brought duplicate boards so  
20 that the audience has a board of their own  
21 and the council members have their own  
22 board. That's why Mike will be manning  
23 the two.

24 Then we also have this large packet.  
25 That is, 17 similar approvals for the same

1 use in the general Kendall area. There  
2 have been tens of applications like this  
3 one before you presented to the Community  
4 Council through CZAB over the years. We  
5 only searched in the Kendall area, and we  
6 found 17 approvals of the same use.

7 When I looked beyond the approvals,  
8 we pulled the recommendations, and  
9 actually staff recommended an approval of  
10 every single one of them. The exact same  
11 request, the exact same code section, the  
12 exact same criteria, and very similar  
13 cases. Those are the 17 approvals that  
14 are before you.

15 We took that information in that  
16 large zone and summarized it in a chart  
17 that Mike will introduce. Unfortunately,  
18 we burnt a lot of paper. At the  
19 conclusion of the hearing, you can give  
20 those back, and we will gladly recycle  
21 them tomorrow. I do apologize for the  
22 amount of paper. So in that chart then  
23 we'll be discussing it.

24 Later in my presentation, you can see  
25 the summary of all of the approvals that

1 are before you tonight.

2 We then went through the  
3 recommendations, and the basis for the  
4 approval by staff and created an  
5 evaluation checklist. And I will also  
6 walk you through the checklist.

7 I basically asked two questions. I  
8 was working by myself, so I asked myself  
9 the questions.

10 Number 1, what is similar? What is  
11 similar? What do those approvals tell me  
12 about the item that's before you tonight?  
13 Are they similar? Are they different? I  
14 will walk you through what I found.

15 I also brought you a copy of the BU-1  
16 regulations? The reason that I'm giving  
17 you the BU-1 separate from the earlier  
18 booklet is that Mike had already run the  
19 copies of the booklet, and I wanted to  
20 supplement it.

21 We'll be referring to BU-3, which is  
22 the most liberal commercial  
23 classification. We'll talk about BU-2,  
24 BU-1A, and BU-1.

25 The significance of BU-1 is that a

1 jewelry store is allowed to buy and sell  
2 used jewelry. So today Five Star Jewelers  
3 can actually buy and sell used jewelry.

4 And, lastly, we have prepared a set  
5 of conditions that at the end of my  
6 presentation, I will be asking the Board  
7 to consider approving this application  
8 subject to a number of those conditions at  
9 the end of the presentation. And I will  
10 walk you through the conditions at the end  
11 of the presentation.

12 I am attaching -- and I'm sure that  
13 the Assistant County Attorney and Carl has  
14 a copy of the e-mail from Nick Nitti. It  
15 is an e-mail that states that effectively  
16 his recommendations are consistent with  
17 other jewelry stores pawn approvals. I'm  
18 introducing that into the record. So  
19 that's it.

20 Let me -- if I may give you an idea  
21 of where we are, I want to walk you  
22 through the subject property currently,  
23 and I want to tell you why we're here,  
24 what is the relief that we're seeking from  
25 you today.

1           The subject property is actually  
2 tiny. It is a space within an existing  
3 retail center.

4           Let me give you the context. The  
5 shopping center located at the northwest  
6 corner of Kendall Drive and the southwest  
7 corner of 152nd Avenue. So it is located  
8 right on a major roadway, Kendall Drive,  
9 intersected by another major roadway,  
10 152nd Avenue.

11           The property where the retail space  
12 is located is 7.53 acres. So almost eight  
13 acres of land. It is zoned BU-1A, which  
14 is a commercial classification that allows  
15 any type of retail or surface use,  
16 restaurants, certainly a jewelry store.  
17 The BU-1A includes the BU-1 uses. A  
18 jewelry store is actually authorized to  
19 sell and purchase used jewelry.

20           The center is called the Kendall Park  
21 Plaza. It is an 87,939 square foot  
22 center. The corner store, Five Star  
23 Jewelers, is 1,221 square feet. So when I  
24 said tiny, it's really tiny. The store is  
25 1.3 percent of the total square footage of

1 the center. It is, again, one of the  
2 stores that calls this retail center home.

3 Tab 4 -- I'm sorry to jump a little  
4 bit, but Tab 4 gives you the list of the  
5 tenants. It tells you who is in the  
6 retail center. And it shows Five Star  
7 Jewelers at 1,221 and the total at 87,939.

8 The center has Sedano's Supermarket,  
9 the Family Dollar Store. There is a  
10 Denny's. There is a beauty salon.  
11 There's an H & R Block store. There's a  
12 pizza shop. There's a cake store. So it  
13 gives you a sense of the services that you  
14 would find in any neighborhood center.

15 And Jorge's store provides another  
16 service that is provided to the community.  
17 His hope is that his customers -- if this  
18 application goes through, his customers  
19 will have the opportunity of not selling  
20 the jewelry to him, but be able to take  
21 out a loan based on the value of that  
22 jewelry, and what really becomes a highly  
23 regulated transaction between the jewelry  
24 store and the borrower.

25 In the last few years, I've seen many

1 of us face financial strains. So he has  
2 seen an increase in the number of  
3 customers who are actually asking, not  
4 just to sell the jewelry, they want to be  
5 able to take a loan and then retrieve the  
6 jewelry once they pay off the loan.  
7 Unfortunately, for many, the traditional  
8 sources of credit, you know, banks, the  
9 credit union, friends and family, those  
10 traditional sources of credit are not  
11 available. Some, because of a tarnished  
12 credit history, others because maybe  
13 something happened to their ability to  
14 secure credits.

15 The proposal before you then is as  
16 advertised by staff. It is to permit a  
17 pawn shop. And the word pawn shop, the  
18 term pawn shop, for many of us, it  
19 conjures images of seedy businesses, and  
20 you know, places that perhaps we would not  
21 want to visit. That used to be the image  
22 many years ago. Today, actually, you find  
23 people using the so-called pawn shops  
24 as -- this is their financial  
25 institutions.

1           What's before you is not the approval  
2 of a pawn shop. What's before you is a  
3 request to allow Jorge to offer loans that  
4 we secure by jewelry. The use would be  
5 strictly limited to jewelry, and we'll go  
6 through the conditions, but nothing else  
7 would change. The center would look the  
8 same. The store would look exactly the  
9 same from the outside. In fact, on the  
10 proposal that we will be describing for  
11 you, the word "pawn," the term "pawn  
12 shop," "pawn broker," and any term of  
13 "pawn" will not appear in any of the  
14 outside advertising.

15           This is how the store looks today  
16 from the outside and from the inside.  
17 This is how the store would look tomorrow,  
18 if you were willing to approve the  
19 application before you. There would be  
20 some partition work done in order to  
21 enhance the operation, but you would not  
22 see many changes to the interior.

23           What we will not be doing, we will  
24 not be pawning in the sense of the  
25 traditional or typical view of a pawn

1 shop. We will not be pawning anything but  
2 jewelry.

3 This is some of the items that you  
4 would find in a traditional pawn shop  
5 (indicating). None of those items would  
6 be found here. This industry is a very  
7 highly regulated industry. And while  
8 Jorge spent a good hour explaining it to  
9 me the other day, I felt that the best  
10 person to explain it to the Board would be  
11 Jorge Carvajal.

12 So I'm going to ask him to spend  
13 three minutes or less explaining the two  
14 types of transactions. One, when I sell  
15 you my jewelry, and, two, when I take out  
16 a loan based on the jewelry. He will tell  
17 you the paperwork that is involved.

18 We have brought for you, as Item 9, a  
19 copy of the transaction form that Jorge  
20 must file with the state and the police  
21 department.

22 MR. CARVAJAL: Good evening. Jorge  
23 Carvajal, 11921 Southwest 126 Terrace,  
24 owner of Five Star Jewelers.

25 And the pawn setting is a very

1 regulated industry. The process is very  
2 similar in the sense that we have to --  
3 and in the folder that he handed you,  
4 there are step-by-step images that would  
5 show you how it goes.

6 So pretty much we're approached by a  
7 guest who would come in, and either want  
8 to sell us their items, because they're  
9 not interested in retrieving them. It's  
10 something that maybe they wore when they  
11 were teenagers and no longer care for and  
12 they just want to sell it.

13 On the other hand, we have some  
14 guests then come in and have some  
15 sentimental attachment to the pieces, and  
16 need a bridge loan for a couple weeks, a  
17 month, and would like to get it back.

18 And I want to explain right now we  
19 can give you that option.

20 So what we do is, we have a form,  
21 which he presented to you, which would  
22 actually detail each item which is left,  
23 including the weight, how many stones, and  
24 all the details. It's a contract that the  
25 guess gets a copy of, we keep a copy, and

1 one copy goes to the police department.  
2 So we're regulated by Miami-Dade County  
3 Police. We're also regulated by  
4 Tallahassee.

5 We have to -- start out by requesting  
6 an ID, a Florida driver's license,  
7 passport or such from the guest. We also  
8 have to get a fingerprint from the person  
9 leaving the item and a signature. Okay.  
10 Then the item is put away in an envelope,  
11 labeled, and put away in our safes. The  
12 customer comes back, they pay us our fee,  
13 the money that we loaned them. We give  
14 them back their items. And it works out  
15 for everybody, and everybody is happy.

16 Funny enough, with the license that  
17 we have now, which we have for over five  
18 years, when we buy the items -- if we buy  
19 it from you today, on the 16th, I'm  
20 allowed to sell it to a refinery and scrap  
21 it. Once, you know -- if this application  
22 is approved, once we get the pawn broker's  
23 license with the restrictions that we're  
24 presenting, due to Tallahassee  
25 restrictions, now we have to hold items

1           60 days. So the items would actually sit  
2           in our store for a longer period of time.

3           So if there is any question as to  
4           where the item came from, you know,  
5           somewhere where it shouldn't have, the  
6           items would be sitting there, and it will  
7           allow the police to do what they have to  
8           do.

9           MR. MAYOL: Thank you, Jorge. And,  
10          of course, Jorge will be available for  
11          questions letter on. The process that he  
12          explained is Item 8 on our packet.

13          We, on behalf of Jorge Carvajal,  
14          really faced a dilemma in filing a zoning  
15          application that would get him what he  
16          needed, which is the ability to make loans  
17          on used jewelry. So, again, BU-1 and  
18          BU-1A is the only classification that  
19          allows the purchase and sale of jewelry.

20          And if you look at Item 10, this is  
21          what you find everywhere you drive to  
22          where there is a commercial center.  
23          People are buying gold. And, you know,  
24          because of the market for gold, that has  
25          been extremely popular in the last few

1 years. That can happen today, and it  
2 doesn't have to be gold. It could be much  
3 more than that.

4 At the moment, he proposes to make a  
5 loan on the jewelry, then he must secure  
6 additional zoning approvals. We have two  
7 alternatives. We could file for the  
8 rezoning of the property to BU-3. So we  
9 would rezone that entire center to BU-3,  
10 and liberalize the zoning classification  
11 on the center. We brought for you the  
12 BU-2 and BU-3 regulations to show you some  
13 of the uses that are presented in BU-2 and  
14 BU-3. Or we were given the choice of  
15 filing for a use variance.

16 A use variance is a use as defined by  
17 code -- it's a variance, which permits a  
18 use of land other than that which is  
19 prescribed by zoning regulations. I want  
20 to give you a sense of -- give you a few  
21 examples of a use variance, what such a  
22 use would be. So I brought you three just  
23 to give you a range.

24 Item 14 is an application by Mory  
25 (phonetic) Investments. This went to

1           actually Community Council 10. It was  
2           approved as a use variance to permit  
3           offices in a district -- in the RU-1  
4           district, which is a residential district.  
5           So you were going from a -- they were  
6           having an office use in a residential  
7           district. That's a typical use variance  
8           in some parts of the County.

9           Item 15 is a use variance. Again, it  
10          goes to the use, to permit a car wash in  
11          the RU-2 zone. RU-2, as you probably  
12          know, allows duplex residential uses.  
13          They wanted to do a duplex in RU-2. That  
14          went to Community Council 10, and it was  
15          approved in 2012.

16          Item 16 is fairly unusual in that you  
17          don't see too many of them. Item 16 was a  
18          use variance to permit an access drive --  
19          an access road in land that was zoned GU.  
20          It was not zoned commercial. The access  
21          road was to serve the recently approved  
22          Target store on the corner of 8th Street  
23          and 137th Avenue north of where we are.  
24          So those are examples of use variances.

25                 The last book that Mike is about to

1           introduce into the record -- and I'll give  
2           him a second to bring those to you. A  
3           second? Maybe 30 seconds. So it turns  
4           out that applications like Jorge's have  
5           been presented to the County for a long,  
6           long time.

7           And as I stated when I started, we  
8           searched for similar approvals in the  
9           Kendall area. There are -- I said 17, but  
10          there are actually 15 approvals in total  
11          here. Items 1 and 2 are for the same  
12          jewelry store. Items 3 and 4 are for the  
13          same. The reason I separated them is that  
14          I have the resolution as one item, and the  
15          recommendation as the second item. The  
16          reason I singled those out is that they're  
17          actually the closest to the proposed  
18          jewelry store -- to Jorge's existing  
19          jewelry store.

20          So Item 1 is a jewelry store located  
21          at 15154 Northwest 77 Street. In 1997,  
22          they went before the zoning board and  
23          obtained a use variance and special  
24          exception to permit a proposed pawn shop  
25          in connection with an existing jewelry

1 store in the BU-2 district as it would be  
2 permitted in the BU-3 district.

3 Item 3 is a similar request to permit  
4 a pawn shop in connection with an existing  
5 jewelry store in the BU-1A district as it  
6 would be permitted in the BU-3 district.  
7 That's at 13804 Southwest 152nd street.  
8 That's actually in the Country Walk area  
9 of Kendall.

10 What was really interesting -- and,  
11 again, we gave you a summary of those  
12 approvals.

13 What was most interesting to me is  
14 that when I reviewed the staff  
15 recommendation for every single one of  
16 those 15 items, I found that staff  
17 actually recommended approval of every  
18 single one of them. And so I decided that  
19 I would review every recommendation and  
20 try to determine why they had recommended  
21 approval.

22 So I created a chart, which  
23 summarizes the basis for staff's  
24 recommendation of approval, on a use  
25 variance on those 15 instances. So staff

1           said the use was in connection with an  
2           existing jewelry store. It checks out.  
3           Our proposed use is in connection with an  
4           existing jewelry store.

5           The second one is location within a  
6           larger shopping center. Again, we are a  
7           tiny little store within an 89,000 square  
8           foot shopping center.

9           A fronting on a section line road.  
10          We front on a section line road. In fact,  
11          one of the most important section line  
12          roads in the County, Kendall Drive. And  
13          we front on the other side on a half  
14          section line road, 162nd Avenue.

15          The fourth factor was that they would  
16          only be pawning jewelry. Again, we would  
17          only be pawning jewelry.

18          Staff indicated that it was important  
19          to them that these conditions would be  
20          imposed on the approval.

21          So if the conditions were that the CU  
22          be subject to cancellation, if the  
23          conditions were not complied with, we are  
24          proposing that, and we'll walk you through  
25          the conditions.

1           Number 2, there will be restrictions  
2           on signage and outdoor displays. We also  
3           have those restrictions, but we actually  
4           have gone further. We're proposing that  
5           no outdoor sign will be permitted to  
6           utilize the terms "pawn" or "pawn shop".  
7           So that no one walking or driving by the  
8           center could actually see the word pawn.

9           We are proposing that a condition be  
10          required so that Jorge would have to  
11          execute and record a declaration of use  
12          with the county that will be limiting the  
13          use to jewelry only. If the jewelry store  
14          use terminates, the pawn use would expire.  
15          So that it can remain open as long as the  
16          jewelry store use is in operation, and the  
17          pawn component of it, the loan component  
18          of it, would have the same hours of  
19          operation as the jewelry store.

20          And, again, we're proposing those for  
21          you. All those conditions would be  
22          suggested by the applicant as part of an  
23          approval of the application.

24          I normally don't read from the  
25          documents that I bring forth and introduce

1           into the record, but I was -- actually, I  
2           thought that it would be interesting for  
3           this council to read a portion of the  
4           zoning recommendation, which appears in  
5           Item 4. And that is, the -- I'll give you  
6           time to get there. It's item 4. It's  
7           actually the fourth page in that item, and  
8           I highlighted in the margins the language  
9           that I think is very telling of the  
10          staff's position on this type of  
11          application.

12                 So staff indicates that they have no  
13                 objection to the application with  
14                 conditions. And I've gone through those  
15                 conditions limiting the pawn use to  
16                 jewelry only.

17                 And I quote, "If as much as the  
18                 applicant must demonstrate a necessary  
19                 hardship in this case, it is staff's  
20                 opinion that consideration must be given  
21                 to the location of a business at the  
22                 intersection of two section line roads.  
23                 Other supportive factors are the large  
24                 size of the shopping center, which is  
25                 developed on an 8.6 acre tract with

1 numerous stores, which offer a wide array  
2 of goods and services, and the internal  
3 location of the proposed pawn shop within  
4 the shopping center.

5 "Staff also feels that considering  
6 the nature of a jewelry store operation,  
7 the pawning of used jewelry will be a  
8 logical ancillary use to the existing  
9 jewelry store.

10 "Staff notes that a use variance  
11 special exception to permit a pawn shop  
12 for jewelry only in connection with an  
13 existing jewelry store in a 5. acre  
14 shopping center located on Southwest 160th  
15 Street and 137th Avenue was approved by  
16 the Zoning Appeals Board on July 17th.'

17 Staff concludes by saying that, "In  
18 this regard, with the imposed conditions,  
19 the pawn shop for the pawning and sale of  
20 used jewelry will not be contrary to the  
21 public interest and land use regulations,  
22 and will allow the application a use of  
23 the premises that will not detrimentally  
24 impact the surrounding area.

25 "Accordingly, staff recommends

1 approval of the application."

2 When you compare the site that was  
3 the subject of this application to the  
4 site before you, it's almost exactly  
5 identical. You have the intersection of  
6 two major roads. In that case, Coral Reef  
7 and 137th Avenue. In our case, Kendall  
8 Drive and 162nd Avenue. You have the  
9 exact same request. The property was  
10 zoned BU-1A, and we were seeking the pawn  
11 component that's allowed in BU-3. It's  
12 the same code, the same criteria, the same  
13 set of facts. And that led staff to  
14 recommend approval subject to conditions,  
15 and it led the Board to approve the  
16 application before them.

17 I can tell you that I have gone  
18 through the exercise of reviewing every  
19 single one of those approvals that I've  
20 introduced into the record, and I can tell  
21 you the same can be said of each one of  
22 those approvals. And it is, I think,  
23 reasonable to conclude that the weight of  
24 the precedence would justify the approval  
25 of this application as restricted by the

1 proposed conditions the same as those  
2 earlier approvals.

3 I mentioned that we have a set of  
4 conditions, and I would like to review  
5 those with you. I'm quickly concluding my  
6 remarks. There's a lot of papers. I  
7 don't want you to think that I'm going to  
8 go for much longer. I want to conclude  
9 with a discussion of the conditions,  
10 which, again, in an earlier e-mail today,  
11 we confirmed that those conditions -- if  
12 the Board were to approve the application,  
13 we confirmed that they would be acceptable  
14 to staff as the conditions are consistent  
15 with other jewelry pawn applications  
16 earlier approved.

17 So the condition of approval would  
18 include eight of them. I'm not going to  
19 go through every single one of them in  
20 that one, two, three a fairly standard  
21 conditions. We're tying the approval to  
22 the plans before you.

23 Condition 4, if we don't comply with  
24 the conditions of the approval, the CU can  
25 be revoked.

1                   Condition Number 5 deals with  
2                   signage, but, most importantly, it states  
3                   that in addition to -- in addition, the  
4                   terms pawn -- there's a comma missing  
5                   there. In addition, the terms pawn,  
6                   pawning, or pawn shop shall not be used in  
7                   any outdoor signs. So, again, you drive  
8                   by, you walk by, you will not see the word  
9                   pawn.

10                   Condition Number 6 will limit the  
11                   pawn component of it to the jewelry only.  
12                   We will only operate the pawn component in  
13                   connection to the jewelry store for as  
14                   long as the jewelry store is in operation.  
15                   And, again, the two will maintain the same  
16                   hours of operation.

17                   So we would urge you to consider our  
18                   proposed conditions, to consider the  
19                   similarities of the application before you  
20                   with the earlier 15 approvals in the  
21                   Kendall area, and we would urge your  
22                   approval of this application subject to  
23                   those conditions. I, as well as Jorge and  
24                   anyone else in our group, will be  
25                   available for any questions.

1 I do know that there are several  
2 people who do wish to speak to you. I'm  
3 not aware of any opposition. And, again,  
4 1,338 notices did go out. I'm not aware  
5 of any opposition, but if there are any  
6 objectors, if I may reserve a couple  
7 minutes for rebuttal, that would be great.

8 Thank you so much.

9 CHAIRWOMAN DAVIS: Thank you so much.

10 This is a very obedient group. Thank  
11 you so much.

12 So I will ask, let me see a show of  
13 hands of those of you here to object to  
14 this application.

15 AUDIENCE MEMBERS: (No response).

16 CHAIRWOMAN DAVIS: Wow! This is an  
17 exceptional night. All right.

18 There are many of you here. As  
19 everyone knows, I'm a great believer that  
20 anybody that shows up here to say  
21 something to us, we want to hear you. So  
22 I will ask that those of you who wish to  
23 speak to us and tell us your feelings  
24 about it, if you would form a nice line.  
25 I do not say things like you can only take

1 a certain amount of time or anything like  
2 that, but just remember it is a school  
3 night and there are people that have been  
4 here a long time. So please do try to  
5 keep those things in mind.

6 COUNCIL MEMBER DE JESUS: Madam  
7 Chair.

8 CHAIRWOMAN DAVIS: Yes, sir.

9 COUNCIL MEMBER DE JESUS: Should the  
10 members first ask questions before we hear  
11 the audience?

12 CHAIRWOMAN DAVIS: We usually do it  
13 after the public hearing, only --

14 COUNCIL MEMBER DE JESUS: Might take  
15 too long.

16 CHAIRWOMAN DAVIS: Well, I'm going to  
17 stick to that for one reason. Our  
18 experience has been that we sometimes hear  
19 questions come up that we might not have  
20 thought to ask until we hear it.

21 COUNCIL MEMBER DE JESUS: No problem.  
22 Go ahead.

23 CHAIRWOMAN DAVIS: So rather than ask  
24 questions, open it, and then we have to  
25 ask the questions again.

1 COUNCIL MEMBER DE JESUS: I'll ask  
2 one later.

3 CHAIRWOMAN DAVIS: We'll do our very  
4 best. So with that being said, we'll do  
5 our best to try to -- you signed in for  
6 the long haul being here.

7 COUNCIL MEMBER DE JESUS: I know. I  
8 know.

9 CHAIRWOMAN DAVIS: We always are.  
10 While these gentlemen consult, if the  
11 other gentleman would like to come  
12 forward, please.

13 MR. PERCIVAL. Good evening, Madam  
14 Chair, Council Members.

15 Lawrence Percival, President, Greater  
16 Kendall Community Activist, Incorporated,  
17 11945 Southwest 127th Court.

18 Now, I'm clearly familiar to the four  
19 of you, but to a great number of the  
20 people in the audience, they have no clue  
21 who I am or my involvement in the  
22 community. And, you know, since the  
23 creation of this community council, I'm  
24 probably the single most significant  
25 regular attendee of your meetings since

1 the formation of this council. I began my  
2 involvement first as a citizen, and then  
3 as the Vice President of the Kendall  
4 Federation of Homeowner's Association,  
5 speaking on their behalf on issues that  
6 would be beneficial to that organization.  
7 That has now evolved to my being a  
8 community activist, and having formed a  
9 community activist organization to look  
10 out for the greater good of the western  
11 greater Kendall community.

12 CHAIRWOMAN DAVIS: If we could move  
13 to the application.

14 MR. PERCIVAL: With that being said,  
15 I think this is an important issue,  
16 because you see a large number of people  
17 here that have a personal reason, whatever  
18 it is, why they're here in support. I  
19 didn't see anybody raising their hand, or  
20 I'm not aware of opposition.

21 The one thing that Mr. Mayo spoke  
22 about that probably is important is that  
23 concept of the word pawn shop, or pawn  
24 broker or things of that sort. It doesn't  
25 have a positive connotation. And in as

1           much as, one, you have zoning department's  
2           approval, and, two, there's stipulations  
3           and conditions relative to this, so that,  
4           I believe, your council and all of us in  
5           west Kendall can be protected and not be  
6           concerned and worried that if one day he  
7           should decide to retire, and if he should  
8           decide to sell his business to someone  
9           else, who could come in and take that  
10          location, that the restrictions that you  
11          would put in place, and that, through the  
12          Council, have been proffered, would  
13          protect this community so that we wouldn't  
14          have to worry that something negative  
15          could evolve because a precedent was set,  
16          because he was granted this permission to  
17          borrow -- excuse me -- to buy people's  
18          jewelry, and/or to lend them money in  
19          exchange for that commodity. And if they  
20          don't come back within a certain time  
21          frame to reclaim it or pay the interest  
22          that's obligated to be paid, that he could  
23          then keep that merchandise.

24                        We're not talking about, as they  
25                        showed in the presentation, lawn mowers,

1 or golf clubs or anything other than  
2 jewelry.

3 I'm not aware -- I wasn't aware until  
4 tonight that there were these services  
5 within our community. I think there is a  
6 need for this. I don't believe that  
7 there's anything in the immediate area out  
8 in the western bounds of greater Kendall.  
9 There may be services, as Mr. Mayo has  
10 pointed out, at Country Walk, or Sunset or  
11 even places closer to here, but as it  
12 relates to that location, I think it would  
13 serve the benefit of the community to  
14 allow it.

15 I hope this Council would approve it.  
16 And if you have any reservation or  
17 concerns, please allow those restrictions  
18 to be part of the covenant, or part of an  
19 agreement that will protect this community  
20 so that something negative could not come  
21 out of something good.

22 Thank you.

23 CHAIRWOMAN DAVIS: Thank you very  
24 much Mr. Percival.

25 MR. PERCIVAL: And please approve

1           this application.

2           CHAIRWOMAN DAVIS: Thank you, sir.

3           Next.

4           MR. MATO: Good evening. My name is  
5 Armando Mato. My address is 16260 SW 81st  
6 Street, Miami.

7           I live approximately about a half a  
8 mile from the shopping center. Myself and  
9 my family frequent the shopping center  
10 quite a bit. I am one of those people  
11 that when you hear the word, "pawn," it  
12 gives you pause and you're like, okay.  
13 You think of the -- you do think of the  
14 seediness. You think of some guy driving  
15 up trying to sell a bat mobile to the guy.

16           However, after listening and after  
17 understanding what Mr. Carvajal wants to  
18 do, the restrictions that he wants to put  
19 on his business, and what he wants to do  
20 with that, basically it's still going to  
21 be just basically a jewelry store with an  
22 added component.

23           You know, I fully support it. As  
24 somebody who frequents that shopping  
25 center, I fully support it, and I hope

1           that you all do, too. I hope that you  
2           guys support the application. That's what  
3           I need to say.

4           Thank you.

5           CHAIRWOMAN DAVIS: Thank you, sir.

6           Next.

7           MS. ALVAREZ: Good evening. My name  
8           is Denise Alvarez, 14601 Country Walk  
9           Drive, Miami, Florida. I'm the property  
10          manager for the Country Walk Master  
11          Association.

12          I'm here on behalf of our board  
13          president, Ory Dawes, who wanted to be  
14          here this evening. She would like me to  
15          read this letter on her behalf for the  
16          record. She's taking care of a family  
17          crisis and asked, with your permission,  
18          that I read this.

19          "Good evening, Council Members. I'm  
20          sorry I was not able to personally come  
21          before you tonight. I understand that  
22          Five Star Jewelers has requested a  
23          variance to allow pawning of items at  
24          their Kendall store. I understand why the  
25          neighbors would feel apprehensive about

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allowing this type of service.

"A pawn store usually attracts a clientele that you normally wouldn't want in your neighborhood store. However, not all pawn stores are created equal, nor its clientele.

"Country Walk was equally concerned when Five Star came to our neighborhood so many years ago. I met with the owner, and he assured us that this store was a family-oriented store, and the pawn aspect was additional service to the jewelry store and not a sole source of income.

"My family has bought many pieces of jewelry at Five Star over the years, and my daughters never miss an occasion to pick up another chamilia charm for our bracelets. I've been in the store over the past years making a purchase and witness people pawning or selling their jewelry. It was sad to see what families had to do to make ends meet during the recession, but was glad to see that these hard-working families had a place to go where they were treated with dignity and

1 respect during a time when they needed a  
2 little extra cash and that they had the  
3 opportunity to reclaim their items when  
4 times got better.

5 "Please don't be fooled by the  
6 stereotype or by what you see on TV. This  
7 is not that type of store. I am proud to  
8 have Five Star Jewelers in our community,  
9 and was happy to see our neighbors had a  
10 place to go in times of need. This store  
11 will not produce the element of people  
12 frequently associated with pawn shops.  
13 This is a family that stands by its words,  
14 keep their promises and cares about their  
15 community.

16 "I ask and encourage you to approve  
17 their application. Thank you, Ory Dawes."

18 CHAIRWOMAN DAVIS: Thank you.

19 MS. ALVAREZ: I would like to add my  
20 own note, if I may.

21 CHAIRWOMAN DAVIS: Of course.

22 MS. ALVAREZ: In our experience with  
23 this store, its owners and employees  
24 handle their pawning aspect of the  
25 business very discretely. You would never

1 know about the customer's transactions  
2 unless you were going there for that  
3 purpose, from what I see in the store at  
4 Country Walk.

5 Keep in mind, once again, as you  
6 already know, it is not the typical type  
7 of pawn. It is limited to jewelry. Five  
8 Star has been very supportive within the  
9 community of Country Walk. When we've  
10 reached out to them for special causes and  
11 other things, they have never been  
12 hesitant with their time and generous  
13 donations of items needed for that  
14 particular item such as medicine. She had  
15 cancer, the little girl, brain cancer, and  
16 they were very helpful with one of those.  
17 That's one of many events that they were  
18 helpful with. So they are proactive  
19 within the community as well.

20 Thank you for your time.

21 CHAIRWOMAN DAVIS: Thank you very  
22 much.

23 Next.

24 MS. VALENTI: Hi. My name is Eliza  
25 Valenti, known as Titi -- Eliza Valenti,

1 known as Titi.

2 I'm one of the recipients --

3 CHAIRWOMAN DAVIS: I need your  
4 address. And if I can get you to speak  
5 into the microphone, because the Court  
6 Reporter has to be able to hear it.

7 MS. VALENTI: Okay. 5915 Southwest  
8 108 Place, Miami, Florida 33173.

9 I'm here -- thanks to Jorge and his  
10 family, I still own that home, because  
11 when I was about to lose my home in  
12 foreclosure, I was able to take jewelry  
13 and pay my mortgage. That's my case.

14 My heart is beating a thousand miles  
15 a minute.

16 CHAIRWOMAN DAVIS: Okay.

17 MS. VALENTI: For friends of mine,  
18 that shared the experience that I had, and  
19 how he and his business was able to help  
20 us. I have friends that were able to pay  
21 for their medicines, and for their kids to  
22 go to private school and to attend the  
23 sporting events that their kids needed to  
24 participate in.

25 So I'm here only representing a

1 miniscule portion of people that have not  
2 been able to be here that believe in the  
3 Carvajal family, their business, and the  
4 need to have this approved.

5 Thank you.

6 CHAIRWOMAN DAVIS: Thank you very  
7 much.

8 MR. RAVELO: Good evening. My name  
9 is Marcus Ravelo, 12728 Southwest 64  
10 Terrace.

11 One of the great things that I love  
12 about this Country, the freedom, the  
13 choice that we have. I'm a former veteran  
14 honorably discharged from the first Gulf  
15 war.

16 CHAIRWOMAN DAVIS: Thank you.

17 MR. RAVELO: I actually -- I think  
18 there's too many restrictions. Me, as a  
19 customer, I haven't had to use these  
20 services, but it's nice to know that  
21 they're there if I need them. I hope I  
22 never do, but I would like the  
23 restrictions to be removed, because it  
24 removes choice from me. The more you  
25 restrict him, the more me, as a consumer,

1 have restrictions. So I request that you  
2 just pass this.

3 Thank you very much.

4 CHAIRWOMAN DAVIS: Thank you, sir.  
5 And thank you for your service.

6 BRANDON CARVAJAL: Good evening.  
7 Brandon Carvajal. My address is 11921  
8 Southwest --

9 CHAIRWOMAN DAVIS: You're going to  
10 have to speak a little slower and louder.  
11 We know this is your first time, but  
12 you're doing good. Just so she can hear  
13 you.

14 BRANDON CARVAJAL: Okay.

15 CHAIRWOMAN DAVIS: All right. You're  
16 making dad and the family proud. We're  
17 happy. Okay.

18 BRANDON CARVAJAL: Brandon Carvajal,  
19 11921 Southwest 126th Terrace. I'm here  
20 to support my mom and dad.

21 We wanted to try and explain to our  
22 neighbors and customers what this  
23 application was all about. That it is not  
24 a pawn shop.

25 We printed an explanation letter. We

1 walked door-to-door and we asked our  
2 customers what they thought. We knocked  
3 on a lot of doors and a lot of people  
4 didn't answer, so we left the letter of  
5 explanation. It was hot and rained a lot,  
6 but we kept going.

7 We have 143 signatures to hand in  
8 tonight. Only one said no.

9 CHAIRWOMAN DAVIS: Young lady, go  
10 ahead and give it to him, and then he'll  
11 pass it to us. That's your first time  
12 handing something to the County. Maybe it  
13 won't be your last. Very good.

14 Thank you.

15 BRANDON CARVAJAL: I'll offer to turn  
16 in the opposition signature, too.

17 We also mailed 500 letters out to our  
18 surrounding neighbors. We just wanted you  
19 to know how hard we tried to let the  
20 neighbors know what we were trying to do.

21 Please help my mom and dad.

22 Thank you, and goodnight.

23 CHAIRWOMAN DAVIS: Thank you very  
24 much. Good job.

25 MS. CARVAJAL: Good evening. Vanessa

1 Carvajal, mother of these two beautiful --

2 CHAIRWOMAN DAVIS: Your address for  
3 the record. I know you should be proud of  
4 them. They did real good.

5 MS. CARVAJAL: 11921 Southwest 126th  
6 Terrace.

7 CHAIRWOMAN DAVIS: It's all right.  
8 Thank you, sir.

9 MS. CARVAJAL: I'm here, not because  
10 I'm the wife and the mother, but because I  
11 am very proud to be an active member of  
12 this community. That is how we've raised  
13 them. That is what we want to continue to  
14 be. It humbles me greatly to see so much  
15 support from our community, because that's  
16 all we've ever wanted, to make a living in  
17 an honest way, a decent way, and we take  
18 great pride in helping others. That's all  
19 we want to do.

20 It's a very family-oriented business.  
21 My husband is very much by the books. He  
22 does everything by the rules, you know,  
23 everything in order. And I'm very proud  
24 to stand by him and see what a beautiful  
25 job he's done. I get emotional, just

1           because, you know, it's hard to sometimes  
2           face obstacles when all you want to do is  
3           good.

4           We live in this Kendall area. We've  
5           been raised here. We don't want, you  
6           know, what the typical pawn shop is. We  
7           don't want it. We don't support it.  
8           Unfortunately, just as the economy has hit  
9           everybody, it's hit us, too. So it's a  
10          form for us to be able to continue our  
11          business and to continue to feed a lot of  
12          mouths that we employ. A lot have been  
13          families, and other that have become  
14          families from just working with us.

15          Our main goal is just to, you know,  
16          be able to get that license to be able to  
17          continue on our journey, to continue to  
18          help the community, to just be good people  
19          in this society.

20          Since I'm up here, I just really want  
21          to thank everybody that's here. They'll  
22          never know.

23                   CHAIRWOMAN DAVIS: Thank you very  
24                   much.

25                   MS. CARVAJAL: If they don't mind, if

1           it's okay, I just want to make sure that  
2           everybody that's here to stand up to show  
3           our support.

4           Thank you.

5           CHAIRWOMAN DAVIS: Thank you very  
6           much. We appreciate your show of support.  
7           Thank you, ma'am.

8           MR. GUERRERO: Madam Chair, Council  
9           Members, my name is Pedro Guerrero. My  
10          address is 11780 Southwest 89th Street.

11          What you're being asked to do today  
12          is obviously make a judgement call on this  
13          approval. And, obviously, Mr. Mayol has  
14          explained the precedent here. I believe  
15          that Mr. Mayol has done an exceptional job  
16          of presenting facts, and figures, and  
17          grafts and pictures to you all, which are  
18          very, very relevant, and especially  
19          relevant to the county in this case,  
20          because they have to follow the letter of  
21          the law.

22          As the commission, you have the  
23          benefit of using common sense. And I'm  
24          listening to things outside of that. And  
25          what Mr. Mayol could not reflect to you in

1 the charts, and the grafts and in the  
2 pictures is -- and the difference between  
3 this application and the other  
4 applications that were part of his  
5 composite is the applicant. And, as  
6 you've seen, the applicant's family and  
7 the support they have here.

8 I think that this speaks volume of  
9 Mr. Carvajal and his family, and the type  
10 of business that they've run for 24 years  
11 and the type of business that they're  
12 going to continue to run.

13 If you all approve this application,  
14 I guarantee you, I give you my word that  
15 you will not regret it. This will be a  
16 business that will continue to flourish  
17 with integrity and with the utmost  
18 professionalism, because of this man and  
19 this family.

20 So I ask for your approval of this  
21 application tonight. And I thank you for  
22 your time.

23 CHAIRWOMAN DAVIS: Thank you very  
24 much.

25 MR. CHAYEB: Good evening, Council

1 Members. Jorge Chayeb, 14844 Southwest  
2 152 Terrace.

3 I think I dropped the script, because  
4 everything he said, I say the same thing.  
5 I moved into the area of Country Walk  
6 right about a year after Mr. Carvajal.  
7 Until now, you're talking about, you know,  
8 more than 15 years right now, he hasn't  
9 changed. This isn't about a business, but  
10 it's about a family. It's about the  
11 morals that he's grown up with -- or that  
12 he's teaching his kids.

13 He's not a person that just wants to  
14 open up a jewelry store and just say here  
15 goes. He's teaching his kids how to  
16 operate a business, how to be -- how to do  
17 everything by the letter of the law.  
18 There's so many things he can do to make  
19 him a riffraff, and he's not. He's doing  
20 everything the way the council has asked  
21 him to do, and the way the community has  
22 asked him to do.

23 And that's it. Approve it.

24 CHAIRWOMAN DAVIS: Thank you very  
25 much.

1 MS. LEGRA: Good evening. My name is  
2 Alicia Legra. I live at 13721 Southwest  
3 173 Street, Miami Florida, 33177.

4 I'm here because I want to support  
5 the company where I work. I work at Five  
6 Star Jewelry. And I'm here because I  
7 still remember when I used to work at  
8 Subway and I had a great opportunity when  
9 the manager at one of the store gave me a  
10 card. Five Star Jewelry gave me the  
11 opportunity to work with them. I consider  
12 that they're a great company, and I'm here  
13 to support them, because I feel and I  
14 believe that I'm more than being only an  
15 employee or a number how I use to be at  
16 Subway. I'm part of the Five Star family.

17 That's why I'm here, because I want  
18 to support them, and that's why all the  
19 family and all of the customers, and why  
20 I'm here.

21 So the conclusion is, if they are  
22 like that with the employee, what else you  
23 can expect for the community?

24 Thank you.

25 CHAIRWOMAN DAVIS: Thank you very

1 much.

2 MR. HOLDER: Good evening, Council  
3 Members. Keith Holder, 15221 Southwest  
4 114 Terrace.

5 I'll be short and sweet. It looks  
6 like it's been a long night.

7 I didn't know much about this  
8 application until recently. And after  
9 doing some research -- and I don't know  
10 the applicant, but I have worked with the  
11 representing attorney and his consultant,  
12 Mr. Tim Hyman. I kind of -- again, the  
13 first initial impression was pawn shop.  
14 There's a negative attribute to it.

15 However, I drilled them through a  
16 series of questions. And as you know me,  
17 I usually have 10 questions to get a few  
18 answers. I got plenty of answers as well  
19 as many that I think answered a lot of the  
20 concerns that the community would have,  
21 which is, again, not allowing riffraff to  
22 come into these areas and do business.

23 Every aspect of -- again, to make  
24 this short, is it looks like it's a  
25 business owner who's trying to access a

1 different dynamic to his business that I  
2 think would be an enhancement to the  
3 community and offer a quick solution for  
4 residents who are looking for loans that  
5 are not going to take a long process or go  
6 through a denial process since it's so  
7 difficult nowadays.

8 So I just want to voice my support in  
9 this application, and, again, request your  
10 approval on this.

11 Thank you.

12 CHAIRWOMAN DAVIS: Thank you, Mr.  
13 Holder.

14 I'm going to take a minute right now.  
15 I think we've heard a really -- the folks  
16 that are in line right now, we're going to  
17 hear. I would like to say that at this  
18 point we've heard a very, very good  
19 representation. If there is anybody else  
20 that wants to come to the line right now,  
21 they have either a burning point of view,  
22 or feel that they would have had a real  
23 missed opportunity, because they haven't  
24 spoken, then we'll hear from you.

25 Otherwise, I would like for these two to

1 be the last heard this evening. I think  
2 we've gotten a real good feel for the  
3 community.

4 Please.

5 MS. CASTILLO: Good evening. My name  
6 is Amy Castillo, and I represent the  
7 landlord. My address is 9089 Southwest  
8 129th Land. I'll make it very brief.

9 CHAIRWOMAN DAVIS: Excuse me. Which  
10 landlord?

11 MS. CASTILLO: The landlord of the  
12 shopping center.

13 CHAIRWOMAN DAVIS: Thank you.

14 No, I know that, but you needed to  
15 say it for the record. Okay.

16 MS. CASTILLO: I've had the privilege  
17 and the honor to work with them  
18 side-by-side on a day-to-day basis, and we  
19 fully -- we're happy to have them there.  
20 We understand what they're trying to  
21 provide, and they have our 100 percent  
22 support.

23 Thank you.

24 CHAIRWOMAN DAVIS: Thank you very  
25 much.

1 MS. MIRABAL: Good evening. My name  
2 is Clara Mirabal. My address is 11267  
3 Southwest 33rd Street.

4 I'm sorry.

5 CHAIRWOMAN DAVIS: It's okay. It's  
6 okay.

7 MS. MIRABAL: I do well at home. I  
8 don't do well in public.

9 CHAIRWOMAN DAVIS: You're doing fine.  
10 You're doing fine.

11 MS. MIRABAL: Thank you.

12 Madam Chair and Council, I came to  
13 work at Five Star Jewelers about four  
14 years ago. The Carvajal family are not  
15 only friends, but they're also considered  
16 family members of ours.

17 I'm an integral part of the business  
18 operation. I'm the inside manager, the  
19 one that nobody likes. The Carvajal  
20 family is a very supportive, a very  
21 humble, a very giving family. In my  
22 position, I receive updates from all of  
23 our stores. What I receive on a  
24 day-to-day basis is what the community  
25 needs, and what it is that our customer

1 base comes in and asks for and what  
2 requests. We try by all means to please  
3 all of our customers. We go out of our  
4 way. That's part of the Carvajal pride.  
5 Their integrity is incredible. They go  
6 out of their means for every single  
7 individual customer.

8 For us and for our employees,  
9 sometimes it's even a 24-hour a day job,  
10 seven days a week. Sorry, Jorge. Phones,  
11 texts, you name it. And my husband can  
12 support that. We get it. But it's simply  
13 always because of the customer service.  
14 It's always because we want to give  
15 everyone our number one attention. Not  
16 only for the customers, for our neighbors,  
17 but also for our employees.

18 The store approximately gives  
19 about -- requires five to seven  
20 employees -- customers a week more or less  
21 coming in asking and requesting if we loan  
22 money on jewelry. If you multiply that by  
23 52 weeks a year, that's -- I don't know,  
24 about 250 or so transactions that we miss  
25 out on, and that we cannot serve our

1 neighbors with. That's a lot of people.  
2 That's a lot of transactions. And those  
3 are just the ones that come in asking.

4 We don't advertise. We advertise our  
5 license like everyone else does, but we do  
6 not advertise loaning money on jewelry.  
7 For us, everything is word of mouth. So  
8 all of our customers are from word of  
9 mouth.

10 Besides that, I also want to add,  
11 because my family has been very  
12 much affected by him, by the Carvajal  
13 family, Mr. Carvajal not only believes in  
14 his business, and believes in his family,  
15 but he brings in ours. I have four  
16 children. I have teenagers. I have  
17 nephews. I have nieces. Mr. Carvajal and  
18 their family and Five Star Jewelers has  
19 brought in our teenagers and our young  
20 adults, not only to make an extra dollar  
21 here or there, but he brings them in in  
22 the summer. He brings them in Christmas  
23 break, spring break. They not only are  
24 making money, but they are being taught  
25 integrity. They're being taught how to

1           treat a human being, one-on-one. Everyone  
2           is an individual and everyone has value,  
3           no matter what it is.

4           What our kids have learned -- we have  
5           offered internships. Our kids -- they're  
6           not here tonight, because they're taking  
7           finals at FIU. There's actually five of  
8           them. And we also have them at UCF taking  
9           finals.

10          So, in conclusion, I know it's a long  
11          night and it's old -- and it's late, but I  
12          appreciate your support. You won't be  
13          sorry. And our neighborhood really,  
14          really needs this service.

15          I ask the Council to please really  
16          take us into consideration, because it is  
17          something that our neighborhood really,  
18          really needs.

19          Thank you. Have a good evening.

20          CHAIRWOMAN DAVIS: Thank you very  
21          much.

22          At this time, the public hearing is  
23          closed. And we will have some council --  
24          Councilman De Jesus?

25          COUNCIL MEMBER DE JESUS: I have two.

1           One, so the applicant has another  
2 jewelry store, provides the same type of  
3 business from buying to loaning the money?

4           MR. MAYOL: Yes.

5           COUNCIL MEMBER DE JESUS: Would you  
6 explain that a little.

7           MR. MAYOL: Yes, he does, in fact,  
8 Councilman. He has a store that operates  
9 out of the Country Walk shopping center at  
10 the corner of 152 Street and 137th Avenue.  
11 That's one of the earlier approvals that I  
12 showed you, yes.

13           COUNCIL MEMBER DE JESUS: And the  
14 applicant -- the application was the same  
15 from what you actually showed us, correct?

16           MR. MAYOL: Exactly the same. I  
17 mean, other than a different location, but  
18 on a section line road, say part of a  
19 larger center, exclusively in connection  
20 with jewelry. All the other conditions  
21 were exactly the same.

22           COUNCIL MEMBER DE JESUS: So explain  
23 this to me. When you get a jewelry  
24 license, you're also able to buy -- not  
25 only buy, but kind of exchange jewelry at

1 the same time? Is that what you  
2 explained?

3 MR. MAYOL: Right. So the property  
4 is zoned BU-1A. Under the BU-1A zoning  
5 classification, Jorge is allowed to buy  
6 and sell used jewelry. The moment he  
7 crosses into making a loan on the jewelry,  
8 that's when the County will treat him as a  
9 pawn broker. So he can buy it from you,  
10 but he can't loan you money on it.

11 COUNCIL MEMBER DE JESUS: Okay. Let  
12 me see. My other question -- I'm sorry, I  
13 was just writing my questions down here.  
14 So he was previously approved.

15 MR. MAYOL: At Country Walk, he was  
16 approved, and today he operates a jewelry  
17 store and he actually makes loans on  
18 jewelry.

19 COUNCIL MEMBER DE JESUS: And the  
20 recommendation was -- I'm sorry if I cut  
21 you off. The recommendation was actually  
22 to approve?

23 MR. MAYOL: For approval, yes.

24 COUNCIL MEMBER DE JESUS: Okay. One  
25 more -- actually, two more, Madam Chair,

1 I'm sorry.

2 CHAIRWOMAN DAVIS: Don't apologize to  
3 me. I'm here for the long haul.

4 MR. MAYOL: You'll never speak for as  
5 long as I spoke, so go ahead.

6 COUNCIL MEMBER DE JESUS: What about  
7 security concerns when it comes to the  
8 store and -- what type of security do they  
9 have?

10 MR. MAYOL: I'm going to invite Jorge  
11 to come forward. He has explained to me  
12 exactly what he'll do, but I think you'll  
13 want to hear directly from Jorge.

14 CHAIRWOMAN DAVIS: But don't give  
15 away your secrets so it will stay secure.

16 COUNCIL MEMBER DE JESUS: Going into  
17 the store, and let's say where the jewelry  
18 is. Being kind of like in a safe  
19 environment to do the business.

20 MR. CARVAJAL: The store, people  
21 could walk in freely and walk out.

22 COUNCIL MEMBER DE JESUS: Do you have  
23 cameras?

24 MR. CARVAJAL: We have 32 cameras.  
25 As a matter of fact, funny enough, after

1 going through the expense of installing  
2 the camera system, many of times we've  
3 actually been the go-to business in the  
4 shopping center for incidents at other  
5 locations where they've needed to figure  
6 out who broke the Miami Herald newspaper,  
7 you know, selling machine or what car was  
8 around, because nobody else has gone  
9 through the expense that we've had.

10 Luckily, we haven't had any, you  
11 know, major incidents.

12 COUNCIL MEMBER DE JESUS: You know,  
13 where you have the safe or things like  
14 that?

15 COUNCIL MEMBER DE JESUS: Oh, yes.  
16 The show cases are thick Plexiglass  
17 showcases. The inventory is kept away in  
18 two vaults. We're insured. We do work,  
19 obviously, behind the counters, but many  
20 of times we come out and we interact with  
21 the customers as needed.

22 COUNCIL MEMBER DE JESUS: Thank you  
23 very much.

24 MR. CARVAJAL: Sure.

25 CHAIRWOMAN DAVIS: All right.

1 Councilwoman Suarez?

2 COUNCILWOMAN SUAREZ: Thank you.

3 It says that this is to buy and sell  
4 used jewelry. What about new?

5 MR. MAYOL: Actually, he sells new  
6 jewelry, a lot of beautiful new jewelry.  
7 And they even have some of their own  
8 lines. So that will continue. It will  
9 still be a full functioning jewelry store.  
10 They'll have new merchandise, and they  
11 will continue to buy and sell used  
12 jewelry. Actually, I don't think they  
13 sell used jewelry.

14 Do you sell used jewelry?

15 MR. CARVAJAL: Yes.

16 MR. MAYOL: Yes, some used jewelry.

17 And what they can do out of the  
18 Country Walk location, but cannot do out  
19 of the Kendall location is the actual  
20 lending of money based on the value of the  
21 jewelry.

22 COUNCILWOMAN SUAREZ: They cannot  
23 lend the money?

24 MR. MAYOL: Not in Kendall, but yes  
25 in Country Walk.

1 COUNCILWOMAN SUAREZ: And how much is  
2 the fee for the loan? It's a percentage I  
3 guess?

4 MR. MAYOL: It's a percentage -- it's  
5 an interest rate associated with the  
6 transaction.

7 Does it depend on the value and the  
8 amount? It's 10 to 15 percent.

9 COUNCILWOMAN SUAREZ: I have a  
10 question for the staff. Why did the staff  
11 deny the application?

12 MR. HARRISON: Through the Chair,  
13 although Mr. Mayol has shown you some  
14 previous examples where staff recommended  
15 approval.

16 COUNCILWOMAN SUAREZ: Uh-huh.

17 MR. HARRISON: If you noted, the last  
18 one of these where staff actually  
19 recommended approval in this area was in  
20 1997. Since that time, staff has  
21 consistently recommended denial. And the  
22 main reason for that is that the Code  
23 actually states that to be approved for a  
24 use variance, you have to show a hardship.  
25 That is a necessary hardship.

1           So staff has had to stick strictly to  
2           what the code says in their  
3           recommendations in recent years. So we  
4           have tried, for the most part, to be  
5           consistent in recommending denial unless,  
6           in certain cases, the applicant is able to  
7           show that there is a hardship. In this  
8           particular case, we did not see it,  
9           because, as the recommendation states, the  
10          applicant is able to continue to run a  
11          business for an economic benefit. And,  
12          therefore, based on what the Code states,  
13          staff opines that there is no hardship.

14           COUNCILWOMAN SUAREZ: Thank you so  
15          much.

16           MR. MAYOL: Madam Chair, if I may, on  
17          the issue of hardship?

18           CHAIRWOMAN DAVIS: Why don't we wait  
19          until all the questions, and we can  
20          address that then.

21           MR. MAYOL: Okay, yes, certainly.

22           CHAIRWOMAN DAVIS: Any other  
23          questions?

24           COUNCILWOMAN SUAREZ: No.

25           CHAIRWOMAN DAVIS: Thank you.

1                   COUNCILWOMAN BLANCO: I'd just like  
2                   to mention that I visited the Country Walk  
3                   store. I lived by there when my daughter  
4                   was a baby. She's seven now. She used to  
5                   lose her earrings, so I would go there to  
6                   buy replacements.

7                   MR. MAYOL: Thank you.

8                   COUNCIL MEMBER DE JESUS: Are we  
9                   allowed to say that?

10                  COUNCILWOMAN BLANCO: Why not?

11                  But another question, how many people  
12                  live near that location that are here  
13                  today? Because they all seem very  
14                  friendly with the family, but do they live  
15                  within two miles of this location?

16                  MR. MAYOL: Do you want a show of  
17                  hands?

18                  COUNCILWOMAN BLANCO: A show of hands  
19                  who lives like within two miles.

20                  AUDIENCE MEMBERS: (Indicating).

21                  COUNCILWOMAN BLANCO: Okay. Thank  
22                  you.

23                  MR. MAYOL: Actually, I do want to,  
24                  if I'm allowed, be able to say, again,  
25                  there were 1,338 notices sent out twice.

1           When this item came up on November 7th,  
2           there was one gentleman who showed up, and  
3           he was coming to oppose the application.  
4           He was motivated by the word pawn shop.  
5           When he understood exactly what we were  
6           proposing, he said, "I don't have a  
7           problem with this."

8           COUNCILWOMAN BLANCO: And a question  
9           for staff. Hardship, what would they need  
10          for hardship, like distance?

11          MR. HARRISON: Through the Chair,  
12          I'll try as best as possible to explain  
13          that. Hardship can be different  
14          circumstances.

15          The main example I can give you now  
16          is he gave an example of a house that we  
17          approved, and it was in a residentially  
18          zoned district. And we recommended  
19          approval of a use as an office. And what  
20          normally happens is that you find that  
21          there is this one house that's left on the  
22          street where everything else are offices.  
23          And it's not really feasible for somebody  
24          to live there in that location. And in  
25          that case, staff would normally determine

1 that there is some degree of hardship, and  
2 we would recommend approval.

3 In this particular case, what we have  
4 tried to be consistent in doing is that if  
5 it's a commercial entity, and they are  
6 able to continue to operate as a  
7 commercial entity, then we, unless the  
8 applicant can provide us with something  
9 specific, we do not determine that there  
10 is a hardship.

11 COUNCILWOMAN BLANCO: And what is the  
12 distance between the Country Walk location  
13 and this location?

14 MR. MAYOL: Country Walk is at 137th  
15 Avenue. The other one is 162nd Avenue but  
16 on Kendall. So I'm guessing four, five  
17 miles? Six or seven? Six or seven miles.  
18 My math was not --

19 COUNCILWOMAN BLANCO: Okay. No  
20 problem.

21 Thank you.

22 CHAIRWOMAN DAVIS: Well, the first  
23 thing I want to say is, I'm kind of sorry  
24 that all of you feel so badly about pawn  
25 shops, because my children spent their

1 formative years in another state growing  
2 up in a pawn shop. And they still benefit  
3 from that pawn shop as did I through my  
4 life. And my experience in that store was  
5 the same thing. Moms who need medicines,  
6 guys who couldn't quite make the bills,  
7 you know. And, yes, occasionally people  
8 came in and you thought, oh, man, you  
9 know, you need some other kind of help  
10 than just this pocket full of cash. But,  
11 you know, I think we find that in so many  
12 walks of life. So I kind of don't want to  
13 talk pawn shop there.

14 But that being said, I certainly  
15 cannot see any harm, or incompatibility or  
16 any problem with making this service  
17 available closer to my part of town. And  
18 while for some people, Country Walk might  
19 not seem far away, I live at Kendall  
20 and -- well, I live at 167th and 100th  
21 Street. And I try to never go that far  
22 east or south after I get home. I mean,  
23 you all are great and everything, but  
24 that's -- if I never had to go east of  
25 147th again, I'd be perfectly happy.

1           I just, you know, want to commend the  
2 community for showing their support. And  
3 I think that this is very, very good  
4 application. And I certainly hope that my  
5 council members feel the same way.

6           And that being said, I believe that  
7 Mr. Mayol did want to bring up a couple of  
8 other points.

9           MR. MAYOL: Yes, just briefly. And I  
10 have nothing but respect for the County  
11 Attorney's Office, and for staff. They  
12 have their opinion. They express it well,  
13 they defended their opinion, and we  
14 provide a different view.

15           When you -- take the example of the  
16 residential lot, the RU-1 lot, and the  
17 RU-2 lot that's been used for something  
18 other than that, there's still a  
19 residential use and staff yet found a  
20 hardship to allow -- to recommend approval  
21 of an office use in a lot that could be  
22 used for a residential for a home. Yes,  
23 it's next to an office, but it could be  
24 used for a home. That was not prohibited.

25           The code section that we are relying

1           on to come before you is the same code  
2           section that has existed, I believe, since  
3           1958 in the code. And staff found under  
4           the same conditions that there was a  
5           hardship to justify the recommendation of  
6           approval for the jewelry store -- the  
7           loans on jewelry in connection with a  
8           jewelry store. The same circumstances,  
9           the same characteristics of those  
10          properties would apply here.

11           The applicant is left with two  
12          choices.

13           One, he can seek the use variance, or  
14          two, he can seek to rezone the entire  
15          shopping center to BU-3 where the pawn  
16          shop would be allowed pursuant to a  
17          special exception, which is the second  
18          request that's before you. So he faces  
19          and impossible or very difficult task to  
20          really not change the use. Again, the  
21          sale and purchase of used merchandise is  
22          allowed already. He's just changing a  
23          characteristic of that use to be able to  
24          extend a loan on this.

25           So he faces a regulatory hardship in

1           having to come before you and to show you  
2           that it would be unreasonable and  
3           inequitable to allow other jewelry stores  
4           to offer the pawn component, and not to  
5           allow him to do the same thing at a  
6           location where he could provide service to  
7           a greater percentage of the community.

8           So, again, we would urge your  
9           approval of the application subject to the  
10          conditions that we have proposed.

11          Thank you.

12          CHAIRWOMAN DAVIS: Thank you.

13          And at this time I would like to hear  
14          any motions.

15          COUNCIL MEMBER DE JESUS: Motion to  
16          approve the application.

17          COUNCILWOMAN SUAREZ: With the  
18          approvals?

19          COUNCIL MEMBER DE JESUS: With the  
20          approvals, definitely.

21          CHAIRWOMAN DAVIS: With the  
22          conditions?

23          COUNCIL MEMBER DE JESUS: With the  
24          conditions provided by the applicant.

25          COUNCILWOMAN SUAREZ: I will second

1 it.

2 MR. HARRISON: There's a motion on  
3 the floor to approve the application as  
4 requested by the applicant, and with the  
5 conditions proffered by the applicant.

6 The motion was moved by Councilman  
7 De Jesus, and seconded by Councilwoman  
8 Suarez.

9 Councilman De Jesus?

10 COUNCIL MEMBER DE JESUS: That would  
11 be a yes for the application -- approval.

12 MR. HARRISON: Councilwoman Suarez?

13 COUNCILWOMAN SUAREZ: Yes.

14 MR. HARRISON: Councilwoman Blanco?

15 COUNCILWOMAN BLANCO: No.

16 MR. HARRISON: And Chairwoman Davis?

17 CHAIRWOMAN DAVIS: Yes.

18 MR. HARRISON: Motion passes three to  
19 one.

20 MR. MAYOL: Thank you so much.

21 We are adjourned.

22 (Thereupon, at 9:11 p.m., the  
23 proceeding was concluded:)

24

25







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

**PH: Z10-016 (13-12-CZ10-1)**

**April 24, 2014**

Item No. 2

<b>Recommendation Summary</b>	
<b>Commission District</b>	10
<b>Applicant</b>	Tadpole Investments, Inc.
<b>Summary of Requests</b>	The applicant is seeking a Use Variance to allow a pawnbroker use for secondhand jewelry only in a more restrictive zoning district.
<b>Location</b>	2275 SW 87 Avenue, Miami-Dade County, Florida.
<b>Property Size</b>	18.95 acres
<b>Existing Zoning</b>	BU-2; Special Business District
<b>Existing Land Use</b>	Shopping Center
<b>2015-2025 CDMP Land Use Designation</b>	Business and Office (see attached Zoning Recommendation Addendum)
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311(A)(4)(a), <b>Use Variance</b> from other than Airport Regulations
<b>Recommendation</b>	<b>Denial without prejudice.</b>

**On December 11, 2013, the Community Zoning Appeals Board (CZAB) #10, approved the application for a use variance to permit a pawn shop use in the BU-2 zone as would be permitted in the BU-3 zone with conditions, contrary to staff's recommendation.**

On December 16, 2013, the appellant, the Department of Regulatory and Economic Resources appealed the CZAB-10 decision to the Board of County Commissioners (BCC).

For the reasons outlined below in the CDMP and Zoning analysis of the requests, staff opines that the BCC should reverse the CZAB 10 decision, thus denying the use variance as recommended by the Department.

**REQUEST:**

USE VARIANCE to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources, entitled, "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 07/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers - Westchester Shopping Center, as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

The site has been the subject of several zoning actions from 1961 to 1999, for a special permit for shopping center promotional installation, special exception to permit the expansion of an existing shopping center, modifications to prior site plans, and variances from the zoning regulations. The applicant seeks a pawn broker use for the pawning of jewelry only in the BU-2 zone, as would be permitted in the BU-3 zone only after public hearing. The site plan submitted by the applicant depicts an existing 1,249.24 sq. ft. jewelry store within a 229,178 sq. ft. shopping center.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-2; shopping center	Business and Office
<b>North</b>	RU-1; single-family residences	Low Density Residential
<b>South</b>	BU-2; shopping center, office building	Business and Office
<b>East</b>	BU-2; medical center RU-1; single-family residences	Business and Office Low Density Residential
<b>West</b>	BU-2; service station and shopping center RU-1; single-family residence	Business and Office Low Density Residential

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is located within a shopping center located at 2275 SW 87 Avenue. The area surrounding the subject property is characterized by residential and commercial uses.

**SUMMARY OF THE IMPACTS:**

The approval of this application will provide an additional service for the surrounding community. However, approval of the request to allow a pawnbroker use which is typically located in a zoning district that allows more intensive commercial uses only upon approval after public hearing, could have a negative impact on the abutting residential properties. Furthermore, approval of the same could result in an increase in the intensity and types of uses that would be allowed in this area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map designates the subject property for **Business and Office** use. *This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.* As such, the existing jewelry store use and requested pawnbroker use are **consistent** with the CDMP Land Use Element interpretative text for the Business and Office designation.

The CDMP Land Use Element **Objective LU-4** states that *Miami-Dade County shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.* The **Land Use Element Policy LU-4A** of said interpretive text provides that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* Staff notes that the existing jewelry store is located within a shopping center that consists of various commercial uses such as a cash advance store, dry cleaners, supermarket, bank, restaurants, and a gasoline station, among other uses. Staff notes that the jewelry store is a compatible retail use within a retail shopping center.

In staff's opinion, the requested pawnbroker use for jewelry only is an accessory use to the existing jewelry store and therefore, would be **consistent** with the Business and Office designation on the CDMP Land Use Plan map and **consistent** with **Objective LU-4** based on the criteria outlined in **Land Use Element Policy LU-4A**.

**ZONING ANALYSIS:**

The applicant seeks approval of a use variance, under Section 33-311(A)(4)(a) to permit a pawnbroker use in the BU-2, Special Business District. The pawnbroker use is not permitted in the BU-2 district and is permitted in the BU-3, Liberal Business District only upon approval after public hearing. The letter of intent indicates that the applicant intends to limit the pawnbroker use solely for jewelry and will not permit the pawning of other merchandise.

The existing jewelry store is located within a shopping center that is within the BU-2 zoning district, surrounded by commercially and residentially zoned properties and provides the residential properties with access to neighborhood services. However, the proposed pawnbroker use is only permitted in the BU-3 zoning district upon approval after public hearing. Staff notes that the applicant is requesting this use variance in order to establish a pawnbroker, which is not permitted in the existing BU-2 zoning district. Although the BU-3 district provides for a host of uses that are significantly more intense than those allowed in the BU-2 district, such as gun shops; secondhand stores for the disposal of furniture, fixtures and tools; locksmith shops, sharpening and grinding shops; garage and mechanical services; commercial chicken hatcheries; and pawnbrokers; the applicant has indicated that the pawn broker use would be limited to the pawning of secondhand jewelry only in conjunction with the existing jewelry store.

When the subject request, to permit a pawnbroker use in the BU-2 zone, as would be permitted in the BU-3 zone only upon approval after public hearing, is analyzed under Section 33-311(A)(4)(a), Use Variance Standards, staff opines that the request is not consistent with the general purpose and intent of the zoning regulations. Section 33-311(A)(4)(a) provides that a **use variance** permits a use of land other than that which is prescribed by the zoning regulations. The standard stipulates that *the Board shall hear and grant applications for use variances from the terms of the zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions thereof will result in unnecessary hardship, and so the spirit of the regulations shall be observed and substantial justice done; and further provided that the use variance will be in harmony with the general purpose and intent of the regulations. To prove an unnecessary hardship the applicant must demonstrate that without the requested use variance, the applicant, under the existing zoning, has lost all reasonable use of the property.*

Based on the information provided by the applicant, staff opines that the applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions would result in an unnecessary hardship. As previously discussed, the subject property is currently in use and operating as a jewelry store; as such, provides the applicant with economic use and benefit. Furthermore, Section 33-253 of the Code lists ten (10) permitted uses in addition to the 84 uses permitted in BU-1 (Neighborhood Business) district and BU-1A (Limited Business) district as permitted uses in the BU-2 zoning district, which allow for the reasonable use and benefit of the subject property. Staff is of the opinion that the approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning. **As such, staff recommends denial without prejudice of the request for the proposed pawnbroker use under the Use Variance Section 33-311(A)(4)(a).**

Tadpole Investments, Inc.

Z10-016

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**CIRCULATION AND PARKING:**

The subject property has ingress and egress points along SW 24 Street (Coral Way) and SW 87 Avenue.

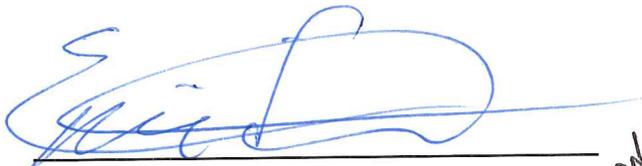
**ENVIRONMENTAL REVIEW:** Not applicable.

**OTHER:** Not applicable.

**RECOMMENDATION:** Denial without prejudice.

**CONDITIONS FOR APPROVAL:** None.

ES:MW:NN:AN:EJ



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

NDN

# ZONING RECOMMENDATION ADDENDUM

Tadpole Investments, Inc.  
Z10-016

<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Regulatory and Economic Resources (Environmental Division)	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No comments
Schools	No objection
*Subject to conditions in their memorandum.	

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

<b>Business and Office</b> (Pg. I-41)	<i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas.</i>
<b>Land Use Objective 4</b> (Pg. I-11)	<i>Miami-Dade County shall, shall continue to reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and interpretive text, or with the character of the surrounding community.</i>
<b>Policy LU-4A</b> (Page I-11)	<i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i>

## PERTINENT ZONING REQUIREMENTS/STANDARDS

<b>Section 33-311(A)(4)(a) Use Variances From Other Than Airport Regulations.</b>	<i>The Board shall hear and grant applications for <b>use variances</b> from the terms of the zoning regulations as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions thereof will result in <b>unnecessary hardship</b>, and so the spirit of the regulations shall be observed and substantial justice done; provided, that the use variance will be in harmony with the general purpose and intent of the regulation, and that the same is the minimum use variance that will permit the reasonable use of the premises. A "use variance" is a variance which permits a use of land other than which is prescribed by the zoning regulations and shall include a change in permitted density.</i>
<b>Section 33-311(A)(3) Special Exception, Unusual and New Uses.</b>	<i><b>Special exceptions</b> (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i>

PETITION OF APPEAL FROM DECISION OF  
MIAMI-DADE COUNTY COMMUNITY ZONING APPEALS BOARD  
TO THE BOARD OF COUNTY COMMISSIONERS

CHECKED BY \_\_\_\_\_ AMOUNT OF FEE \_\_\_\_\_

RECEIPT # \_\_\_\_\_

DATE HEARD: 12/11/13

BY CZAB # 10

**RECEIVED**  
210-016  
DEC 16 2013  
ZONING HEARINGS SECTION  
MIAMI-DADE PLANNING AND ZONING DEPT.  
BY: AW

DATE RECEIVED STAMP

\*\*\*\*\*

This Appeal Form must be completed in accordance with the "Instruction for Filing an Appeal" and in accordance with Chapter 33 of the Code of Miami-Dade County, Florida, and return must be made to the Department on or before the Deadline Date prescribed for the Appeal.

RE: Hearing No. Z2010000016 (13-12-CZ10-1)

Filed in the name of (APPLICANT)

Name of Appellant, if other than applicant: Director of the Department of Regulatory and Economic Resources

Address/Location of APPELLANT: 111 NW 1 Street, 11<sup>th</sup> Floor, Miami, FL 33128

Application, or part of Application being Appealed (Explanation):

ENTIRE APPLICATION

Appellant (name): Director of the Department of Regulatory and Economic Resources

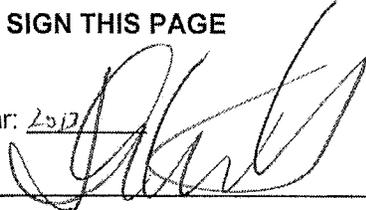
hereby appeals the decision of the Miami-Dade County Community Zoning Appeals Board with reference to the above subject matter, and in accordance with the provisions contained in Chapter 33 of the Code of Miami-Dade County, Florida, hereby makes application to the Board of County Commissioners for review of said decision. The grounds and reasons supporting the reversal of the ruling of the Community Zoning Appeals Board are as follows:  
(State in brief and concise language)

1. The applicant has not demonstrated any special conditions related to the subject site where the literal enforcement of applicable zoning district provisions could constitute a practical difficulty or would result in unnecessary hardship.
2. The approval of the use variance request will not be in harmony with the general purpose and intent of the regulation, and that the applicant has not demonstrated a loss of all reasonable use of the property under the existing zoning.

APPELLANT MUST SIGN THIS PAGE

Date: 16 day of December, year: 2012

Signed \_\_\_\_\_



\_\_\_\_\_  
Jack Osterholt  
Print Name

\_\_\_\_\_  
111 NW 1<sup>st</sup> Street, 11<sup>th</sup> Floor, Miami, FL 33128  
Mailing Address

\_\_\_\_\_  
(305) 375-2842  
Phone

\_\_\_\_\_  
(305) 372-6096  
Fax

REPRESENTATIVE'S AFFIDAVIT

If you are filing as representative of an association or other entity, so indicate:

Representing

\_\_\_\_\_  
Signature

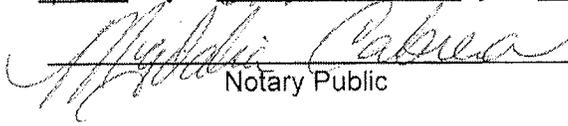
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number

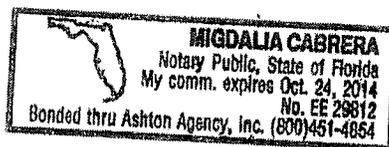
Subscribed and Sworn to before me on the 16 day of December, year 2013



\_\_\_\_\_  
Notary Public

(stamp/seal)

Commission expires:



**2. TADPOLE INVESTMENTS, INC**  
**(Applicant)**

**13-12-CZ10-1(10-016)**  
**Area 10/District 10**  
**Hearing Date: 04/24/14**

Property Owner (if different from applicant) **Columbia BBB Westchester Shopping**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
1960	Westchester Inc.	- Special Exception for special permit for promotional installation.	BCC	Approved with Condition(s)
1979	Lionel Leisure Inc.	- Special Exception to permit expansion of existing shopping center.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification condition of resolution. - Special Exception to permit expansion of existing shopping center. - Non-Use Variances of zoning regulation as applied to signs and of landscaping requirements.	ZAB	Approved with Condition(s)
1983	Arthur Fastenberg ET AL	- Modification of condition of resolution.	BCC	Approved with Condition(s)
1989	Salsa Westchester Inc.	- Special Exception to permit expansion of existing shopping center. - Non-Use Variance of landscaping requirements.	ZAB	Approved with Condition(s)
1990	Columbia – BBB Westchester Shopping Cent.	- Modification of condition of resolution.	ZAB	Approved with Condition(s)
1991	Columbia Westchester Shopping Center Associates	- Non-Use Variances of zoning regulation as applied to signs.	ZAB	Approved with Condition(s)
1999	Sprint Pcs.	- Non-Use Variance of setback requirement of landscaping.	C10	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

**Date:** November 2, 2012

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

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

**Subject:** C-10 #Z201000016-1<sup>st</sup> Revision  
Tadpole Investments, Inc.  
2275 S.W. 87<sup>th</sup> Avenue  
Special Exception to Permit a Pawn Shop  
(BU-2) (18.95 Acres)  
10-54-40



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 and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

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

According to the information found on this project, the proposed change will not affect the existing stormwater management system.

#### Wetlands

The subject property does 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.

#### Tree Preservation

According to the site plan submitted with this zoning application, the proposal to permit a pawn shop will not impact tree resources. Be advised that a Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code.

#### Enforcement History

The subject property has two (2) closed enforcement records for violations of Chapter 24 of the Code. 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

PH# Z2010000016  
CZAB - C10

**PUBLIC WORKS DEPARTMENT COMMENTS**

Applicant's Names: TADPOLE INVESTMENTS, INC

This Department has no objections to this application.

This application does not generate any new additional daily peak hour trips, therefore no vehicle trips have been assigned. This meets the traffic concurrency criteria set for an Initial Development Order.



Raul A Pino, P.L.S.

12-APR-10

RESOLUTION NO. CZAB10-31-13

WHEREAS, TADPOLE INVESTMENTS, INC. applied for the following:

USE VARIANCE to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing.

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers-Westchester Shopping Center" as prepared by F. Galarza, dated stamped received 2/17/10, consisting of 1 sheet for a total of 3 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: A portion of the SW ¼ of Section 10, Township 54 South, Range 40 East, being more particularly described as follows: Commence at the southwest corner of said Section 10 and run N88°03'56"E, along the south line of the SW ¼ of said Section 10 for 98.12'; thence N01°56'04"W at right angles to the last described course for 50' to the Point of beginning of the following described parcel of land (said point being on a curve and bearing S01°56'04"E from the radius point of the next described curve) thence SW/lly, W/lly and NW/lly along a circular curve to the right, having a radius of 50' and a central angle of 89°10'10" for an arc distance of 77.82' to a Point of reverse curvature); thence NW/lly along a circular curve to the left, having a radius of 1,950.86' and a central angle of N01°58'04" for an arc distance of 67.02' to a Point of tangency; thence, N04°44'00"W for 150' to a Point of curvature; thence NW/lly along a circular curve to the right, having a radius of 1,868.86' and a central angle of 03°00'01" for an arc distance of 97.86' to a Point of tangency; thence N01°43'59"W, along a line parallel with and 35' east of as measured at right angles to the west line of the SW ¼ of said Section 10 for 1,215'; thence S01°43'56"E along a line parallel with the west line of the SW ¼ of said Section 10 for 735'; thence S88°03'56"W along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 408.25'; thence N01°43'59"W, along a line parallel with and 841.75' east of, as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 250' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 160'; thence S01°43'59"E along a line parallel with and 681.75' east of as measured at right angles to the west line of the SW ¼ of said Section 10, for 200'; thence S88°03'56"W, along a line parallel with and 50' north of, as measured at right angles to the south line of the SW ¼ of said Section 10, for 583.78' to the Point of beginning. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS THEREOF: PARCEL "A": The east 160' of the west 841.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "B": The east 55' of the west 896.75' of the north 130' of the south 250' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "C": The east 80' of the west 761.75' of the north 15' of the south 265' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "D": The east 160' of the west 841.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "E": The east 100' of the west 681.75' of the north 130' of the south 250.00 feet of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "F": The east 208' of the west 969.75' of the north 174' of the south 294' of the SW ¼ of Section 10, Township 54 South, Range 40 East. PARCEL "G": The east 128' of the west 969.75' of the north 70' of the south 120' of the SW ¼ of Section 10, Township 54 South, Range 40 East.

AND: PARCEL II: PARCEL "X": The east 67.63' of the west 969.75' of the north 244' of the south 294' of the SW ¼ of Section 10, Township 54 south, Range 40 East.

LOCATION: 2275 S.W. 87 Avenue, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and

*WHEREAS*, a motion to approve the application was offered by Julio R. Caceres, seconded by Miriam Planas, and upon a poll of the members present, the vote was as follows:

Julio R. Caceres	aye	Gerardo Rodriguez	absent
Miriam Planas	aye	Toufic Zakharia	aye
Robert Suarez	aye	Manuel Valdes	absent
Richard M. Gomez	aye		

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10 that the requested use variance to permit a pawn broker use in the BU-2 zone as would be permitted in the BU-3 zone, only upon approval after public hearing be and the same is hereby approved, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Department of Regulatory and Economic Resources upon the submittal of an application for a building permit and/or Certificate; 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 "Westchester Shopping Center" as prepared by Zamora & Associates, Inc., dated stamped received 7/26/13, consisting of 2 sheets and a plan entitled "Marquise Jewelers – Westchester Shopping Center", as prepared by F. Galarza, dated stamped received 02/17/10, consisting of 1 sheet for a total of 3 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That a Declaration of Restrictions be submitted to and meet the approval of the Director within 30 days of the final approval restricting the use to the effect that the pawn shop use shall be limited to jewelry only.
5. That no stringer lights, pennants, mobile stationary visual devices, except as permitted under point of sale sign regulations, shall be used or displayed. In addition, the terms pawn, pawning or pawnshop shall not be used on any outdoor signs in any language.
6. That the applicant obtains a Certificate of Use from and promptly renew the same annually with the Department of Regulatory and Economic Resources, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the pawnshop use shall be operated solely as an accessory use in connection with the jewelry store, and if the jewelry store use is terminated the pawnshop use will automatically expire and shall be discontinued.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary notations upon the maps and records of the Miami-Dade County Department of Regulatory and Economic Resources and to issue all permits in accordance with the terms and conditions of this resolution.

*PASSED AND ADOPTED* this 11<sup>th</sup> day of December, 2013.

Hearing No. 13-12-CZ10-1  
ej

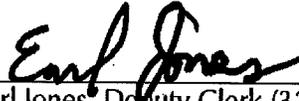
THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY  
COMMISSIONERS ON THE 19<sup>TH</sup> DAY OF DECEMBER, 2013.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

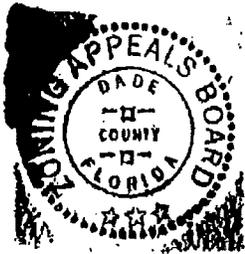
I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Regulatory and Economic Resources as designated by the Director of the Miami-Dade County Department of Department of Regulatory and Economic Resources and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-31-13 adopted by said Community Zoning Appeals Board at its meeting held on the 11<sup>th</sup> day of December, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 19<sup>th</sup> day of December, 2013.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade Department of Department of Regulatory  
and Economic Resources

SEAL



# Memorandum



**Date:** October 19, 2012

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

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

**Subject:** Z2010000016: TADPOLE INVESTMENTS, INC  
Includes Revised Plans Dated stamped received 9/28/12

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**Application Name:** TADPOLE INVESTMENTS, INC

**Project Location:** The site is located at 2275 SW 87 AVENUE, Miami-Dade County.

**Proposed Development:** The applicant is requesting a use variance and special exception to permit a pawn broker. Includes Revised Plans Dated stamped received 9/28/12.

**Impact and demand:** This application does not generate any additional residential population, and therefore the CDMP Open Space Spatial Standards do not apply.

We have no comments concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

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



**Date:** 20-NOV-12  
**To:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**From:** William W. Bryson, Fire Chief.  
 Miami-Dade Fire Rescue Department  
**Subject:** Z2010000016

**Fire Prevention Unit:**

No objection via Case # Z2010000016.

**Service Impact/Demand**

Development for the above Z2010000016  
 located at 2275 SW 87 AVENUE, MIAMI-DADE COUNTY, FLORIDA.  
 in Police Grid 1440 is proposed as the following:

<u>N/A</u>	dwelling units	<u>N/A</u>	square feet
residential		industrial	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Office		institutional	
<u>N/A</u>	square feet	<u>N/A</u>	square feet
Retail		nursing home/hospitals	

Based on this development information, estimated service impact is: N/A alarms-annually.  
 The estimated average travel time is: 5:46 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
 Station 47 - Westchester - 9361 Coral Way  
 Rescue, ALS Engine

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
 None.

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue Department Planning Section at 786-331-4540.

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

TADPOLE INVESTMENTS, INC

2275 SW 87 AVENUE, MIAMI-DADE  
COUNTY, FLORIDA.

---

APPLICANT

---

ADDRESS

Z2010000016

---

HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases. Prior case 201303006069 was opened on July 9, 2013 for Failure to obtain permit. No violation observed on November 11, 2013 and case closed. BNC: fOLIO 304010000020: BSS case A2009001270-X 8571 SW 24 Street opened on December 12, 2008. Notice of Violation issued for expired permit 2008034805. Civil Violation notice B086304 issued on September 21, 2009 for non-compliance. Final Notice of Intent to lien/demand for payment issued on October 19, 2010. Lien was recorded on August 29, 2011, ticket paid on October 5, 2011. Case remains open. BSS case A2010001484-X 2275 SW 87 Avenue opened on February 12, 2010. Notice of Violation issued for expired permit 2009030976. Civil Violation Notice P004558 issued on July 29, 2011 for non-compliance. Final Notice of Intent to lien/demand for payment issued on April 10, 2012. Lien was recorded on July 9, 2012. Ticket was paid on July 23, 2012, case remains open. BSS case A2012003331-X 8679 SW 24 Street was opened on July 11, 2012. Civil Violation Notice #650322 issued to contractor for expired permit 2011057586. Ticket was paid on November 25, 2013. Case remains open. All other folios do not have any open/closed cases.

Tadpole Investments, Inc

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

**REPORTER NAME:**

Tadpole Investments, Inc.'s Variance Application  
*Pictures of Property*



**DISCLOSURE OF INTEREST\***

If a CORPORATION 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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: Tadpole Investments, Inc.	
NAME AND ADDRESS	Percentage of Stock
Lino Alvarado, 8561 Coral Way, Miami, FL 33155	50%
María Alvarado, 8561 Coral Way, Miami, FL 33155	50%

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

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

Signature: *Lino Alvarado*  
 Print Name: Lino Alvarado  
 Title: Sec.

**Tadpole Investments, Inc.**

Sworn to and subscribed before me this 17 day of February, 2010. Atian is personally known to me or has produced FL 47-0416-530-60.041-0 as identification.

*[Signature]*  
 (Notary Public)



My commission expires 11/21/2010

\* 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 percent (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.

210-010  
[Signature]

**DISCLOSURE OF INTEREST\***

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 similar entities, further disclosure shall be made to identify the natural persons having the ultimate ownership interest.]

PARTNERSHIP NAME: <u>Columbia – BBB Westchester Shopping Center Associates</u>	
NAME AND ADDRESS	Percentage of Stock
Columbia – BBB Westchester Shopping Center Associates	100%

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

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

Signature: *Gary A. Brown*  
 By: B.B.B. West, Inc., Its partner  
 Print Name: Gary A. Brown  
 Title: President

**Columbia – BBB Westchester Shopping Center Associates, a Florida General Partnership**

Sworn to and subscribed before me this 14<sup>th</sup> day of August, 2009. Affiant is personally known to me or has produced \_\_\_\_\_ as identification.

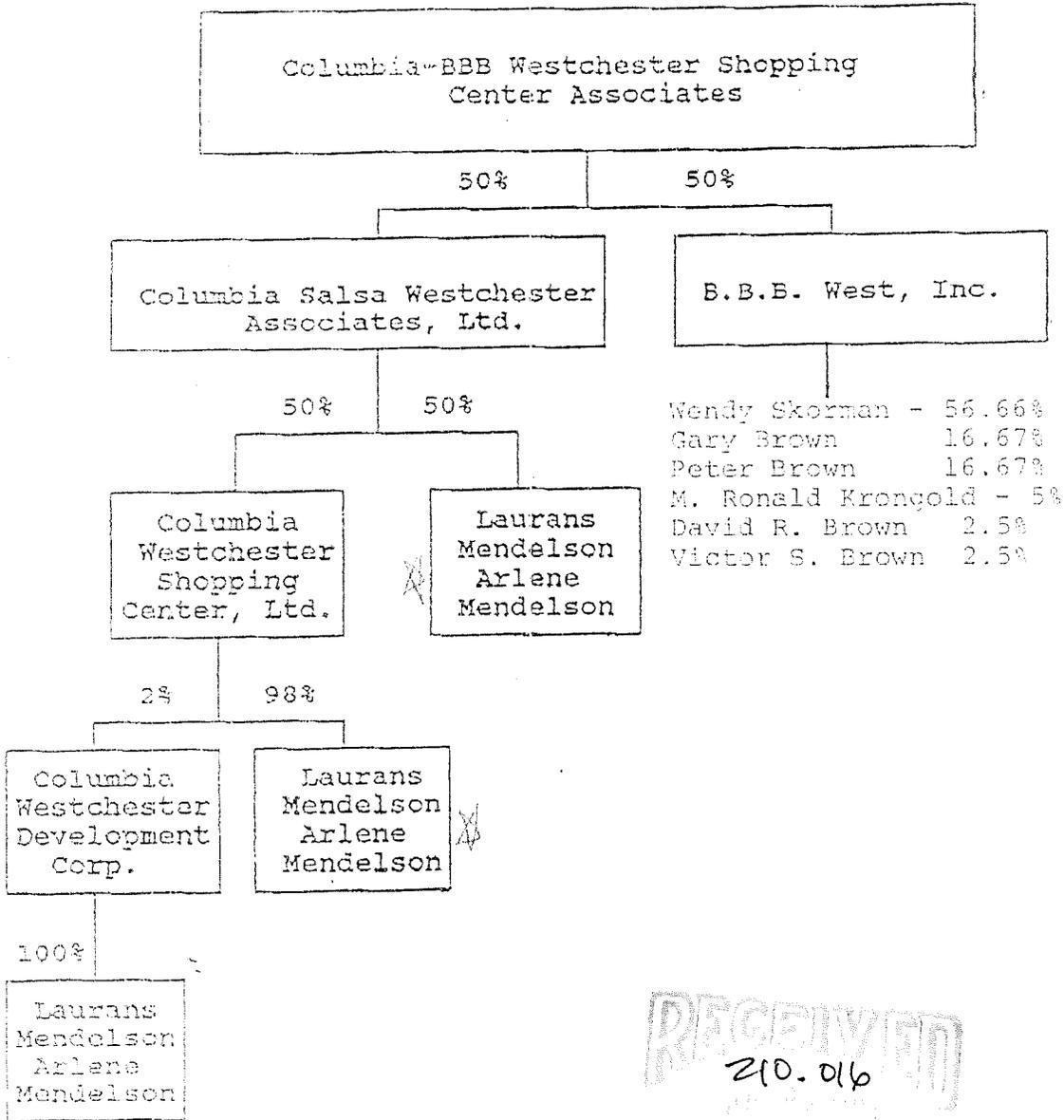
*Patricia J. Wynn*  
 (Notary Public)



My commission expires \_\_\_\_\_

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

210-016  
 BY *[Signature]*



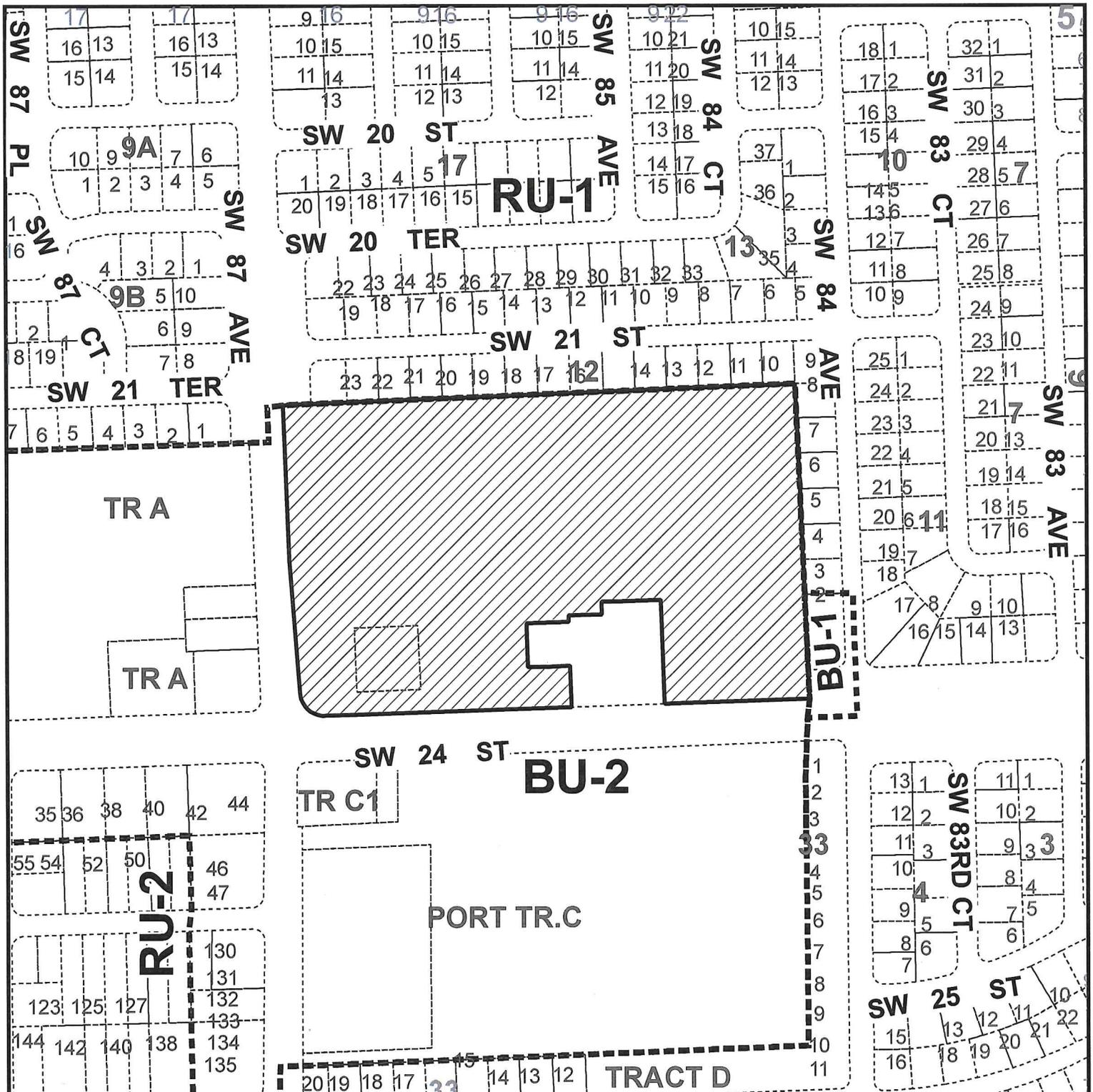
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Laurans Mendelson & Arlene Mendelson each have a 50% share of the listed interest







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

Process Number  
**Z2010000016**



Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**  
 Subject Property Case



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		26



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2009**

Process Number

**Z2010000016**



Legend

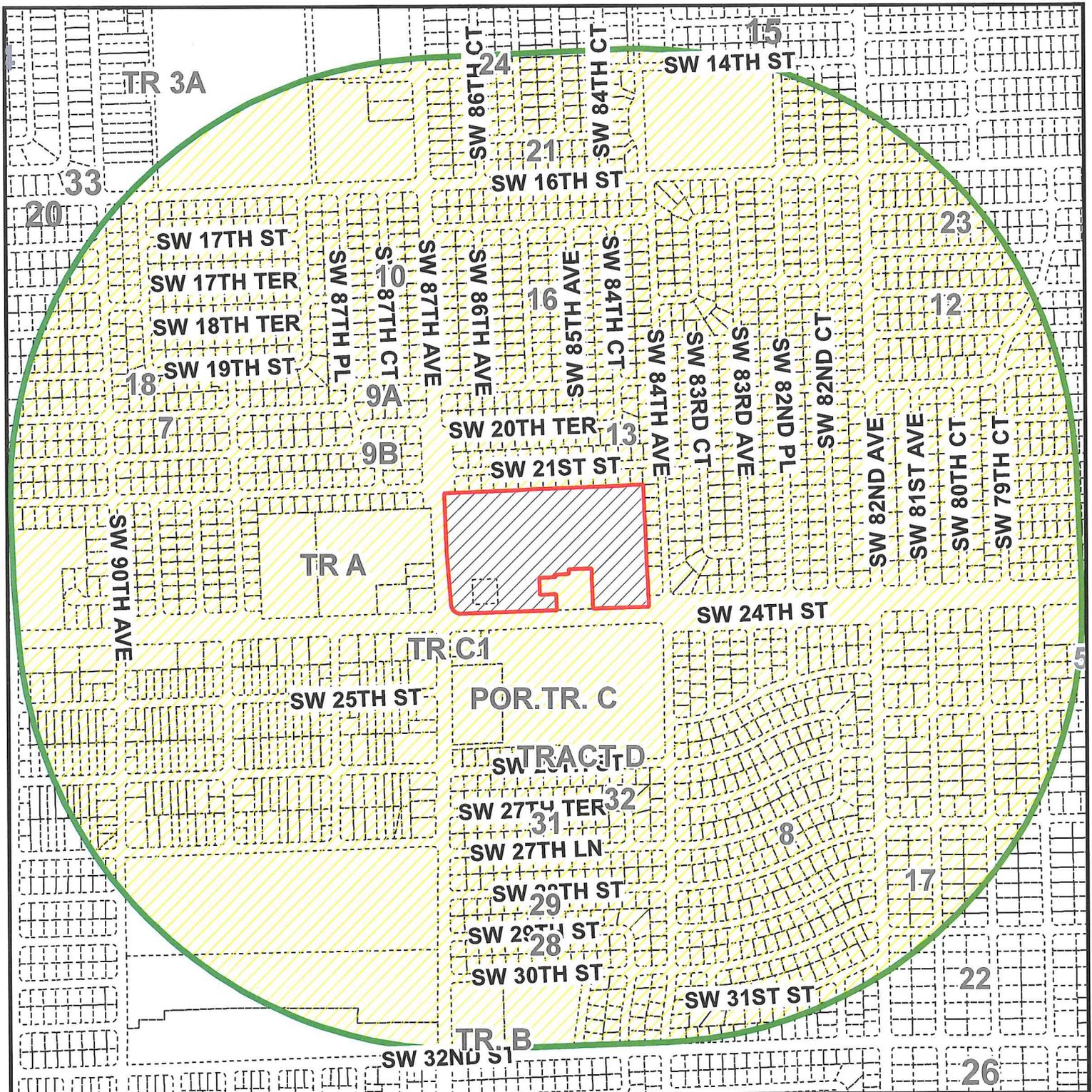
 Subject Property

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS



SKETCH CREATED ON: Friday, March 12, 2010

REVISION	DATE	BY
		27



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

Process Number  
**Z2010000016**  
 RADIUS: 2640

Section: 10 Township: 54 Range: 40  
 Applicant: TADPOLE INVESTMENTS, INC  
 Zoning Board: C10  
 Commission District: 10  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property
-  Buffer



SKETCH CREATED ON: Thursday, March 11, 2010

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COMMUNITY ZONING APPEALS BOARD - AREA 10

RUBEN DARIO MIDDLE SCHOOL

350 NW 97 AVENUE, MIAMI

Wednesday, December 11, 2013

6:30 p.m.

ITEM NO:

TADPOLE INVESTMENTS, INC.  
10-16

BOARD MEMBERS

Present:

Richard M. Gomez, Chairman  
Julio Caceres  
Robert J. Suarez  
Miriam "Mimi" Planas  
Toufic Zakharia

STAFF PRESENT:

Carl Harris  
Jorge Ubieta  
David Hope, Assistant County Attorney

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I N D E X

BOARD MEMBERS

PAGE NO.

Chairman Gomez 5,7,10,13,14,15,17,  
18,19,20  
Councilman Caceres 10,11,15,16,17,18,19,20  
Councilman Suarez 12,13,20  
Councilwoman Planas 10,11,12,18,20  
Councilman Zakharia 13,20

STAFF

Mr. Harris 3-5,14,18,19,20  
Mr. Hope 13,14,16,17,18

APPLICANT

Mr. Diaz 5-10,11,12,13,14,15  
16,17,18,19,20

OPPOSERS

(None)

1 \* \* \* \* \*

2 THE COURT REPORTER: Do you swear the  
3 testimony you're about to give is the truth,  
4 the whole truth, and nothing but the truth, so  
5 help you, God?

6 ALL WITNESSES: I do.

7 \* \* \* \* \*

8 MR. HARRIS: In accordance with the Code  
9 of Miami-Dade County, all items to be heard  
10 this evening have been legally advertised in  
11 the newspaper, notices have been mailed and the  
12 properties have been posted. Additional copies  
13 of the agenda are available here at the  
14 meeting. Items will be called up to be heard  
15 by agenda number and name of applicant. The  
16 record of the hearing on each application will  
17 include the records of the Department of  
18 Regulatory and Economic Resources. All these  
19 items are physically present this evening  
20 available to all interested parties and  
21 available to the members of the Board who  
22 examine items from the record during the  
23 hearing. The parties have the right of  
24 Cross-Examination.

25 This statement, along with the fact that

1 all witnesses have been sworn, should be  
2 included in any transcript of all or any part  
3 of these proceedings.

4 In addition, the following departments  
5 have representatives present here at the  
6 meeting to address any questions: Zoning  
7 Evaluation and Planning and Traffic Review  
8 Sections of the Department of Regulatory and  
9 Economic Resources, the Department of Public  
10 Works and Waste Management, and the County  
11 Attorney's Office.

12 All exhibits used in presentation before  
13 the Board will become part of the public record  
14 and will not be returned unless an identical  
15 letter size copy is submitted for the file.

16 Any person making impertinent or  
17 slanderous remarks, or who becomes boisterous  
18 while addressing the Community Zoning Appeals  
19 Board, shall be barred from further audience  
20 before the Community Zoning Appeals Board  
21 by the presiding officer, unless permission to  
22 continue or again address the Board be granted  
23 by the majority vote of the Board Members  
24 present.

25 The number of filed protests and waivers

1 on each application will be read into the  
2 record at the time of hearing as application is  
3 read. Those items not heard prior to the  
4 ending time for this meeting will be deferred  
5 to the next available zoning hearing meeting  
6 date for this Board.

7 \* \* \* \*

8 MR. HARRIS: Next item on the agenda, Item  
9 No. 1, 13-12-CZAB10, Tadpole Investments, Inc.  
10 application No. 10-016, zero protests, zero  
11 waivers.

12 MR. DIAZ: Thank you for your time. My  
13 name is Jose Diaz. I'm with the law firm of  
14 Akerman, LLP, and I'm here on behalf of the  
15 Alvarado family which owns Tadpole Investments,  
16 also known as Marquis Jewelry.

17 To put this --

18 CHAIRMAN GOMEZ: Your address, for the  
19 record.

20 MR. DIAZ: My address is One Southeast  
21 Third Avenue, 25th Floor, Miami, Florida 33131.  
22 That is my work address.

23 To put this in context, you have driven by  
24 this property many times. The Marquis Jewelry  
25 Shop is right in the Westchester Shopping

1 Center where Ross is, Taco Bell, on 87th Avenue  
2 and Coral way. The Alvarado family has owned  
3 this jewelry shop for the last 19 years. It is  
4 a family-run business owned by husband and  
5 wife, Lino and Maria. Their daughter, Jayline,  
6 has been working there since she was 16. It is  
7 a small business. It has integrated as part of  
8 the community. They have been very involved  
9 with law enforcement throughout their career.  
10 They've helped law enforcement catch people  
11 that have broken into homes and tried to sell  
12 them things. And, throughout this business  
13 endeavor, like every other business, there are  
14 ups and downs. And, they've, historically,  
15 have had a pawn license. They've paid for a  
16 pawn license with the state for over 15 years.  
17 They've paid the local business tax receipt at  
18 that property since 2008, for a pawn use. And,  
19 in 2010, what could only be assumed was a  
20 competing business, called the County and said  
21 that they were operating a pawn use, something  
22 that they did not understand was a BU-3 use,  
23 and they are in a BU-2 zone.

24 In the infinite wisdom of the County code,  
25 the pawn use is a BU-3 use, which is an

1 auxiliary use for a jewelry shop, while things,  
2 like, big markets are considered BU-2 uses.

3 This is really, at the end of the day, an  
4 after-the-fact variance because they have been  
5 operating that pawn use for many years, and  
6 they've had a great relationship with the  
7 community, without ever causing harm.

8 I think it needs to be pointed out --  
9 first of all, I would like to pass out some  
10 pictures of their shop, and some surrounding  
11 shops, if that's okay with the Chair.

12 CHAIRMAN GOMEZ: Go ahead.

13 MR. DIAZ: There is enough copies for  
14 everybody.

15 CHAIRMAN GOMEZ: You'll need to give one  
16 to Staff.

17 MR. DIAZ: You'll notice, there are two  
18 stark differences in the stacks of pictures.

19 what I did is, with my iPhone, I just went  
20 around, on Monday, and, one, I took pictures of  
21 Marquis Jewelry so that you could see it is a  
22 classy establishment. They are not gaudy in  
23 their pronouncement of them pawning. As a  
24 matter of fact, if you compare them to other  
25 jewelry shops that are up and down the Coral

1 way corridor, from 107th Avenue to 67th Avenue,  
2 you'll see that they are very, very restricted  
3 in their advertisement. It is an organic part  
4 of the mall. It doesn't look like it doesn't  
5 work there.

6 In our research, we discovered, within  
7 three miles north, south, east and west, over  
8 25 shops that are advertising pawn and a  
9 jewelry use. The record reflects that there  
10 are 11 approved BU-3 uses in the BU-2 zone,  
11 from 57th Avenue to 107th Avenue, from 8th  
12 Street to Bird; ten of them have been approved  
13 unanimously, and there has never been, in the  
14 history of this area, at least that I could  
15 tell, one pawn shop that has applied for -- one  
16 jewelry shop that has applied for a pawn use  
17 that has been rejected.

18 The reason why -- this is a minimal  
19 increase in the workload. As a matter of fact,  
20 I have been working with them for the last  
21 three years, and I've gone to that shop once or  
22 twice a week because I happen to have a UPS box  
23 next to them, and I get to say hi to them all  
24 the time, and it is never full. I mean,  
25 because business has been tough, because the

1 market has been tough, if they have one or two  
2 customers when I'm there, it's a lot. And I  
3 think that it needs to be described, because,  
4 you know, one of the standards is a hardship.  
5 And, because gold prices have gone up so high  
6 since 2008, when they started paying the County  
7 for a pawn use, that is really what has kept a  
8 lot of these stores alive. If you drive  
9 anywhere in Westchester, anywhere on 8th  
10 Street, anywhere on Bird, you can't go more  
11 than a block without finding a jewelry shop.  
12 And what keeps these jewelry shops in business  
13 is the fact that they are lending to the  
14 community. If a BU-3 use is what is required  
15 there, and what they are really doing is  
16 lending to the community at five percent, which  
17 is low a rate as there is in the County, then  
18 it strikes me that in the same shopping center  
19 there are check advancing places, across the  
20 street there are check advancing places, across  
21 the street there are two jewelry shops with  
22 pawn uses right on 87th Avenue and Coral Way  
23 that are both approved by this Council.

24 with that, I just wanted to let you know  
25 that our request is simple. It is a non-use

1 variance. It is limited to jewelry pawn, which  
2 is a steep departure of what a BU-3 allows,  
3 which is full pawn. And, I wanted it to be on  
4 the record that what we are asking for is an  
5 ancillary use that extinguishes, should the  
6 jewelry shop ever cease to exist.

7 Again, they have been there for 19 years.  
8 They are going to be around for a long time.  
9 But, if they are gone, it is up to whoever  
10 comes next, if that use does extinguish, to  
11 reapply. Those are my comments.

12 CHAIRMAN GOMEZ: Thank you.

13 Is there anyone here that wishes to speak  
14 against this application?

15 Is there anyone here that wishes to speak  
16 for this application?

17 None? For the record, no one came  
18 forward. With that, I'll close the public  
19 hearing and open it up to the Council for  
20 questions.

21 Councilman Caceres?

22 COUNCILMAN CACERES: If you could come  
23 back to me.

24 CHAIRMAN GOMEZ: Councilwoman Planas?

25 COUNCILWOMAN PLANAS: You know, I just

1 want -- for full disclosure, I just want to say  
2 that I know Jose Felix Diaz, Mr. Diaz. We have  
3 been friendly in the past. It should not  
4 affect my judgment. So, full disclosure.

5 COUNCILMAN CACERES: I have a friend  
6 called Jose Diaz. It is not this Jose Diaz,  
7 but it's Jose Diaz. Just kidding.

8 MR. DIAZ: There is a few of us, I  
9 promise.

10 COUNCILWOMAN PLANAS: You know, just out  
11 of -- you said -- you had mentioned that they  
12 have already been in the pawn business for a  
13 couple of years already, they just realized  
14 they needed this switch, right?

15 MR. DIAZ: Correct.

16 COUNCILWOMAN PLANAS: I, actually,  
17 frequent that shopping center all the time.  
18 This jewelry shop has fixed my watch, you know.  
19 So, I know this jewelry shop. I know what it  
20 looks like on the outside. I know that they  
21 are classy because I go by there all the time.  
22 I don't have any insecurities that it is going  
23 to turn into some sleazy pawn shop because --  
24 well, there is a bunch of them in the  
25 neighborhood. I have seen those. But, I have

1       seen the signage. And, you know, it doesn't  
2       get packed with people.

3               And, you know, I think, as well, that this  
4       is going to help their business. And, the way  
5       things are today, we need all the help we can  
6       get. I mean, I'm not seeing any problem with  
7       this application. I know that there have been  
8       other applications that have been approved for  
9       BU-3 use in a BU-2, so I know that part. And I  
10      know it is up to our judgment. So, you know, I  
11      really don't have any questions, other than  
12      that one.

13             So, that's it. Thank you.

14             COUNCILMAN SUAREZ: I do want to disclose  
15      that I played ball with his dad when we were  
16      young.

17             I have no questions. I just want to make  
18      sure that you are limiting the pawn to jewelry.

19             MR. DIAZ: And, it is in the record. It  
20      is in the record. We, specifically, sent out a  
21      letter to limit it because we didn't want it to  
22      be an expansive pawn use. This is a simple  
23      family-run business. If somebody comes in  
24      because they have gold, they need some pay  
25      advance, they come to them and they are honest

1           brokers. I mean, they have become, like,  
2           family for me. I've really grown to appreciate  
3           them, and they are kind-hearted people. They  
4           are not going to take advantage of that.

5           COUNCILMAN SUAREZ: That would be the only  
6           condition that I would accept, was that they  
7           limit it, solely, to jewelry.

8           MR. DIAZ: Absolutely.

9           COUNCILMAN SUAREZ: So, if that is in  
10          there, I don't have any other concerns or  
11          questions.

12          CHAIRMAN GOMEZ: Vice Chair Zakharia?

13          COUNCILMAN ZAKHARIA: No questions, thank  
14          you.

15          CHAIRMAN GOMEZ: I just have a couple of  
16          quick questions for Staff. That limitation  
17          that he is talking about, that was one of my  
18          concerns, too. That is a viable limitation  
19          that it is only -- I'm not familiar with --

20          MR. HOPE: what limitation?

21          CHAIRMAN GOMEZ: That it is only jewelry  
22          pawn.

23          MR. HOPE: I'm confused.

24          CHAIRMAN GOMEZ: He is limiting the pawn  
25          for jewelry only. If we approve this, it is

1 not -- it is not something that is not  
2 enforceable, is what I'm asking.

3 MR. HOPE: Where are you saying, in the  
4 request?

5 MR. HARRIS: No, he is saying -- through  
6 the Chair, I think you're saying that if you  
7 were to approve it, you would want to limit it  
8 to jewelry only.

9 CHAIRMAN GOMEZ: It says right here, under  
10 the project description and project history,  
11 "The applicant seeks a pawn broker for the  
12 pawning of jewelry only."

13 MR. HARRIS: Okay.

14 MR. DIAZ: Mr. Chairman, there are  
15 numerous examples, in the binder I have, where  
16 the other pawn shops that have had BU-3 uses,  
17 have limited their uses, as well. And Staff  
18 had, actually, asked us, specifically, if that  
19 was our request, which we complied with.

20 CHAIRMAN GOMEZ: I just want to make sure  
21 that that is something that is enforceable.

22 MR. HOPE: We can get there. Let me say  
23 this, we'll get wherever you need to be, based  
24 upon the vote.

25 CHAIRMAN GOMEZ: And, then, if you can

1 just explain the last part, you said if they  
2 move out of there --

3 MR. DIAZ: Again, that is a prerequisite  
4 that I saw in the other Development Orders, or  
5 the other orders that were granted. Like any  
6 use, there is grandfathering in, if somebody  
7 acquires the property as is. But, if they sell  
8 it and it becomes a Dunkin Donuts, somebody  
9 wants to come in and take advantage of the pawn  
10 use, they can't because that use has expired  
11 after six months of non use.

12 CHAIRMAN GOMEZ: Okay.

13 MR. DIAZ: So, most of these have said  
14 that, specifically.

15 I'm sorry, I jumped ahead of you and I  
16 forgot to bring it back to you.

17 COUNCILMAN CACERES: That's okay.

18 I have a quick question. Is there going  
19 to be a signage change?

20 MR. DIAZ: No, they have a small --

21 COUNCILMAN CACERES: I know they have a  
22 sign there. We saw the pictures. And I also  
23 bought a watch from Mr. Alvarado a few years  
24 back, so I know the business very well, as  
25 well.

1           But there is not going to be any signage  
2 change, like, empeño, five percent?

3           MR. DIAZ: To the best of my knowledge,  
4 no. And, if they did, they would have to get  
5 approval from the County anyhow.

6           COUNCILMAN CACERES: Okay.

7           So we can move forward today, would your  
8 client be okay with the condition, because we  
9 can condition it, because it is a variance. It  
10 is not a zone change, it is a use variance,  
11 with putting a condition to the approval that  
12 the pawn business will be limited to jewelry?

13          MR. DIAZ: Yes, absolutely.

14          MR. HOPE: Mr. Chair, if I may. What I  
15 would prefer is a Declaration of Restrictions,  
16 because since -- since they are asking for a  
17 use variance for a BU-3 use, I would want it to  
18 be limited, specifically, in the Declaration of  
19 Restrictions to that specific BU-3 use, so  
20 there is no question of any other BU-3 use.  
21 And, that is what we've done in a lot of other  
22 instances, we'll, specifically, limit it to a  
23 Declaration of Restrictions which attaches  
24 to the property. And, that is the only BU-3  
25 use that could go on there. And that would be

1 tied to the jewelry shop/pawn.

2 COUNCILMAN CACERES: Mr. Hope, would we be  
3 able to put that as a condition, that within 30  
4 days he submit this Declaration?

5 MR. HOPE: Yes, yes.

6 COUNCILMAN CACERES: Mr. Diaz, how does  
7 that sound?

8 MR. DIAZ: That's fine. We already  
9 submitted a letter, per the County's request.  
10 But if we have to submit a Declaration to  
11 formalize it, we will. And you can put that as  
12 a condition.

13 I'm looking at another resolution in 94,  
14 condition six was, "That the applicant submit a  
15 Declaration of Use meeting with approval of the  
16 Zoning Director, that the pawn shop activities  
17 be limited to the sale of used jewelry and  
18 jewelry only."

19 COUNCILMAN CACERES: My last question is,  
20 does Mr. Alvarado have a barbecue at the  
21 jewelry store? Just kidding.

22 MR. DIAZ: Not this weekend. But on  
23 Sunday, at the Dolphins game, my dad does a  
24 caja china, which he does every year. So, if  
25 you are at the Dolphin's game, you can get free

1           Techon.

2           COUNCILWOMAN PLANAS: I can pawn --

3           MR. DIAZ: You can pawn stuff and then buy  
4 a Dolphins ticket.

5           COUNCILMAN CACERES: Mr. Chair, I'm ready  
6 for a motion whenever you are, sir.

7           CHAIRMAN GOMEZ: Go ahead.

8           COUNCILMAN CACERES: I'm going to make the  
9 motion to approve this application, as  
10 requested, with the condition that the  
11 applicant submit a Restrictive Covenant  
12 limiting the pawn use of this property to  
13 jewelry only, and has 30 days to do that; is  
14 that right? Does it sound good?

15           COUNCILWOMAN PLANAS: I second that  
16 motion.

17           MR. DIAZ: It's a Declaration of Use, not  
18 a Restrictive Covenant.

19           MR. HARRIS: Declaration of Restrictions.

20           MR. DIAZ: That is what you want, that is  
21 what you'll get.

22           MR. HARRIS: Declaration of Restrictions.

23           MR. HOPE: Right, limiting the only BU-3  
24 use to jewelry pawn.

25           MR. DIAZ: Understood, perfect.

1 MR. HARRIS: Through the Chair, if I might  
2 just ask Mr. Caceres. If you would also add  
3 conditions to this, and some of the suggested  
4 conditions, apart from the standard conditions  
5 that I was just looking at, is that you obtain  
6 a renewable -- annual renewable Certificate of  
7 Use for the pawning of jewelry only, for this  
8 store, okay? And that you could also add the  
9 condition which would be in the Declaration of  
10 Restrictions that only jewelry will be pawned,  
11 and that if the jewelry store goes away, that  
12 the pawn use will also go away, at that point  
13 in time.

14 COUNCILMAN CACERES: Carl reads my mind  
15 every minute. That sounds good, Mr. Diaz?

16 MR. DIAZ: Yes. And, they, again, have  
17 been getting the state approval for pawn for  
18 the last 15 years. They have been applying for  
19 the Certificate of Occupancy with the County  
20 for that already.

21 CHAIRMAN GOMEZ: Okay?

22 MR. HARRIS: There's a motion on the floor  
23 to approve the application, as requested, with  
24 conditions. And, specifically, with an  
25 additional condition that the applicant submit

1 a Declaration of Use within 30 days to the  
2 department, restricting the use of the  
3 property, or the store, to the pawning of  
4 jewelry only.

5 This motion was moved by Councilman  
6 Caceres, seconded by Councilwoman Planas.

7 Councilman Caceres?

8 COUNCILMAN CACERES: Yes.

9 MR. HARRIS: Councilwoman Planas?

10 COUNCILWOMAN PLANAS: Yes.

11 MR. HARRIS: Councilman Suarez?

12 COUNCILMAN SUAREZ: Yes.

13 MR. HARRIS: Vice Chair Zakharia?

14 COUNCILMAN ZAKHARIA: Yes.

15 MR. HARRIS: Chairman Gomez?

16 CHAIRMAN GOMEZ: Yes.

17 MR. HARRIS: Motion passes five to zero.

18 MR. DIAZ: Thank you and happy holidays.

19 (Item was concluded.)  
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CERTIFICATE OF OATH

STATE OF FLORIDA

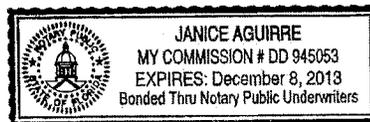
COUNTY OF DADE

I, Janice Aguirre, Registered Professional Reporter, Notary Public, State of Florida, certify that the following witnesses personally appeared before me on December 11, 2013 and were duly sworn.

WITNESS my hand and official seal this 7th day of January, 2014.

  
JANICE AGUIRRE

Registered Professional Reporter  
Notary Public, State of Florida



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CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF DADE)

I, JANICE AGUIRRE, Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically report the CZAB BOARD 10 MEETING of December 11, 2013; that a review of the transcript WAS requested; and that the foregoing transcript, pages 1 through 20, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, or attorney, or counsel of any of the parties; nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 7th day of December, 2014  
at Miami, Dade County, Florida.



JANICE AGUIRRE,  
Registered Professional Reporter

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

**PH: Z13-068 (14-4-CC-1)**

**April 24, 2014**

Item No. 4

<b>Recommendation Summary</b>	
<b>Commission District</b>	6
<b>Applicant</b>	Le Jeune Airport Park Suites, Inc.
<b>Summary of Requests</b>	The applicant is seeking a zone change to BU-2
<b>Location</b>	7391 NW 11 Street and 7370 NW 12 Street, Miami-Dade County, Florida.
<b>Property Size</b>	5.09 acres
<b>Existing Zoning</b>	IU-1, Light Manufacturing District
<b>Existing Land Use</b>	Vacant
<b>2015-2025 CDMP Land Use Designation</b>	Industrial and Office <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with interpretative text, goals, objectives and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-311, District Boundary Change <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval, subject to the Board's acceptance of the proffered covenant.</b>

The Board of County Commissioners (BCC) shall have jurisdiction directly over applications encompassing property located in more than one Community Zoning Appeals Board district as indicated in Sections 33-309(b) and 33-314(2) of the County Code. This application is scheduled before the BCC because it falls within Community Zoning Appeals Board Districts 8 & 10.

**REQUEST:**

DISTRICT BOUNDARY CHANGE from IU-1 to BU-2

**PROJECT DESCRIPTION:**

The applicant seeks to rezone the 5.09-acre parcel from IU-1 (Light Industrial Manufacturing District) to BU-2, (Special Business District).

<b><u>NEIGHBORHOOD CHARACTERISTICS</u></b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	IU-1; office /warehouse building, vacant land	Industrial and Office
<b>North</b>	IU-2; parking lot and vacant land	Terminals
<b>South</b>	IU-1; expressway and vacant land	Transportation
<b>East</b>	IU-1; warehouse building	Industrial and Office
<b>West</b>	IU-1; expressway and vacant land	Industrial and Office

**NEIGHBORHOOD COMPATIBILITY:**

The subject property is comprised of two (2) contiguous lots located at 7391 NW 11 Street and 7370 NW 12 Street. The area surrounding the subject property is primarily characterized by commercial and industrial uses and vacant lots.

**SUMMARY OF THE IMPACTS:**

The approval of this application will provide additional commercial uses. However, the approval of this request may reduce the number of available Industrial designated properties in the area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The subject property is designated as **Industrial and Office** the Adopted 2020-2030 Land Use Plan (LUP) map. *Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers, and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers is also allowed. **Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas.** Hotels and motels are also authorized. Freestanding retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas.*

The subject property is approximately 5.09 acres in size and is located on two contiguous parcels, located at 7391 NW 11 Street and 7370 NW 12 Street. The applicant has proffered a covenant which restricts the types of commercial uses that would be allowed on the subject property to uses that in staff's opinion would be supportive of the workers within the surrounding industrial area (see proffered covenant). Some of the type of uses included in said covenant include bakeries; banks, including drive-in teller service; beauty parlors/barber shops; computer sales; day nurseries, kindergarten and after school care centers; dry cleaning establishments, using nonflammable solvents; hardware stores (maximum 4,000 sq. ft.); printing, copying and postal packing services; and restaurants.

As such staff opines that the proposed rezoning of the property to BU-2, Special Business District, to permit hotel, office and limited retail uses, with the proffered covenant, is **compatible** with the surrounding area. Further, subject to the acceptance of the proffered covenant, staff opines that approval of the proposed hotel use would be **consistent** with the CDMP LUP map Industrial and Office designation of the subject property and with the uses described in the interpretative text of the Industrial and Office category description.

**ZONING ANALYSIS:**

The applicant is seeking approval of a request for a district boundary change from IU-1 (Industrial Light Manufacturing District) to BU-2 (Special Business District) to allow possible hotel, office and limited retail uses on the subject property. Staff notes from the applicant's letter of intent that the subject property is divided in two contiguously owned lots at the

southeast corner of NW 12 Street and Milam Dairy Road, 7391 NW 11 Street and 7370 NW 12 Street. Staff notes that the west portion of the property is vacant and that the east portion of the property contains a CBS building structure with approximately 21,420 sq ft of building area.

When the request to rezone the 5.09 acre parcel to BU-2, is analyzed under Section 33-311, District Boundary Change, staff opines that the approval of the application would not have an unfavorable impact on the environment and the natural resources of the County based on memorandum from the Division of Environment Resource Management of the Department of Regulatory and Economic Resources (RER). Further, in staff's opinion, the approval of the application will not have a negative impact on the surrounding roadways or burden or affect transportation facilities as based on the memorandum from the Platting and Traffic Review Section of the Department of Regulatory and Economic Resources (RER), which has no objections to this application. Staff notes that the applicant has proffered a Declaration of Restrictions which restricts the types of commercial uses that would be allowed on the subject property to uses that serve the firms and workers in the area. Said Declaration of Restrictions also requires that prior to the issuance of final building permit approval, any building on the subject property will be removed according to the applicant, unless it is shown to meet zoning code requirements.

Consequently, staff is of the opinion that approval of the district boundary change from IU-1 to BU-2 will be compatible with the surrounding industrial developments given that it will provide goods and services for the area firms and workers with the proffered covenant, and would be **consistent** with the Industrial and Office designation of the site on the LUP map of the CDMP. **Staff therefore, recommends approval of the application under Section 33-311, District Boundary Change, subject to the Board's acceptance of the proffered covenant.**

**ACCESS, CIRCULATION AND PARKING:** N/A

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

**OTHER:** Not applicable.

**RECOMMENDATION:**

**Approval, subject to the Board's acceptance of the proffered covenant.**

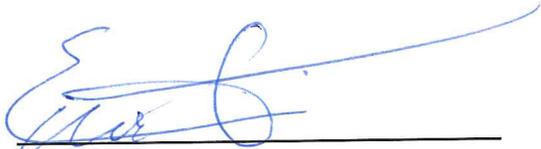
**CONDITIONS FOR APPROVAL:** None.

Le Jeune Airport Park Suites, Inc.

Z13-068

Page | 4

ES:MW:NN:CH:EJ



Eric Silva, AICP, Development Coordinator *NDW*  
Development Services Division  
Miami-Dade County  
Regulatory and Economic Resources Department

# ZONING RECOMMENDATION ADDENDUM

Le Jeune Airport Park Suites, Inc.  
Z13-068

## COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES,

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Regulatory and Economic Resources (Environmental Resources Management Division)	No objection
Platting and Traffic Review Section (RER)	No objection
Parks, Recreation and Open Space	No objection
Fire Rescue	No objection
Police	No objection
Schools	No comment
*Subject to conditions in their memorandum.	

## POLICIES AND INTERPRETATIVE TEXT

<p><b>Industrial and Office</b> (Pg. I-39)</p>	<p><i>Manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses are permitted in areas designated as "Industrial and Office" on the LUP map. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunication facilities, microwave towers, radar stations and cell towers is also allowed. <b>Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed, dispersed as small business districts and centers throughout the industrial areas.</b> Hotels and motels are also authorized. Free-standing retail and personal service uses and shopping centers larger than 10 acres in size are prohibited in these areas because they would deplete the industrial land supply and they are better located in commercially designated areas and in closer proximity to residential areas. Free-standing retail and personal service uses and shopping centers that are approved in Industrial and Office areas should front on major access roads, particularly near major intersections. In addition, uncommon commercial uses such as amusement uses, and others with unusual siting requirements may also be considered at appropriate locations. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings.</i></p> <p><i>If the land is the subject of an application for rezoning, zoning approval or a plan amendment and is located in an MSA with less than a 15-year supply of industrial land, in order to receive approval for a non-industrial use, the applicant must demonstrate that such use will not have a significant adverse impact on future industrial development.</i></p>
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## PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311 District Boundary Change</b></p>	<p>(A) <i>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.</i></p> <p>(F) <b>Section 33-311</b> provides that the Board shall take into consideration, among other factors the extent to which:</p> <p>(1) <i>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</i></p>
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# ZONING RECOMMENDATION ADDENDUM

Le Jeune Airport Park Suites, Inc.  
Z13-068

	<p><i>public benefit warranting the granting of the application at the time it is considered;</i></p> <ul style="list-style-type: none"><li>(2) <i>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;</i></li><li>(3) <i>The development permitted by the application, if granted, will have a favorable or unfavorable impact on the economy of Miami-Dade County, Florida;</i></li><li>(4) <i>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;</i></li><li>(5) <i>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.</i></li></ul>
<p><b>Sections 33-309 (B) and 33-311-14 (2)</b> <b>Board of County Commissioners Applications for Public Hearing</b></p>	<p><i>In the event that the property which is encompassed by the application is located in more than one (1) Community Zoning Appeals Board's district the application shall be heard directly by the County Commission.</i></p>

**3. LE JEUNE AIRPORT PARK SUITES, INC.**  
**(Applicant)**

**14-4-CC-1 (13-068)**  
**Area 11/District 06**  
**Hearing Date: 04/24/14**

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:**

<b><u>Year</u></b>	<b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Board</u></b>	<b><u>Decision</u></b>
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None

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

**Date:** September 13, 2013

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

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

**Subject:** C-08 #Z2013000068  
Le Jeune Airport Park Suites, Inc.  
7391 NW 11<sup>th</sup> Street and 7370 NW 12<sup>th</sup> Street  
District Boundary change from IU to BU-2 and approval of 14%  
Landscape for Hotel Use where 40% is required.  
(IU-1) (5.09 Acres)  
52-43-30

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The subject application has been reviewed by the Department of Regulatory and Economic Resources-Division of Environmental Resources Management (DERM) 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 and Wastewater Disposal

Public water and public sanitary sewers can be made available to the subject property. Therefore, connection of the proposed development to the public water supply system and sanitary sewer system shall be required in accordance with Code requirements.

Be advised that the required water main extension permit is issued by the Florida Department of Health. Civil drawings for the proposed water main extension will need to be approved by the Miami-Dade Water and Sewer Department and the Environmental Plan Review Specialty Section of DERM.

Civil drawings for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the DERM Environmental Wastewater Permitting Section, prior to approval of final development orders.

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

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 DERM shall be required for the construction and operation of the required surface water management system. This permit shall be obtained prior to any future development order approval. The applicant is advised to contact DERM 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 plans shall provide for full on-site retention of the stormwater runoff generated by a 5-year / 1-day storm event.

Site grading and development shall provide for the full retention of the 25-year/3-day storm event and shall also 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.

#### Tree Preservation

The subject properties may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject application is contingent upon inclusion of said tree permitting requirements in the resolution approving this application.

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

#### Enforcement History

The subject properties have three (3) closed enforcement records for violations of Chapter 24 of the Code. 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.

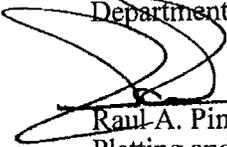
cc: Eric Silva, Department of Regulatory and Economic Resources

# Memorandum



**Date:** November 18, 2013

**To:** Eric Silva, Assistant Director  
Department of Regulatory and Economic Resources

**From:**  Raul A. Pino, PLS, Chief  
Platting and Traffic Review Section  
Department of Regulatory and Economic Resources

**Subject:** Z2013000068  
Name: Le Jeune Airport Park Suites, Inc.  
Location: 7391 NW 11 Street  
Section 52 Township 53 South Range 40 East

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

This land complies with Chapter 28 of the Miami-Dade County Code. The property is platted as Lots 12 thru 17, Block 1 of Plat Book 43, Page 49.

Driveway connections to NW 12<sup>th</sup> Street must meet current F.D.O.T. access management requirements; contact the district office at 305-470-5367 for driveway and drainage permits.

Additional improvements may be required at time of permitting.

This application meets the traffic concurrency criteria because it lies within the urban infill area where traffic concurrency does not apply.

# Memorandum



**Date:** September 6, 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:** Z2013000068: LE JUNE AIRPORT PARK SUITES INC.

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**Application Name:** LE JUNE AIRPORT PARK SUITES INC.

**Project Location:** The site is located at 7391 NW 11 ST, Miami-Dade County.

**Proposed Development:** The request is for approval of a district boundary change from IU1 TO BU2 to permit plans for a hotel, retail and office development.

**Impact and demand:** This application does not generate any new residential population applicable to CDMP Open Space Spatial Standards.

**Recommendation:** PROS has no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review. Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**Date:** 22-AUG-13  
**To:** Jack Osterholt, Director  
Department of Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** Z2013000068

**Fire Prevention Unit:**

- No objection to proposed Zone change. Any development plan shall be subject to review by MDRF.

**Service Impact/Demand**

Development for the above Z2013000068  
located at 7391 NW 11 ST and 7370 nw 12 st, MIAMI-DADE COUNTY, FLORIDA.  
in Police Grid 1242 is proposed as the following:

<u>N/A</u> residential	dwelling units	<u>N/A</u> industrial	square feet
<u>N/A</u> Office	square feet	<u>N/A</u> institutional	square feet
<u>N/A</u> Retail	square feet	<u>N/A</u> nursing home/hospitals	square feet

Based on this development information, estimated service impact is: N/A alarms-annually.  
The estimated average travel time is: 7:30 minutes

**Existing services**

The Fire station responding to an alarm in the proposed development will be:  
Station 48 - Fontainebleau - 8825 NW 18 Terrace  
Rescue, ALS Engine, TRT Heavy Rescue, Battalion 12

**Planned Service Expansions:**

The following stations/units are planned in the vicinity of this development:  
None

**Fire Planning Additional Comments**

Not applicable to service impact analysis.

For information regarding the aforementioned comments, please contact the Miami-Dade Fire Rescue  
Department Planning Section at 786-331-4540.

DATE: 26-MAR-14  
REVISION 1

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

LE JEUNE AIRPORT PARK SUITES  
INC

7391 NW 11 ST and 7370 nw 12 st,  
MIAMI-DADE COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

Z2013000068

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HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases for folio 3030520020120 annd  
3030520020140. BNC: No bss cases for folio 3030520020120 and 3030520020140.

LeJeune Airport Park Suites

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

**REPORTER NAME:**

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 Jeune Airport Park Suites, Inc.

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Salvador Carballo, As Trustee of the Rafael and Dignora Garcia</u>	<u>100 %</u>
<u>Irrevocable Trust, Dated December 31, 2012</u>	

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 Rafael and Dignora Irrevocable Trust Dated 12/31/2012

<u>NAME AND ADDRESS</u>	<u>Percentage of Interest</u>
<u>Nathaly C. Garcia-Trujillo, a natural person</u>	<u>80%</u>
<u>Rafael Garcia, a natural person</u>	

**RECEIVED**  
2/3 06 8  
AUG 06 2013

ZONING HEARINGS SECTION  
MUNICIPAL PLANNING AND ZONING DEPT  
BY JLS

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: N/A

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
<u>N/A</u>	

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: N/A

NAME, ADDRESS AND OFFICE (if applicable)	Percentage of Interest
<u>N/A</u>	

Date of contract: N/A

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

<u>N/A</u>	

**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.

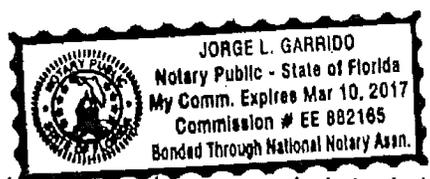
The above is a full disclosure of all parties of interest in this application to the best of my knowledge and belief.

Signature: Royce Garcia  
(Applicant)

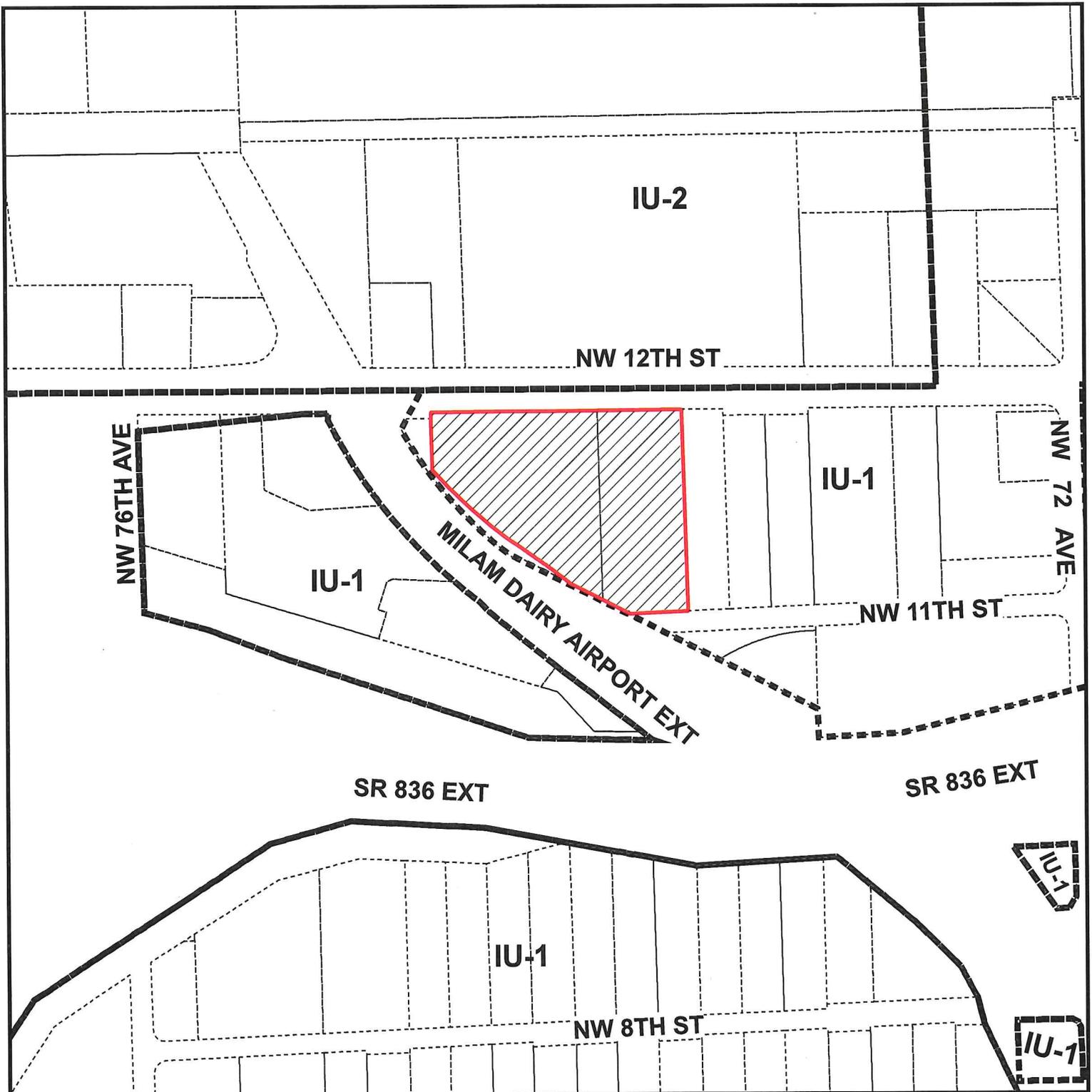
Sworn to and subscribed before me this 26 day of JULY, 2013. Affiant is personally know to me or has produced 620721323240 as identification.

Jorge Garrido  
(Notary Public)

My commission expires: 2017



\*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.



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

Process Number  
**Z2013000068**



Section: 52 Township: 53 Range: 40  
 Applicant: LE JUNE AIRPORT PARK SUITES INC  
 Zoning Board: C10/8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY
		17



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

**Process Number**

**Z2013000068**



**Section: 52 Township: 53 Range: 40**  
**Applicant: LE JUNE AIRPORT PARK SUITES INC**  
**Zoning Board: C10/8**  
**Commission District: 6**  
**Drafter ID: JEFFER GURDIAN**  
**Scale: NTS**

**Legend**

 **Subject Property**



SKETCH CREATED ON: Wednesday, August 21, 2013

REVISION	DATE	BY
		18



**MIAMI-DADE COUNTY  
RADIUS MAP**

Process Number

**Z2013000068**

RADIUS: 2640



Section: 52 Township: 53 Range: 40  
 Applicant: LE JUNE AIRPORT PARK SUITES INC  
 Zoning Board: C10/8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

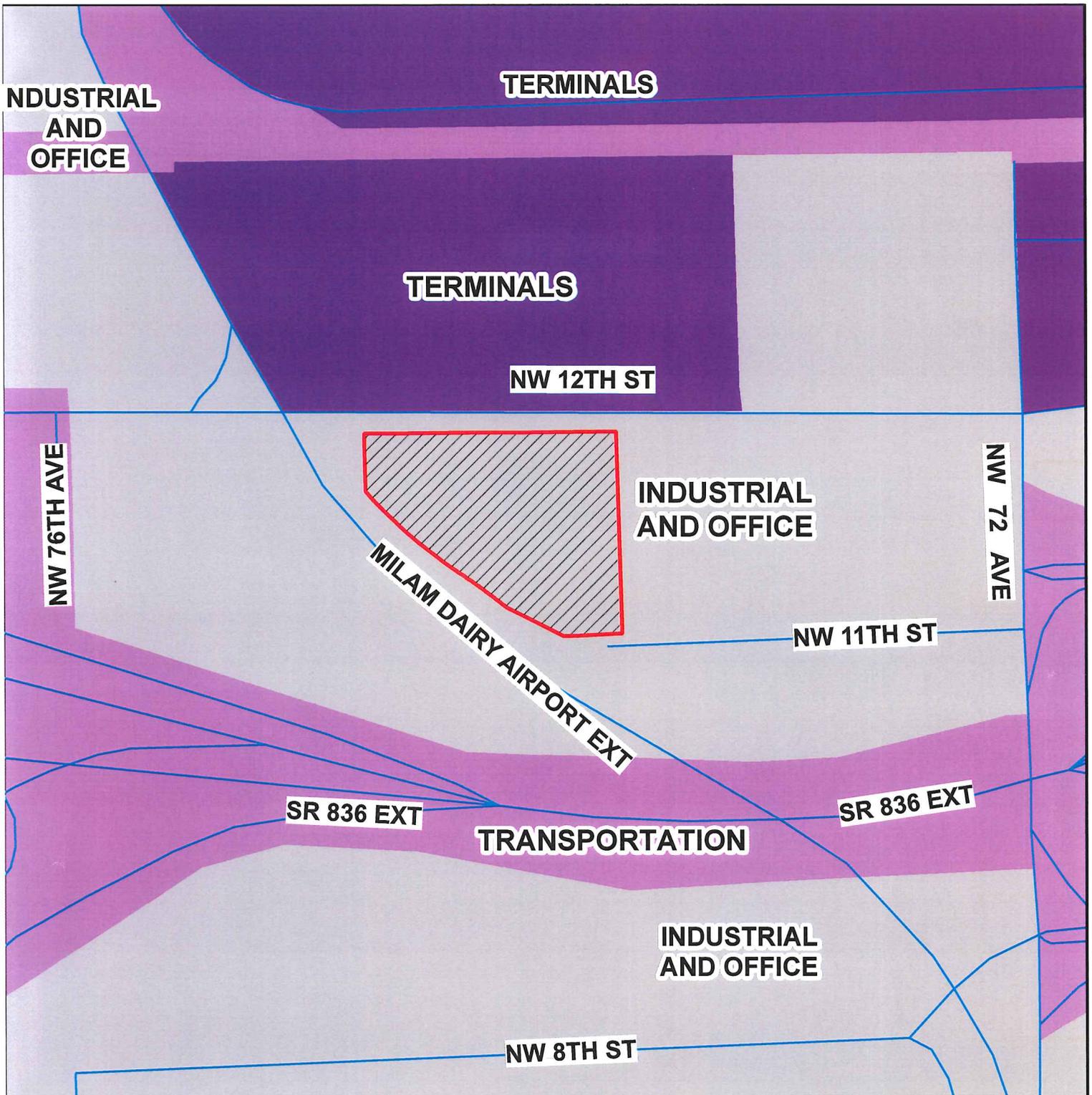
 Subject Property

 Buffer



SKETCH CREATED ON: Wednesday, August 21, 2013

REVISION	DATE	BY
		19



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2013000068**



Section: 52 Township: 53 Range: 40  
 Applicant: LE JUNE AIRPORT PARK SUITES INC  
 Zoning Board: C10/8  
 Commission District: 6  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

 Subject Property Case



SKETCH CREATED ON: Wednesday, August 21, 2013

REVISION	DATE	BY

Le Jeune Airport  
Park Suites, Inc.  
BCC 4/24/14  
Z13-068

This instrument was prepared by:  
Name: Jorge L. Garrido, Esq.  
Address: Jorge L. Garrido, P.A.  
6240 SW 79<sup>th</sup> Street  
South Miami, Florida 33143

(Space reserved for Clerk)

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**DECLARATION OF RESTRICTIONS**

*WHEREAS*, the undersigned Owner, LE JEUNE AIRPORT PARK SUITES, INC, a Florida corporation ("Owner"), holds the fee simple title to the land in Miami-Dade County, Florida ("County") described in Exhibit "A" attached and hereinafter called the "Property", and

*IN ORDER TO ASSURE* the County that the representations made by the owner during consideration of Public Hearing No. Z13-068 will be abided by the Owner freely, voluntarily and without duress makes the following Declaration of Restrictions ("Declaration") running with the Property, which consists of Parcel A currently identified as folio #30-3052-002-0140, and Parcel B currently identified as folio#30-3052-002-0120:

(1) Use Restrictions. Notwithstanding the approval of the Application, and all applicable Code requirements, the Owner agrees to restrict the Property to the following permitted uses:

- Apparel Stores
- Automobile new parts and equipment, sales only
- Automobile service stations -- (which may include facilities available for sale of other retail products and services related to servicing of automobiles)
- Automobile self-service gas stations
- Automobile storage within a building
- Automobile tires, batteries, and accessories (new) retail only, installation permitted
- Automobile washing
- Banks, including drive-in tellers
- Beauty Parlors/Barber shops
- Computers and accessories sales
- Confectionery, ice cream, and dairy stores
- Day nursery, kindergarten and after school care
- Dog and pet hospitals in air-conditioned building
- Dry cleaning establishments, using nonflammable solvents
- Drugstores/Pharmacies (4,000 sq. ft. Maximum floor area)
- Electrical appliance and fixtures stores, including related repair shops
- Employment agencies
- Florist shops

- Grocery stores (4,000 sq. ft. maximum floor area)
- Hardware stores (4,000 sq. ft. maximum floor area)
- Health and exercise clubs and/or gymnasiums
- Medical clinics
- Medical offices
- Offices
- Office supplies and Equipment stores, Furniture stores, new merchandise only (4,000 sq. ft. maximum floor area)
- Pet grooming
- Post office stations and branches operated by postal service employees or agents that directly serve the public
- Printing, copying and postal packing stores
- Restaurants
- Restaurant with accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages of the Code of Miami-Dade County, Florida
- Tailor Shops
- Hotels

(2) Administrative Site Plan Review. Prior to the issuance of a building permit for the construction of any improvements on the Property, the Owner shall obtain approval for such improvements from the Director through administrative site plan review (ASPR).

(3) That any building on the subject Property shall be removed prior to the issuance of a final building permit for construction of any improvements on the Property, unless it is shown to meet zoning code requirements.

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

**Covenant Running with the Land.** This Declaration on the part of the Owner shall constitute a covenant running with the land and may be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida and shall remain in full force and effect and be binding upon the undersigned Owner, and their heirs, successors and assigns until such time as the same is modified or released. These restrictions during their lifetime shall be for the benefit of, and limitation upon, all present and future owners of the real property and for the benefit of Miami-Dade County and the public welfare. Owner, and their heirs, successors and assigns, acknowledge that acceptance of this Declaration does not in any way obligate or provide a limitation on the County.

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

**Modification, Amendment, Release.** This Declaration may be modified, amended or released as to the Property, or any portion thereof, by a written instrument executed by the, then, owner(s) of the property, including joinders of all mortgagees, if any, provided that the same is also approved by the Board of County Commissioners or Community Zoning Appeals Board of Miami-Dade County, Florida, whichever by law has jurisdiction over such matters, after public hearing. It is provided, however, in the event that the Property is annexed to an existing municipality or the Property is incorporated into a new municipality, any modification, amendment, or release shall not become effective until it is approved by such municipality and is thereafter approved by the Board of County Commissioners, in accordance with applicable procedures.

**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.

**Authorization for Miami-Dade County to Withhold Permits and Inspections.** In the event the terms of this Declaration are not being complied with, in addition to any other remedies available, the County is hereby authorized to withhold any further permits, and refuse to make any inspections or grant any approvals, until such time as this declaration is complied with.

**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.

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

**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

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

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

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

Signed, sealed and acknowledged on this 11 day of April, 2014 20 14

**WITNESSES**

LE JEUNE AIRPORT PARK SUITES, INC.,  
a Florida corporation

Margarita  
Signature

Rafael Garcia  
Rafael Garcia, President

Monica Valdes  
Printed Name

Frances Pons  
Signature

FRANCES PONS  
Printed Name

ACKNOWLEDGED BEFORE ME, this 11 day of APRIL, 2014, by Rafael Garcia, President of Le Jeune Airport Park Suites, Inc., a Florida corporation who is personally known to me or who has produced \_\_\_\_\_ as identification.

S. Carballo  
NOTARY PUBLIC

Printed Name



S. CARBALLO  
MY COMMISSION # DD 954778  
EXPIRES: May 22, 2014  
Bonded Thru Budget Notary Services

EXHIBIT "A"

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

PARCEL B

LOTS 12 AND 13, BLOCK 1, WOOD FARMS, ACORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 43, PAGE 49, OF THE PUBLIC RECORDS ON MIAMI-DADE COUNTY, FLORIDA. LESS AND EXCEPT THAT PORTION TAKEN FOR ROAD RIGHT OF WAY BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 11395, PAGE 536, PUBBLICC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

PARCEL A

A PORTION OF LOT 14 THROUGH 17 INCUSIVE IN BLOCK 1 OF "WOOD FARMS", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOB 43, AT PAGE 49, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 14; THENCE RUN N. 01°-35'-08" E. ALONG THE EAST LINE OF SAID LOT 14 FOR A DISTANCE OF 32.89 FEET TO THE POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY OF THE N.W.72<sup>ND</sup> AVENUE REALIGNMENT AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION NO. 87502-2672 RECORDED IN ROAD PLAT BOOK 112, AT PAGE 50 OF DADE COUNTY, FLORIDA, SAID POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE RUN N60°-39'-46" W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THE N.W. 72<sup>ND</sup> AVENUE REALIGNMENT FOR A DISTANCE OF 214.79 FEET; THENCE S40°-28'-26" W. ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THE N.W. 72<sup>ND</sup> AVENUE REALIGNMENT FOR A DISTANCE OF FO 4.00 FEET TO A POINT OF INTERSECTION WITH THE ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHEAST, THE CENTER FO WHICH BEARS 40°-28'-26" E. FROM SAID POINT OF INTERSECTION; THENCE RUN NORTHWESTERNLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE OF THE 72<sup>ND</sup> AVENUE REALIGNMENT AND ALONG THE ARC OF SAID CIRCULAR CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1075.92 FEET, THROUGH A CENTAL ANGLE OF 16°-14'-49" FOR AN ARC DISTANCE OF 305.09 FEET TO A POINT ON THE WEST LINNE OF SAID LOT 17; THENCE RUN N1°-35'-01" E. ALONG ON POINT WEST LINE OF SAID LOT 17 FOR A DISTANCE FO 136,82 FEET; THENCE RUN S87°-14'-03" E. ALONG A LINE THAT IS 50.00 FEET SOUTH OF RANGE AND PARALLEL WITH THE NORTH LINE OF GOVERNMENT LOT 2 BETWEEN TOWNSHIP 53 SOUTH RANGE 40 EAST AND TOWNSHIP 54 SOUTH RANGE 40 EAST FOR A DISTANCE FO 400.02 FEET; THENCE RUNS S 1°-35'-08" W. ALONG THE EAST LINE OF SAID LOT 14 FOR A DIKSTANCE OF 447.91 FEET, TO THE POINT FO BEGINNING.

# Memorandum



**Date:** April 24, 2014

**To:** The Board of County Commissioners

**From:** Developmental Impact Committee  
Executive Council

**Subject:** Developmental Impact Committee Recommendation

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**APPLICANT:** Ferro Development, LLC (Z12-128)

**SUMMARY OF REQUESTS:**

The applicant seeks to permit a charter school grades K-12 for 3,000 students.

**LOCATION:** Lying south of SW 8 Street and between SW 152 Avenue and SW 153 Place, Miami-Dade County, Florida.

**COMMENTS:**

This application went before the Developmental Impact Committee because the applicant is requesting approval for a charter school. 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.

Charter schools are educational institutions which are authorized and maintained in accord with the provisions of Chapter 1002 and Chapter 1013.35, Florida Statutes, as same may be amended from time to time. All such public charter schools shall be additionally authorized locally by the Miami-Dade County School Board through a process established by that entity for the approval of the charter. Miami-Dade Land Use regulations relating to public charter school facilities are set forth in Sections 33-152 through 162 of the Code of Miami-Dade County which was established in 2004 pursuant to Ordinance 04-108. The purpose of this Section and relevant provisions of the CDMP are to provide standards for land use approval of public charter school facilities pursuant to said Ordinance. In addition, an Interlocal Agreement with the School Board of Miami-Dade County was also established pertaining to the siting of such facilities and is applicable in the unincorporated area.

The meeting of the DIC Executive Council was held on March 21, 2014 and the attached Department memoranda were reviewed and considered by said Committee.

**DIC RECOMMENDATION:**

**Approval with conditions**, 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 conditions 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. Z12-128  
FERRO DEVELOPMENT, LLC

Respectfully Submitted,

DIC Executive Council  
March 21, 2014

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



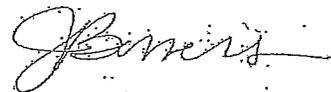
AYE

David Henderson, Bicycle/Pedestrian Specialist  
Metropolitan Planning Organization



AYE

John Bowers, Parks Property Management Supervisor  
Parks, Recreation and Open Spaces



AYE

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

**PH: Z12-128**

**DIC Date: March 21, 2014**

<b>Recommendation Summary</b>	
<b>Commission District</b>	11
<b>Applicant</b>	Ferro Development, LLC
<b>Summary of Requests</b>	The applicant seeks to permit a charter school for 3,000 students.
<b>Location</b>	Lying south of SW 8 Street and between SW 152 Avenue and SW 153 Place, Miami-Dade County, Florida.
<b>Property Size</b>	8.97 acres
<b>Existing Zoning</b>	BU-1A, Limited Business District
<b>Existing Land Use</b>	Vacant
<b>2020-2030 CDMP Land Use Designation</b>	Business and Office <i>(see attached Zoning Recommendation Addendum)</i>
<b>Comprehensive Plan Consistency</b>	Consistent with the LUP map, and the interpretative text and policies of the CDMP
<b>Applicable Zoning Code Section(s)</b>	Section 33-303.1(D)(7) Developmental Impact Committee, Section 33-311(A)(3), Special Exception, Unusual use and New Uses, Section 33-311(A)(7) Generalized Modification Standards <i>(see attached Zoning Recommendation Addendum)</i>
<b>Recommendation</b>	<b>Approval with conditions</b>

**REQUESTS:**

1. SPECIAL EXCEPTION to permit a charter school.
2. SPECIAL EXCEPTION to waive the spacing requirement for new charter school facilities from the Urban Development Boundary (UDB) to permit:
  - A senior high school within 1 mile of the UDB.
  - A middle school within ½ mile of the UDB.
  - A kindergarten, elementary school within a ¼ mile of the UDB.
3. DELETION of Declaration of Restrictions, recorded in Official Record Book 26712, Pages 0892 – 900.

The purpose of request #3 is to delete a declaration of restriction requiring a landscape buffer and permit the applicant submit a new site plan for a proposed charter school..

Plans are on file and may be examined in the Department of Regulatory and Economic Resources entitled "Pinecrest Academy" as prepared by CIVICA, dated stamped received 9/12/13 and consisting of 14 sheets. Plans may be modified at public hearing.

**PROJECT DESCRIPTION AND PROJECT HISTORY:**

Pursuant to Resolution # CZAB10-41-08, the subject property was approved to permit a district boundary change from RU-3M, Minimum Apartment House District to BU-1A, Limited Business District. The applicant at that time proffered a Declaration of Restrictions which among other things required that a 15' wide landscape buffer be provided along the southern and western

perimeters of the subject property which should include tress from a variety of categories. The applicant now seeks approval of a charter school for 3,000 students from kindergarten to 12<sup>th</sup> grade in place of the previously approved commercial development.

The submitted plans depict the proposed kindergarten through 12<sup>th</sup> grade charter school for up to 3,000 students on the 8.97-acre subject property abutting SW 8 Street (Tamiami Trail) located to the north. In addition, staff notes that Tamiami Trail abuts a portion of the Urban Development Boundary (UDB) which runs east/west and parallel to this roadway in this area of the County.

The plans indicate the phased development of the proposed school comprised of four (4) buildings partially arranged around and buffering the playground areas from the Tamiami Trail to the north. Three (3) of the buildings will be three (3)-stories high at a maximum height of 50' and the gym to be located in the southwest corner of the parcel will be only one-story. The phased development of the site will comprise Phase 1, a 3-story, 67,800 sq. ft. classroom building fronting onto SW 152 Avenue; Phase 2, consists of a 42,000 sq. ft., 3-story classroom building; Phase 3, is a 3-story, 46,800 sq. ft. classroom building along with a 14,000 sq. ft., 2-story cafeteria annex and Phase 4 is the 8,800 sq. ft. one-story gym to be located in the southwest corner of the site abutting SW 153 Place. The plans indicate that the buildings will be interconnected by a covered walkway that also encircles the main playfield area located central to the site that will be buffered from the surrounding roadways, Tamiami Trail, SW 152 Avenue and SW 153 Place by the proposed buildings. Said plans also indicate that combined with a continuous row of trees, the walkway will also visually buffer the playfield area from the residential development located to the south.

<b>NEIGHBORHOOD CHARACTERISTICS</b>		
	<b>Zoning and Existing Use</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	BU-1A; vacant land	Business and Office
<b>North</b>	GU; vacant land	Open Land
<b>South</b>	RU-3M; townhomes	Low-Medium Density Residential (6-13 dua)
<b>East</b>	RU-3M; townhouses	Low-Medium Density Residential (6-13 dua)
<b>West</b>	RU-3M; townhouses	Low-Medium Density Residential (6-13 dua)

**NEIGHBORHOOD COMPATIBILITY:**

The 8.97-acre subject property is a vacant parcel surrounded by residential uses to the east, south and west. The properties to the north are vacant and are located outside the UDB.

**SUMMARY OF THE IMPACTS:**

The approval of this application will allow the applicant to provide the community with additional education services for up to 3,000 students. However, since the site is vacant the proposed development of the vacant site could have visual, aural and traffic impacts on the surrounding residential developments in this area.

**COMPREHENSIVE DEVELOPMENT MASTER PLAN ANALYSIS:**

The CDMP Land Use Plan (LUP) map designates the 8.97-acre subject property that is located within the Urban Development Boundary (UDB), south of SW 8 Street and between SW 152 Avenue and SW 153 Place for **Business and Office** use. The UDB is located approximately 0.31 miles to the west of the subject parcel and runs along the north side of SW 8 Street which abuts the subject property to the north. The Business and Office category *accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic.*

Additionally, the CDMP Land Use Element interpretative text for Institutions, Utilities and Communications states that *neighborhood or community-serving institutional uses, cell towers and utilities including **schools**, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas.* For the reasons that will be further explained below, staff opines that the proposed charter school meets the criteria for compatibility outlined in that **Land Use Element Policy LU-4A.**

The CDMP Land Use Element **Objective LU-4** requires the County to *reduce the number of land uses, which are inconsistent with the uses designated on the LUP map and the interpretative text, or with the character of the surrounding community.* Staff notes that **Land Use Element Policy LU-4A** sets forth the criteria to determine compatibility and states that *when evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.* The proposed charter school abuts residential developments to the south, east and west. Additionally, staff notes that the submitted plans for this application depict the proposed phased development of the charter school with adequate landscaping and buffering elements to mitigate any visual or aural impact on the abutting residences to the south, east and west. The submitted plans indicate that the proposed school buildings will setback at least 40' from the rear (south) property line abutting the closest residential development to the site and will be adequately buffered by a minimum 10' wide landscape buffer consisting of a row of trees, 12' high at the time of planting and a continuous hedge along said property line. In addition, the play area that is also located central to the site will be surrounded by the buildings on all sides except the south side, which will abut a covered walkway that abuts a separate row of trees along the south side of the walkway. Therefore, staff opines that any visual or aural impact of the play areas on the residences to the south will be adequately mitigated by the covered

walkway and the dual row of trees between the play area and the rear (south) property line abutting the residences.

Staff notes that to mitigate any potential traffic impact the charter school will be required to comply with the Traffic Operations Plan (TOP) and have three (3) staggered arrival and dismissal times separated by a minimum of twenty (20) minutes. The applicant has submitted a TOP indicating a thirty (30) minute separation between the arrival and dismissal times for the proposed charter school for 3,000 students. However, based on the comments outlined in the Public Works and Waste Management's (PWWM), Traffic Engineering Division memorandum dated April 1, 2014, staff opines that the approval of the charter school to accommodate 3,000 students would be too intensive and would be incompatible with the surrounding area based on the criteria outlined in the CDMP **Land Use Element Policy LU-4A**. Said memorandum recommended approval of the application, subject to the fulfillment of requirements outlined in its memorandum; and that prior to the expansion of the school above 2,100 students, the applicant must obtain a conditional release memorandum authorizing the expansion from both the PWWM and the Department of Regulatory and Economic Resources (RER) as contained in said memorandum. Said memorandum also requires the applicant to provide a revised TOP for 2,100 students based on the conditions outlined for a phased expansion of the charter school. As such, staff opines that with these and other conditions that will be outlined, approval with conditions of the proposed charter school would be **compatible** with the surrounding area based on the **Land Use Element Policy LU-4A** compatibility criteria.

The applicant is also requesting to permit a kindergarten through high school charter school within a 1/4 mile of the Urban Development Boundary (UDB). The CDMP **Educational Element Policy EDU-3A** states that new elementary schools should be located at least 1/4 mile inside the UDB; middle schools should be located at least 1/2 mile inside the UDB and new senior high schools should be located at least one (1) mile inside the UDB. Further, said Policy states that in substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB.

The proposed charter school comprised of grades K through 12 does not meet the criteria of **Educational Element Policy EDU-3A**, because the charter school will be located less than a quarter-mile from and inside the UDB which runs parallel to the abutting roadway located to the north of the subject property. However, staff notes that the applicant has submitted documentation regarding the proximity of the charter school to the UDB, which is located to the north of the subject site. The applicant indicates that the majority of the parcels located within a mile of the subject site are developed or approved for development and that no other site located at least one (1) mile from the UDB that would be suitable for the proposed charter school comprised of elementary, middle and high school use. The site plan submitted in conjunction with this application depicts a U-shaped building with the main entrances to the school located on the east and west elevations away from the UDB. Staff opines that the design of the building and location of the entrances away from the UDB is consistent with **Educational Element Policy EDU-3A** which states that *the principal school buildings and entrances should be placed as far as functionally possible from the UDB*.

Based on the foregoing analysis, staff opines that the approval with conditions of the application which would allow the development of the charter school for elementary, middle and high school

students less than required from the UDB would be **compatible** with the area based on the criteria outlined in CDMP Land Use Element **Objective LU-4** and would be **consistent** with the CDMP **Educational Element Policy EDU-3A** and therefore **consistent** with the CDMP Land Use Plan map **Business and Office** designation for the subject property.

### **ZONING ANALYSIS:**

When analyzing request #1 to permit a charter school and request #2, to waive the space requirement for new charter school facilities from the Urban Development Boundary (UDB) in order to permit the facility containing grades from kindergarten to 12<sup>th</sup> grade under Section 33-311(A)(3) **Special Exceptions**, Unusual Uses and New Uses, based on the foregoing analysis, staff is of the opinion that the approval of the requests with conditions would be **compatible** with the surrounding area. Further, staff opines that based on the memoranda submitted by the departments reviewing the application, approval of the requests would not have an unfavorable effect on the economy of Miami-Dade County, will not tend to create a fire or other equally or greater dangerous hazard, or provoke excessive overcrowding of people. The Division of Environmental Resources Management of the Department of Regulatory and Economic Resources memorandum indicates that approval will not result in a reduction in the LOS standards for potable water service, wastewater disposal, or stormwater management. Additionally the memorandum from the Miami-Dade Fire Rescue Department does not indicate that the expansion will have a negative impact on fire rescue services in the area. Staff notes that the memoranda submitted by the Departments of Park, Recreation and Open Spaces, Water and Sewer, and Transit indicate no objection to the application. Based on the aforementioned department memoranda, staff opines that the requests will not result in, among other things, excessive noise or cause undue or excessive burden on public facilities.

As part of this application, the applicant submitted a Technical Memorandum, Traffic Impact Study, Site plans and a School Traffic Operations Plan for the Traffic Engineering Division (TED) of the Public Works and Waste Management (PWWM) to review. The applicants have indicated that the proposed 400 students will be distributed in the following manner: grades Kindergarten – 5<sup>th</sup> = 1,200 students, grades 6<sup>th</sup> – 8<sup>th</sup> = 200 students and grades 9<sup>th</sup> – 12<sup>th</sup> = 1,200 students. The submitted Traffic Impact Study indicates that the applicants will utilize a staggered start in order to accommodate the increase in student count. Staff opines that the proposed three (3) staggered arrival and dismissal times separated by thirty (30) minutes will help to alleviate any potential increase in traffic in the surrounding area. The submitted study details how the arrival and dismissal times will function. The applicant's Trip Generation Study indicates that the proposed charter school will generate 5,702 less daily trips during an average weekday condition than the shopping center that was previously approved on the parcel pursuant to Resolution #CZAB10-41-08. According to the study, the shopping center would have generated between 11,791 and 13,142 daily trips, between 265 and 290 AM peak hour trips and between 1,024 and 1,083 PM peak hour trips.

The PWWM has indicated in its memorandum dated April 1, 2014, that the TOP submitted by the applicant on March 13, 2014 must be revised to reflect the conditionally allowed student enrollment of 2,100 to arrive and dismiss within the three (3) proposed shifts. Further, its memorandum states that the application will generate 510 PM Peak Hour trips based on the Institute of Traffic Engineering (ITE) standards and will not exceed the Level of Service (LOS) on the surrounding roadways which currently range between LOS "C" and LOS "D". Therefore, its memorandum indicated that the application meets the Traffic Concurrency criteria. However, said Department indicated in its memorandum certain requirements that need to be met by the

applicant among which are that a declaration of restrictions in favor of Miami-Dade County Public Works and Waste Management Department must be recorded in the official records of Miami-Dade County prior to the date of the school opening; roadway shall be constructed prior to the school opening, the school must operate a minimum of 12 bus trips to fulfill the 20% student body bussing stated within the traffic study and police control at the intersection of SW 10 Street and SW 153 Place and at the site driveway #2 is required in addition to SW 8 Street access.

Additionally, the PWWM expressed some concerns with the site plans including the proposed right-turn bay in Driveway 1 and the two-lane, one-way cross section for by-pass operations adjacent to the passenger loading zone area. Based on the information and conditions outlined in its memorandum, the PWWM recommended approval of the application, subject to the fulfillment of requirements outlined in its memorandum; and that prior to the expansion of the school above 2,100 students, the applicant must obtain a conditional release memorandum authorizing the expansion from both the PWWM and the Department of Regulatory and Economic Resources (RER) as contained in said memorandum. Therefore, based on the aforementioned analysis, staff opines approval with conditions of the application would not have a negative impact on traffic on the abutting roadways and would be **compatible** with the surrounding area.

The applicant's request to waive the spacing requirement for new charter school facilities from the Urban Development Boundary (UDB) (request #2) must also be analyzed under the Limitations on the Siting of Public Charter School Facilities, Section 33-154(c), of the Code. Said regulations require the applicant to demonstrate that within a half-mile radius of the outer boundaries of the proposed new school or expansion that: (1) the majority of the lots lying within the radius are developed or are approved for development, and (2) there are no other lots within the radius that are available for development that meet the requirements of a minimum distance of one mile from the UDB.

Additionally, Section 33-154(c) requires that the majority of the site, the proposed buildings' ground floor square footage and the building and entrances into the buildings are required to be located as far as practicably possible from the UDB. As previously noted, the submitted plans depict the U-shaped building with the main entrances to the school located on the east and west elevations away from the UDB. Staff opines that in addition to satisfying the CDMP Educational Policy requirement, the siting of the entrances to the school as far away as physically possible from the UDB also meets the requirement of Section 33-154(c) of the Code.

Staff notes also that the applicant has submitted documentation regarding the proximity of the charter school to the UDB, which runs parallel to the roadway abutting the north property line of the subject site. The applicant indicated that the majority of the parcels located within a half-mile of the subject site are developed or approved for development and that there is no other site located at least one (1) mile from the UDB that would be suitable for the expansion of the existing charter school use. **As such, staff opines that the request #2 to permit a charter high school within one-mile of the UDB; to permit a charter middle school within a ½ mile of the UDB and to permit an elementary charter school within a ¼ mile of the UDB, meets the requirements of Section 33-154(c) and recommends approval with conditions.**

Therefore, when considering the necessity for and reasonableness of the applied for use in relation to the present and future development of the area and the compatibility of the applied for use with the area and its development, staff opines that the proposed charter school is

**compatible** with the same based on the reasons stated above. **As such, staff recommends approval with conditions of request #1 and #2 under Section 33-311(A)(3) Special Exceptions, Unusual Uses and New Uses.**

The applicant also seeks approval to delete a previously recorded declaration of restrictions (request #3) in order to remove a requirement for a 15' wide landscape buffer along the south and western property lines. This would allow the applicant to submit plans for the charter school showing a 10' wide landscape buffer along the rear (south) property line for the proposed charter school. When this request is analyzed under Section 33-311(A)(7), Generalized Modification Standards staff opines that for the reasons previously stated, approval would be **compatible** with the residential uses in the surrounding area. Further, based on the memoranda from the Departments reviewing the application including the Miami-Dade Fire Rescue and other departments, approval of the application will not generate excessive noise, 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 when considering the necessity and reasonableness of the modification or elimination in relation to the present and future development of the area concerned. **Based on the aforementioned, staff recommends approval with conditions of request #3 under Section 33-311(A)(7) Generalized Modification Standards.**

**ACCESS, CIRCULATION AND PARKING:** The submitted plans indicate three (3) ingress/egress drives along the western property line abutting SW 153 Court and one (1) emergency vehicle ingress/egress gate along the eastern property line abutting SW 152 Avenue. The applicant has provided 9 more parking spaces than the required 274 parking spaces for the 3,000 students and staff of the proposed charter school. Additionally, the submitted plans indicate 98 stacking spaces for the drop off and pick-up of students within the subject property which staff opines is adequate to accommodate the number of students and staff.

**NEIGHBORHOOD SERVICES PROVIDER REVIEW:**

***Aviation***

The Miami-Dade County Aviation Department (MDAD) has no objections to this application.

***Division of Environmental Resources Management (Department of Regulatory and Economic Resources)***

The Division of Environmental Resource Management (DERM) does not object to this application subject to conditions after a review for compliance with the requirements of Chapter 24 of the Code of Miami-Dade County.

The DERM memorandum states that 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. Its memorandum indicates that the property is located within the Miami-Dade Water and Sewer Department's water and sewer franchised service areas. The DERM memorandum indicates that the subject property is located within the Bird Drive Wetland Basin and is a wetland as defined in Section 24-5 of the Code; therefore, a Class IV Wetland Permit will be required before any work can be done on the subject property. Said memorandum also states that a Berm with the minimum elevation of

+8.60 feet NGVD along the property lines with equivalent grading to match the required berm elevation at all roadway entrances shall be provided. Its memorandum further indicates that the applicant is required to comply with the tree permitting requirements and must meet the standards of Section 24.49.9 of the Code that includes the submittal of a tree survey.

***Miami-Dade Fire Rescue***

The Miami-Dade Fire Rescue Department (MDFRD) does not object to this application.

Its memorandum indicates that the proposed development could generate approximately 117 fire and rescue calls annually. The department states that the estimated number of alarms would result in a moderate 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 4:54 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. Its memorandum indicated that based on data pertaining to the charter school, it cannot be projected as to any increase in calls for service. However, the MDPD memorandum indicates that experience lends itself to anticipate that when additional citizens are present in the area, traffic increases, truants may be present and calls for service may rise. The MDPD memorandum also stated that current staffing should accommodate any slight increase in the volume of calls for service. Its memorandum also encouraged the applicant and developers to work with police during any future application, design or construction changes to determine the best possible solutions or security options.

***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. The MDT indicates in its memorandum that there is no direct transit service currently serving this site. However, its memorandum indicates that the planned transit improvements as identified in the 2023 Recommended Service Plan will accommodate the transit demand generated by the proposed development.

***Parks, Recreation and Open Spaces***

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

The MDPROS indicates in its memorandum that the application does not generate any residential population applicable to CDMP Open Space Spatial Standards; therefore, the Department has no pertinent comments concerning impact or demand on existing County parks.

***Public Works and Waste Management Department (Traffic Engineering Division):***

The Public Works and Waste Management Department (Traffic Engineering Division) recommends approval of the application, subject to the fulfillment of requirements outlined in its memorandum; and that prior to the expansion of the school above 2,100 students, the applicant must obtain a conditional release memorandum authorizing the expansion from both the PWWM and the Department of Regulatory and Economic Resources (RER) as contained in its memorandum dated April 1, 2014. Said memorandum also requires the applicant to

provide a revised TOP for 2,100 students based on the conditions outlined for a phased expansion of the charter school.

Its memorandum indicates that the anticipated trip generation based on ITE is 510 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. According to the CDMP the peak period means the average of the two (2) average consecutive hours of traffic volume during the weekday, which is the PM peak hour.

- SW 8 Street east of Krome Avenue will remain at LOS "C".
- SW 8 Street east of SW 147 Avenue will remain at LOS "D".
- SW 152 Avenue south of SW 8 Street will remain at LOS "C".
- SW 72 Street west of SW 157 Avenue will remain at LOS "D".
- SW 157 Avenue north of Kendall Drive will remain at LOS "C".

Its memorandum further states that the subject property will require platting in accordance with Chapter 28 of the Miami-Dade County Code.

As a condition for approval also, the PWWM requires that prior to expanding above 2,100 students, the applicant must obtain a conditional release memo authorizing the expansion from both PWWM and RER as contained in the PWWM memorandum dated April 1, 2014. The purpose of this memorandum is to confirm that all roadways, intersections and side streets that may be blocked by a queue are operating at acceptable school's AM and PM Levels of Service. The PWWM has indicated in its memorandum dated April 1, 2014, that the applicant must provide a revised TOP for 2,100 students based on the conditions outlined for a phased expansion of the charter school. However, said Department indicated in its memorandum that a declaration of restrictions in favor of Miami-Dade County PWWM Department must be recorded in the official records of Miami-Dade County prior to the date of the school opening; off-site improvements shall be constructed prior to the school opening, the school must operate a minimum of 12 bus trips to fulfill the 20% student body bussing stated within the traffic study, and police control at the intersection of SW 10 Street and SW 153 Place and at the site driveway #2 is required in addition to SW 8 Street access.

Additionally, the PWWM expressed some concerns with the site plans including the proposed right-turn bay in Driveway 1 and the two-lane, one-way cross section for by-pass operations adjacent to the passenger loading zone area.

***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.

Its memorandum indicates that the school will likely be considered a commercial establishment per Chapter 15 of the County Code. The PWWM memorandum indicates that the Department does not actively compete for commercial waste collection service at this time and that waste collection services may be provided by a private hauler, therefore, this application will have no impact or any associated costs.

***Water and Sewer Department***

The Miami-Dade County Water and Sewer Department (MDWASD), has no objections to this application subject to the conditions outlined in its memorandum dated September 26, 2013. Its memorandum indicates that the subject property is located within the MDWASD service area for water and sewer services within the Urban Development Boundary (UDB).

***Miami-Dade County Public Schools***

The Miami-Dade County Public Schools does not object to this application.

Its memorandum indicates that the contract status for the charter school has been approved and is awaiting final execution. .

**OTHER:** Not applicable.

**RECOMMENDATION:**  
Approval with conditions.

**CONDITIONS FOR APPROVAL :**

1. That a site plan be submitted to and meet with the approval of the Director of the Department of Regulatory and Economic Resources 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 "Pinecrest Academy" as prepared by CIVICA, dated stamped received 9/12/13 and consisting of 14 sheets.
3. That the use be established and maintained in accordance with the approved plan.
4. That the applicant submits to the Department of Regulatory and Economic Resources for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Occupancy.
5. That the applicant shall comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the Public Works and Waste Management Department as may be contained in its memorandum dated, 04/01/14.
6. That prior to expanding above 2,100 students, the applicant must obtain a conditional release memo authorizing the expansion from both PWWM and RER as contained in the PWWM memorandum dated April 1, 2014. The purpose of this memorandum is to confirm that all roadways, intersections and side streets that may be blocked by a queue are operating at acceptable school's AM and PM Levels of Service.

7. That the Traffic Operation Plan (TOP) dated March 13, 2014, must be revised to reflect the conditionally allowable (K-12<sup>th</sup>) student enrollment of 2,100 to arrive and dismiss within the three (3) proposed shifts.
8. That the applicant shall provide an annual traffic report, to be submitted to, and reviewed by PWWM and RER prior to the issuance of the annual Certificate of Use that verifies compliance with the approved TOP.
9. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the Division of Environmental Resources of the Department of Regulatory and Economic Resources as contained in its memorandum dated February 28, 2014.
10. That the applicant comply with all the applicable conditions, requirements, recommendations, requests and other provisions of the Miami-Dade Police Department as contained in its memorandum dated November 21, 2012.
11. That the landscaping and wall abutting the residential uses located to the south be installed prior to the issuance of a Certificate of Use for the building completed in phase 1 of the development.
12. That the school gates be opened at least 45 minutes prior to the arrival and dismissal times.
13. That the northbound left turn lane improvements along the portion of SW 152 Avenue abutting the school property be installed prior to the issuance of a Certificate of Use for the building completed in phase 1 of the development.
14. That the charter school use be limited to grades Kindergarten through 12<sup>th</sup> and be limited to a maximum of 3,000 students.
15. That there will be staggered shifts at arrival/dismissal times for students at the charter school, separated by a minimum of 30 minutes. The arrival and dismissal times shall be as follows:

**Arrival Times**

7:30 a.m. to 8:00 a.m.  
8:00 a.m. to 8:30 a.m.  
8:30 a.m. to 9:00 a.m.

**Departure Times**

2:30 p.m. to 3:00 p.m.      Grades 9-12  
3:30 p.m. to 4:00 p.m.      Grades 6-8  
3:00 p.m. to 3:30 p.m.      Grades K-5

16. That the owner shall have trained personnel on site to manage the traffic operations during the arrival and dismissal period.
17. That in coordination with the MDPD, the owner shall provide school crossing guards on the appropriate streets surrounding the school as necessary during start and dismissal times.

18. That police control at the intersection of SW 10 Street and SW 153 Place and at the site driveway number 2 is required.
19. That a minimum of 20% of all students attending the school be required to be bussed to and from the school.
20. That at time of yearly renewal of Certificate of Use, the applicant shall submit to the Department of Regulatory and Economic Resources a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.
21. That the applicant shall provide an annual traffic report to be submitted and reviewed by the Public Works and Waste Management Department and the Department of Regulatory and Economic Resources prior to the issuance of the annual Certificate of Use, that verifies compliance with the approved TOP.
22. That at the time of Certificate of Use renewal and with each subsequent renewal, the owner shall submit to the Department of Regulatory and Economic Resources a letter or approved form from the Public Works and Waste Management Department showing that the school facility is in compliance with the traffic impact study and the Traffic Operations Plan (TOP) that was submitted as part of the hearing application.
23. That no outside speakers other than in connection with emergency systems shall be permitted on the property.
24. That the waste pick-up for the charter school shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except during arrival and dismissal times.
25. That night activities and/or special events shall be limited to twelve (12) events per year and shall end no later than 10:00 PM.
26. That the outside lighting shall be permitted with the proper shielding according to Miami-Dade County Code.
27. That if the charter school fails after establishment, the owner, within thirty-six months of the charter school's closure shall:
  - a) Cause the charter school to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the charter school.
  - b) Transfer the opinion of the charter school to another charter school operator or to the Miami-Dade County School Board after securing the necessary approvals from the Miami-Dade School Board; or
  - c) Convert the charter school to a permitted use within the zoning district applicable to the property, provided said use has first been authorized through the issuance of the appropriate permits from the Department; or

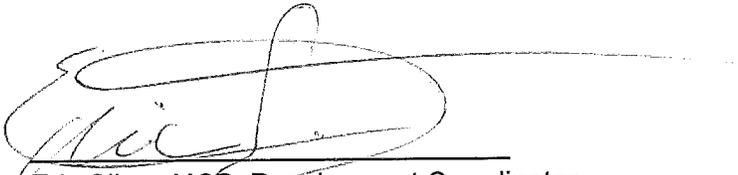
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- d) Secure necessary public hearing approvals to convert the charter school to a use not otherwise permitted within the zoning district applicable to the property.

ES:MW:NN:JV:CH

A handwritten signature in black ink, appearing to read "Eric Silva", written over a horizontal line. The signature is stylized and extends to the right.

Eric Silva, AIQP, Development Coordinator  
Development Services Division  
Miami-Dade County  
Department of Regulatory and Economic Resources

## ZONING RECOMMENDATION ADDENDUM

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<b>NEIGHBORHOOD SERVICES PROVIDER COMMENTS*</b>	
Division of Environmental Resource Management (RER)	No objection
Public Works and Waste Management (Traffic Engineering Division)	Pending
Public Works and Waste Management (Waste Operations)	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Aviation	No objection
Schools	No objection
*Subject to conditions in their memorandum.	

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

<p><b>Business and Office</b> (Page I-41)</p>	<p><i>This category accommodates the full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes (also allowed in the institutional category), entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities (earth stations for satellite communication carriers, satellite terminal stations, communications telemetry facilities and satellite tracking stations). These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and dimensions, configuration and design considered to be appropriate will depend on locational factors, particularly compatibility with both adjacent and adjoining uses, and availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic, and in most wellfield protection areas uses are prohibited that involved the use, handling, storage, generation or disposal of hazardous material or waste, and may have limitations as to the maximum buildable area, as defined in Chapter 24 of the County Code. When the land development regulations are amended pursuant to Land Use Element Policies LU-9P and LU-9Q, live-work and work-live developments shall be permitted on land designated as Business and Office, as transitional uses between commercial and residential areas.</i></p>
<p><b>Institutions, Utilities and Communications</b> (Pg. I-53)</p>	<p><i>Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.</i></p>

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<p><b>Educational Element Policy EDU-3A (Pg. X-5)</b></p>	<p><i>It is the policy of Miami-Dade County that the Miami-Dade County Public Schools shall not purchase sites for schools nor build new schools outside of the Urban Development Boundary (UDB), and that new elementary schools constructed should be located at least 1/4 mile inside the UDB; new middle schools should be located at least 1/2 mile inside the UDB, and; new senior high schools should be located at least one mile inside the UDB. In substantially developed areas of the County where suitable sites in full conformance with the foregoing are not available and a site or portion of a site for a new school must encroach closer to the UDB, the majority of the site should conform with the foregoing location criteria and the principal school buildings and entrances should be placed as far as functionally practical from the UDB. The same criteria of this paragraph that apply to public schools also pertain to private schools.</i></p>
<p><b>Land Use Policy LU-4A (Page I-11)</b></p>	<p><i>When evaluating compatibility among proximate land uses, the County shall consider such factors as noise, lighting, shadows, glare, vibration, odor, runoff, access, traffic, parking, height, bulk, scale of architectural elements, landscaping, hours of operation, buffering, and safety, as applicable.</i></p>

### PERTINENT ZONING REQUIREMENTS/STANDARDS

<p><b>Section 33-311(A)(3) Special Exception, Unusual and New Uses</b></p>	<p><i>Special exceptions (for all applications other than public charter schools), unusual and new uses. Hear application for and grant or deny special exceptions, except applications for public charter schools; that is, those exceptions permitted by the regulations only upon approval after public hearing, new uses and unusual uses which by the regulations are only permitted upon approval after public hearing; provided the applied for exception or use, including exception for site or plot plan approval, in the opinion of the Community Zoning Appeals Board, would not have an unfavorable effect on the economy of Miami-Dade County, Florida, would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, tend to create a fire or other equally or greater dangerous hazards, or provoke excessive overcrowding or concentration of people or population, when considering the necessity for and reasonableness of such applied for exception or use in relation to the present and future development of the area concerned and the compatibility of the applied for exception or use with such area and its development.</i></p>
<p><b>Non-Use Variances From Other Than Airport Regulations. Section 33-311(A)(4)(b)</b></p>	<p><i>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.</i></p>
<p><b>Section 33-311(A)(7) Generalized Modification Standards</b></p>	<p><i>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, or (b) (i) that the resolution that contains the condition approved a school use that was permitted only as a special exception, (ii) that subsequent law permits that use as of right without the requirement of approval after public hearing, and (iii) that the requested modification or elimination would not result in development exceeding the standards provided for schools authorized as a matter of right without the requirement of approval after public hearing.</i></p>

## ZONING RECOMMENDATION ADDENDUM

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<p><b>33-153 Public hearing required in all districts</b></p>	<p><i>The establishment, expansion or modification of a charter school facility is permitted in any zoning district after public hearing upon demonstration that the standards established in this article have been met. Any existing covenant or declaration of restrictions relating to an existing charter school facility shall be modified or deleted only in accordance with the provisions of Article XXXVI of this code.</i></p>
<p><b>33-154 Limitations on the siting of public charter school facilities</b></p>	<p>a) <i>New kindergarten, elementary, middle and senior high charter school facilities as well as the expansion of existing charter school facilities shall be prohibited on sites located outside the Urban Development Boundary (UDB), as established in the Comprehensive Development Master Plan.</i></p> <p>(b) <i>Except as provided in subsection (c) below, the following new charter school facilities and the expansion of such facilities shall be located inside the UDB and spaced from the UDB as follows:</i></p> <p style="padding-left: 40px;">(1) <i>Kindergarten, Elementary school: at least ¼ mile inside the UDB</i>  (2) <i>Middle school: at least ½ mile inside the UDB</i>  (3) <i>Senior high school: at least one mile inside the UDB.</i></p> <p>(c) <i>A proposed new kindergarten, elementary, middle, or senior high charter school facility, or the expansion of an existing charter school site, inside but closer to the UDB than indicated in (b) above, may be approved at public hearing, when it is demonstrated that within a one-half mile radius of the outer boundaries of the proposed new charter school or charter school expansion site:</i></p> <p style="padding-left: 40px;">(1) <i>that the majority of the lots, parcels or tracts lying within the radius are developed or approved for development; and</i>  (2) <i>there are no other lots, parcels or tracts within the radius that are available for development that meet the requirements of subsection (b) above and that meet all the requirements of this article.</i></p> <p><i>Approval of such a site shall require that the majority of the subject site and the proposed buildings' ground floor square footage be located in accordance with (b) above, and that the principal buildings and entrances be placed as far from the UDB as possible.</i></p> <p>(d) <i>For purposes of establishing the distances provided by this section, the applicant shall furnish a certified survey from a registered surveyor, as well as a proposed site plan, which shall indicate that the distance requirements of this section have been met.</i></p>
<p><b>33-314(C)(11) Direct applications to the County Commission</b></p>	<p>(C) <i>The County Commission shall have jurisdiction to directly hear other applications as follows:</i></p> <p style="padding-left: 40px;">(11) <i>Hear application for and, upon recommendation of the Developmental Impact Committee, grant or deny those special exceptions for public charter school facilities permitted by the regulations only upon approval after public hearing, provided the applied for special exception, in the opinion of the Board of County Commissioners, is found to be in compliance with the standards contained in Article XI and <u>Section 33-311(A)(3)</u> of this code.</i></p>

# ZONING RECOMMENDATION ADDENDUM

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Z12-128*

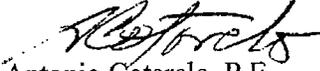
<b>33-314(C)(12)</b> <b>Direct</b> <b>applications to</b> <b>the County</b> <b>Commission</b>	<i>C) The County Commission shall have jurisdiction to directly hear other applications as follows:  (12) Applications for public charter school facilities and expansions or modifications to existing public charter school facilities.</i>
<b>33-303.1(D)(19)</b> <b>Developmental</b> <b>Impact</b> <b>Committee</b>	<i>Review and make recommendations to the Board of County Commissioners on all applications for public charter school facilities and all applications for expansions or modifications to existing public charter school facilities.</i>

# Memorandum



**Date:** April 1, 2014 (March 21, 2014 memo revised based on comments at DIC meeting)

**To:** Eric Silva  
Development Coordinator  
Regulatory and Economic Resource Department

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

**Subject:** DIC 12-128  
Name: Ferro Development, LLC  
Section 04 Township 54 South Range 39 East

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I. PROJECT LOCATION:

SW 8 Street and SW 152 Avenue

II. APPLICATION REQUEST:

This application is seeking a request for a special exception to permit a public charter school facility including, kindergarten through 12<sup>th</sup> grade.

III. RECOMMENDATION:

Miami-Dade County Public Works and Waste Management Department (PWWM) has reviewed this project based on phasing the student population as proposed by the applicant (1,100 students in Phase I; 2,100 student in Phase II; 3,000 students in Phase III) and is in favor of the site plan but cautions that the intensity of use must not exceed beyond 2,100 students without further assessment. The school's management of the proposed queues within the roadway network and their impacts to existing driveways and side streets should be well documented before operating the school above 2,100 students.

Therefore, PWWM recommends approval of this application under the conditions that the project comments and requirements stated within this memo be fulfilled by the applicant; and that prior to expanding above 2,100 students, the applicant must obtain a conditional release memo authorizing the expansion from both PWWM and Regulatory and Economic Resources (RER) as contained in this PWWM memorandum. The purpose of this conditional release memorandum is to confirm that all roadways, intersections and side streets that may be blocked by a queue are operating at acceptable Levels of Service during the school's AM and PM peak hour. PWWM will require a traffic study that assesses the school's proposed traffic impacts at full capacity (3000 students) to be submitted as a prerequisite for obtaining a conditional release memo. This conditional approval provides the applicant an opportunity to demonstrate the ability to operationally manage the school's traffic impacts beyond 2,100 students.

IV. EXISTING ROADWAYS SERVICEABLE TO THIS APPLICATION:

Access to the site is available from the North and the South from SW 152 Avenue and SW 153 Place and access to the site from the East and the West from SW 8 Street (Tamiami Trail) and SW 10 Street.

V. ANTICIPATED TRAFFIC GENERATION AND CONCURRENCY:

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

1,458 AM Peak Hour Trips generated by this development

510 PM Peak Hour trips are generated by this development.

7,440 Daily Trips generated by this development

B. Cardinal Distribution

North	11%	East	52%
South	36%	West	1%

VI. IMPACT ON EXISTING ROADWAYS:

A. CONCURRENCY:

According to the CDMP the peak period means the average of the two (2) average consecutive hours of traffic volume during the weekday, which is the PM peak hour.

**Station F-377** located on SW 8 Street east of Krome Avenue, has a maximum LOS "C" of **1510** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1336** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-377** with its PHP and assigned vehicles is at LOS "C". The **6** vehicle trips generated by this development when combined with the **1336** and those previously approved through Development Orders, **0**, equal **1342** and will cause this segment to remain at LOS "C" where the range of LOS "C" is from 1 to 1510 vehicles.

**Station F-266** located on SW 8 Street east of SW 147 Avenue, has a maximum LOS "D" of **4680** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **3866** vehicles and additional **247** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station F-266** with its PHP and assigned vehicles is at LOS "D". The **175** vehicle trips generated by this development when combined with the **3866** and those previously approved through Development Orders, **247**, equal **4288** and will cause this segment to remain at LOS "D" where the range of LOS "D" is from 3830 to 4680 vehicles.

**Station 9810** located on SW 152 Avenue south of SW 8 Street, has a maximum LOS "C" of **1150** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **751** vehicles and **0** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9810** with its PHP and assigned vehicles is at LOS "C". The **242** vehicle trips generated by this development when combined with the **751** and those previously approved through Development Orders, **0**, equal **993** and will cause this segment to remain at LOS "C" where the range of LOS "C" is from 1 to 1420 vehicles.

**Station 9665** located on SW 72 Street west of SW 157 Avenue, has a maximum LOS "EE" of **2388** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **851** vehicles and additional **38** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9665** with its PHP and assigned vehicles is at LOS "D". The **50** vehicle trips generated by this development when combined with the **851** and those previously approved through Development Orders, **38**, equal **939** and will cause this segment to remain at LOS "D" where the range of LOS "D" is from 1 to 1800 vehicles.

**Station 9856** located on SW 157 Avenue north of Kendall Drive, has a maximum LOS "EE" of **4068** vehicles during the PM Peak Hour. It has a current Peak Hour Period (PHP) of **1331** vehicles and additional **28** vehicles have been assigned to this section of the road from previously approved Development Orders. Furthermore, **Station 9856** with its PHP and assigned vehicles is at LOS "C". The **37** vehicle trips generated by this development when combined with the **1331** and those previously approved through Development Orders, **28**, equal **1396** and will cause this segment to remain at LOS "C" where the range of LOS "C" is from 1 to 2630 vehicles.

VII. Site Plan Comments:

- This land requires platting in accordance with Chapter 28 of the Miami-Dade County Code. Any right-of-way dedications and/or improvements required will be accomplished thru the recording of a plat.
- R7-4C signs ("No Stopping or Standing Tow-away Zone") must be posted along the school's SW 152 Avenue frontage.
- A two-lane one-way cross section for by-pass operations may not be proposed when adjacent to the passenger loading zone area. The furthest southern by-pass lane running the length of the passenger loading zone area must be eliminated so to maintain a single by-pass lane aligned with the driveway lanes further to the west.
- The proposed right-turn bay into Driveway 1 is sub-standard and must be revised to meet typical turn lane standards.

VIII. Traffic Study Comments:

The site's allowable access connections and surrounding roadway network have influenced the school's access route to require 99% of the school's generated trips to arrive via SW 10 Street. The expected 95<sup>th</sup> percentile queues along the school's primary access route, which were reported in the submitted traffic study that analyzed the school's operation at 3,000

students, are expected to affect the operations of the residential side streets and driveways along the route. These queues are listed by intersections below.

i. SW 10 Street with SW 153 Place

This intersection is proposed to operate as a traffic signal under police control. The queue lengths for these movements are dependent on management by the assigned police officer.

- a) The reported eastbound lane queue of 371 feet or longer is expected to impact operations at SW 153 Path and SW 154 Avenue that connect to SW 10 Street at approximately 160 feet and 340 feet respectively from the intersection.
- b) The reported southbound lane queue of 351 feet or longer may impact operations at a side street connecting to SW 153 Court that connects to SW 153 Place at approximately 450 feet from the intersection.
- c) The reported westbound lane queue of 39 feet or longer may potentially impact operations at SW 153 Court and SW 153 Avenue that connect to SW 10 Street at approximately 110 feet and 310 feet respectively from the intersection.

ii. SW 10 Street with SW 152 Avenue

- a) The reported eastbound lane queue of 387 feet or longer will impact operations at SW 152 Court that connects to SW 10 Street at approximately 170 feet from the intersection.
- b) The reported northbound left turn lane queue of 130 feet or longer will impact operations of the SW 152 Avenue through lane because the queue will exceed the 65 foot storage lane.

iii. SW 8 Street with SW 153 Place

- a) The reported northbound lane queue of 232 feet or longer may impact operations at Driveway #1 that connects to SW 153 Place approximately 250 feet from the intersection.

iv. Driveway # 2 with SW 153 Place

This intersection is proposed to operate as a traffic signal under police control. The queue lengths for these movements are dependent on management by the assigned police officer.

- a) The reported northbound lane queue of 598 feet or longer will impact operations at a side street connecting to SW 153 Court that connects to SW 153 Place at approximately 590 feet from the intersection.

v. SW 8 Street with SW 152 Avenue

- a) The reported eastbound lane group queue of 859 feet or longer may potentially impact operations at SW 153 Place that connects to SW 8 Street at approximately 910 feet from the intersection. This potential impact further emphasizes the need of an acceleration lane along SW 8 Street to act as a storage lane when queues reach these projected lengths.

Upon the schools request for expansion beyond the 2,100 students the applicant must examine, within the required traffic study, alternative access routes from SW 8 Street to the

school site that could potentially divert trips generated from east and northeast of this site (approximately 33% of the school trips).

IX. Traffic Operations Plan (TOP) Comments:

The Traffic Operation Plan dated March 13, 2014 must be revised to reflect the conditionally allowable (K-12<sup>th</sup>) student enrollment of 2,100 to arrive and dismiss within the three (3) proposed shifts.

• Project Requirements:

1. All off-site improvements shall be constructed prior to the school opening.
2. The existing "valley" gutter on both the east and west side of SW 153 Place must be replaced with curb and gutter between SW 8 Street and the Sausalito Bay main entrance driveway.
3. Police control at the intersection of SW 10 Street with SW 153 Place and at the site driveway number 2 is required.
4. A northbound right-turn acceleration lane at the intersection of SW 8 Street and SW 153 Place for vehicles turning right onto SW 8 Street must be constructed subject to Florida Department of Transportation (FDOT) approval.
5. The northbound left turn lane queue at the intersection of SW 10 Street with SW 152 Avenue must be assessed two months after the completion of Phase I and Phase II through a traffic study (to be reviewed and approved by PWWM) to evaluate deficiencies in the left turn storage lane. The applicant will be responsible to remedy any deficiencies found within the study by implementing improvements in the field.
6. The school must operate a minimum of 12 bus trips to fulfill the 20% student body busing commitment stated within the traffic study.
7. All project documents revised to incorporate any comments within this memo, including the Traffic Study and Traffic Operation Plan, must be submitted and filed within the zoning records of this project.
8. A School Speed Zone composed of signs (fluorescent yellow-green material must be used where applicable), pavement markings, and flashing beacons, is required to be installed along the school's frontage roads (SW 152 Avenue, SW 153 Place and SW 8 Street). The installation of a speed zone along SW 8 Street may be postponed at this time until PWWM determines the need for this portion of the speed zone and the installation is approved by FDOT.
9. A "Declaration of Restrictions" in favor of PWWM must be recorded in the Official Records of Miami-Dade County, Florida prior to the date of the school opening. The "Declaration of Restrictions" shall include a TOP narrative and plan that has been found acceptable by PWWM.
10. The applicant will provide an annual traffic report, to be submitted and reviewed by PWWM and RER prior to the issuance of the annual Certificate of Use, that verifies compliance with the approved TOP.

- Standard Comments:

1. Public sidewalks are required to extend across all school driveways around the site. This will include pedestrian (ADA) ramps where applicable. All pedestrian crosswalks around the school must have zebra pavement markings.
2. Safe sight distance clearance is required at all driveways; therefore, no trees shall remain or be planted in any clear zones. No tree foliage or branches shall descend below 7 feet within the public right-of-way. All tree placements in sight triangles shall meet or exceed FDOT Index 546. Any proposed planting, relocation or removal of trees and other foliage including any installation of irrigation systems in the public right-of-way must be approved by the R.A.A.M. Division of the Parks Recreation and Open Spaces Department. Also, any relocation or removal of trees must be approved by RER. These approvals should be applied for, and received, prior to DIC Executive Council approval of this project. A "Covenant for Maintenance" agreement, recorded in the public records, must be provided prior to permitting any of these types of installations within the public right-of-way.
3. Plans submitted for Permit shall conform to MUTCD, PWWM and other appropriate standards for engineering design in the public right-of-way. Prior to formal submittal of plans for approval and permitting, a Dry Run Paving and Drainage submittal is required to review compliance with DIC conditions for approval and appropriate standards, and to rectify any discrepancies between existing facilities, plans, conditions for approval, or standards. Existing and proposed striping, signs, and lane widths must be shown on these plans for all adjacent roadways. Also, plans must indicate any existing or proposed private driveways across the streets adjacent to the school site.
4. All roadway improvements including, but not limited to, traffic signs, markings and signals shall be installed by the applicant adjacent to, or nearby, this facility to ameliorate any adverse vehicular impacts caused by the traffic attracted to this facility. Also, traffic control devices, e.g., crosswalks, may be required at locations remote from this site along safe routes to school to provide for pedestrian student safety. These requirements may be determined at the time of Dry Run submittal of Paving and Drainage Plans.
5. PWWM reserves the right to add or modify requirements based upon any additional information that may be received during this review process.

- 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, Chief, Traffic Engineering Division, PWWM  
Jeff Cohen, P.E., Assistant Chief, Traffic Engineering Division, PWWM

# Memorandum



**Date:** February 28, 2014

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

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

**Subject:** DIC #Z2012000128-2<sup>nd</sup> Revision  
Ferro Development LLC  
SW 8<sup>th</sup> Street and 152<sup>nd</sup> Avenue, Miami, Florida  
Charter School  
(BU-1A) (8.97 Acres)  
04-54-39

A handwritten signature in black ink, appearing to read "Jose Gonzalez".

The subject application has been reviewed for compliance with the requirements of Chapter 24 of the Miami-Dade County Code (the Code). As noted in the attached comments, your application has been reviewed and approved for compliance with the requirements of Chapter 24 of the Code subject to the conditions below and may be scheduled for hearing:

**Conditions for Covenant:**

The Petitioner shall submit to DERM a properly executed covenant running with the land in favor of Miami-Dade County. The covenant shall provide that with the exception of the materials permitted under Board Order No. 14-02, hazardous material shall not be used, generated, stored, disposed of, handled or discharge on the property.

**Wellfield Protection**

The subject property is located within the West Wellfield interim protection area. The Board of County Commissioners approved a wellfield protection ordinance for this wellfield. This ordinance provides for stringent wellfield protection measures that regulate land uses within the wellfield protection area.

Section 24-43(5) of the Code requires that no zoning action may occur within the West Wellfield interim protection area without the prior written approval of the Director of DERM or his designee. The same Code Section further provides that the Director or his designee shall issue his written approval only after ascertaining that hazardous materials shall not be used, generated, handled, disposed of, discharged or stored on the property and the owner of the property has submitted to DERM a properly executed covenant running with the land in favor of Miami-Dade County which provides for this requirement.

In as much as the above-noted request did not comply with the noted Code Sections, DERM was not able to administratively approve this application. Accordingly, the applicant applied for variances before the Environmental Quality Control Board (EQCB). Based upon the evidence and available information the Board granted the property owner a variance from the requirements of Section 24-43(5) of the Code via Board Order 14-02. This approval is subject to several conditions.

### Potable Water Service

The subject property is located within Miami-Dade Water and Sewer Department (MDWASD) water franchised service area. A 12-inch public water main is abutting this property on the east side.

The source for this water supply is Alexander Orr Water Treatment Plant, which is owned and operated by MDWASD. This plant has sufficient capacity to provide current water demand, and is presently producing water that meets Federal, State, and County drinking water standards.

### Wastewater Disposal

The subject property is located within MDWASD sewer franchised service area. A public sanitary sewer 20-inch force main is abutting the subject property along S.W. 8<sup>th</sup> Street, as well as a 16-inch force main along S.W. 152<sup>nd</sup> Avenue.

The wastewater flows is directed into pump station 30-1213, then into either pump station 30-0559 or pump station 30-0536, then to pump station 30-Tandem and finally to the South District Wastewater Treatment Plant. All the aforementioned sanitary sewer pump stations as well as the South District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department. The aforesaid force main and pump stations, are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree At this time the South District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

Civil drawing for the required sewer main extension will need to be approved by Miami-Dade Water and Sewer Department and the Water and Wastewater Engineering Section of DERM prior to approval of final development orders.

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 alternative means of sewage disposal. Use of an alternative 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

This proposed development is located within the Basin Bird Drive and currently has a Cut and Fill approval (CF 328). Any deviation of the final site plan from the conditions below will require a modification of CF-328.

A Class II permit is required; this permit shall be obtained prior to any future development order approval. The applicant is advised to contact the Water Control Section of DERM for further information regarding permitting procedures and requirements.

The site, with exception of the water management areas, shall be filled to Miami-Dade County Flood criteria or +8.20 feet NGVD, with a low point set at +7.7 feet NGVD.

No encroachment shall be allowed in the surface water management area from elevation +5.0 feet to +9.20 feet NGVD.

A berm with minimum elevation of +8.60 feet NGVD along the property lines, with equivalent grading to match the required berm elevation at all roadway entrances shall be provided.

An Environmental Resources Permit from the South Florida Water Management District may be required for the construction and operation of the required surface water management system. It is the applicant responsibility to contact this agency for more information regarding said permit.

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 property is located within the Bird Drive Wetland Basin, and is a wetland as defined in Section 24-5 of the Code. Therefore, a Class IV Wetland Permit will be required before any work can be done on the subject property.

Class IV Wetland Permit 2009-CLIV-PER-00039 was issued for this site and authorizes the impacts to 0.00027 acres of wetlands for soil borings associated with geotechnical due diligence. This permit is scheduled to expire on March 8, 2014. However, please be advised that a Class IV Wetland Permit will be required for the remaining wetlands on the site prior to the construction of the proposed charter school.

The Coastal and Wetlands Resources Section (305-372-6585) may be contacted for further information concerning the wetland permitting requirements.

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 also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

#### Tree Preservation

The subject property revealed the presence of tree resources; however, the property is located in a designated wetland basin and will be regulated through a Class IV Wetland Permit.

#### Enforcement History

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

#### 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



**DATE:** October 10, 2013

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

**FROM:** Jacqueline Carranza *Jacqueline Carranza*  
Transit Planner 2  
Miami-Dade Transit - Engineering, Planning & Development Division

**SUBJECT:** DIC Project No. 12-128 (Ferro Development, LLC) – Revision No. 1  
MDT Project No. OSP006  
FSC No. 41.04

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## MDT Comments/Recommendations

The subject site is currently vacant and is located on the southwest corner of SW 8<sup>th</sup> Street and SW 152<sup>nd</sup> Avenue. There is no direct transit service currently serving the subject site. The closest transit service is provided by Routes 24, 51 (Flagler MAX) and 137 (West Dade Connection) and are located over mile away from the site. However, the extension of these routes is not economically feasible at this time. As such, 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). 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.

Notwithstanding the foregoing, the 2013 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan three proposed new Premium Metrobus Routes that will serve the proposed West Miami-Dade/SW 8<sup>th</sup> Street Park-and-Ride/Transit Terminal located at SW 8<sup>th</sup> Street and SW 147<sup>th</sup> Avenue, located approximately 0.37 miles to the east of the subject site.

The SR 836 Express Enhanced Bus and the Flagler Enhanced Bus will provide premium transit service along a segment of SW 8<sup>th</sup> Street from SW 107<sup>th</sup> Avenue to SW 147<sup>th</sup> Avenue. Both routes will terminate at the proposed West Miami-Dade/SW 8 Street Park-and-Ride/Transit Terminal located at SW 8<sup>th</sup> Street and SW 147<sup>th</sup> Avenue. These enhanced bus projects will feature specially-branded 60-foot diesel/electric hybrid, clean diesel, compressed natural gas (CNG) buses as well as strategic park-and-ride locations. In addition, these routes provide a premium east-west transit connection between the residential suburban areas of Western Miami-Dade and the MIC and the Downtown Central Business District.

The SR 836 Express Enhanced Bus service headways will be 10 minutes during the AM/PM peak-hour. Revenue service is anticipated to begin in 2017 using 11 new 60-foot diesel/electric hybrid, clean diesel, CNG, or other alternative fuel buses.

The existing Route 51 (Flagler MAX) will be transformed into the Flagler Enhanced Bus with service headways improved from 15 to 12 minutes during the AM/PM peak and 30 minutes

during midday service. Revenue service is anticipated to begin in 2018 using 10 new 60-foot diesel/electric hybrid, clean diesel, CNG, or other alternative fuel buses.

The SW 137<sup>th</sup> Avenue Enhanced Bus Service will provide premium limited-stop transit service along SW 137<sup>th</sup> Avenue from MDT’s proposed park-and-ride/bus terminal station (SW 8<sup>th</sup> Street and SW 147<sup>th</sup> Avenue) to SW 304<sup>th</sup> Street and US-1. This enhanced bus project will feature strategic park-and-ride locations. In addition, this route provides a premium north-south transit connection for the West Kendall area connecting several residential areas with large shopping centers, which include Kendale Lakes Mall, Miller Square and London Square. In 2007, the Miami-Dade Metropolitan Planning Organization conducted a study of potential transit service improvements in the Kendall area. Bus rapid transit (BRT) service on SW 137<sup>th</sup> Avenue was one of the recommendations made in that study. Service headways will be 20 minutes during the AM/PM peak-hour and 40 minutes during the mid-day. Revenue service is anticipated to begin in 2020 using nine (9) new standard 40-foot buses.

In conclusion, although there is no direct transit service currently serving the subject site and the extension of existing routes to serve this site is not economically feasible at this time, MDT opines that the planned transit improvements as identified in the 2023 Recommended Service Plan will accommodate the transit demand generated by the proposed development.

**Based on the information presented, MDT has no objections to this project.**

**Project Description**

12-128 – Ferro Development, LLC is requesting a special exception to permit a public charter school facility that will serve up to 3,000 students in grades pre-kindergarten through 12<sup>th</sup> grade. The applicant is currently requesting to amend the proposed project with a revised site plan submitted on September 12, 2014. The subject property is approximately 8.93 acres and is located on the southwest corner of SW 8<sup>th</sup> Street and SW 152<sup>nd</sup> Avenue, Miami-Dade County, Florida.

**Current Transit Service**

There is no transit service within the immediate vicinity of the application site. The closest transit service is provided by Routes 24, 51 (Flagler MAX) and 137 (West Dade Connection). The alignment for these routes is illustrated on the attached maps. The service headways for these routes (in minutes) are as follows:

**Metrobus Route Service Summary  
 Ferro Development, 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		
24	(20/30/40) / (20/40)	(20/40)	(24/30)	n/a	(30/60)	(30/60)	1.2	L
51 (Flagler MAX)	15	30	30	n/a	n/a	n/a	1.4	L/F/E
137 (West Dade Connection)	(30)/(30/45)	45	(50/60)	n/a	40	45	1.4	L

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

June 2013 Line up

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### Future Transportation/Transit Improvements

The 2014 Transportation Improvement Program (TIP) proposes the following improvements on the roadways within the immediate vicinity of the site.

Facility/Project Limits	Type of Work
SR 836 Enhanced Bus Service	New park-and-ride lot at SW 8 <sup>th</sup> Street and SW 147 <sup>th</sup> Avenue
SW 157 <sup>th</sup> Avenue (from SW 42 <sup>nd</sup> Street to SW 8 <sup>th</sup> Street)	Construct additional 2 lanes

The 2035 Long Range Transportation Plan (LRTP) lists the following improvements within the immediate vicinity of this project.

Facility/Project Limits	Type of Work	Priority/Funding Phase
SW 147 <sup>th</sup> Avenue (from SW 22 <sup>nd</sup> Terrace to SW 10 <sup>th</sup> Street)	Widen roadway from 2 to 4 lanes	Priority I
SW 157 <sup>th</sup> Avenue (from SW 8 <sup>th</sup> Street to SW 42 <sup>nd</sup> Street)	Widen roadway from 2 to 4 lanes	Priority IV
SR 836 Southwest Extension (from NW 137 <sup>th</sup> Avenue to SW Miami-Dade)	Multimodal transportation corridor	Partially Funded Project
SW 147 <sup>th</sup> Avenue (from SW 8 <sup>th</sup> Street to SW 26 <sup>th</sup> Street)	Complete as a 4 lane roadway	Private Sector Project

The 2014 ten-year Transit Development Plan (TDP) identifies in its 2023 Recommended Service Plan the following improvements/adjustments on the existing routes serving the vicinity of the project:

Route	Improvement/Adjustment
24	Convert to the Coral Way Limited and provide local service between SW 153 <sup>rd</sup> Avenue and Ponce de Leon Blvd. Limited-stop service will be provided east of Ponce de Leon Blvd. to Downtown Miami due to City of Miami Coral Way Trolley.
51 (Flagler MAX)	Route to be transformed to Flagler Enhanced Bus.
137 (West Dade Connection)	No planned improvements.

In addition, the 2014 ten-year TDP identifies in its 2023 Recommended Service Plan the following new routes that will serve the vicinity of the project:

<b>Route</b>	<b>Description</b>
SR 836 Express Enhanced Bus	This route will provide premium limited stop and express transit service along SR 836 and SW 8 <sup>th</sup> Street (East-West Corridor) from west Miami-Dade County (SW 8 <sup>th</sup> Street and SW 147 <sup>th</sup> Avenue) to the MIC via SW/NW 107 <sup>th</sup> Avenue and SR 836.
Flagler Enhanced Bus	This route will provide premium limited-stop transit service along Flagler Street from Downtown Miami to West Miami-Dade County.
SW 137 Avenue Enhanced Bus	This route will provide premium limited-stop transit service along SW 137 <sup>th</sup> Avenue from MDT's proposed park-and-ride/bus terminal station (SW 8 <sup>th</sup> Street and SW 147 <sup>th</sup> Avenue) to SW 304 <sup>th</sup> Street and US-1.

cc: Monica D. Cejas, P.E., Senior Professional Engineer  
 Nilia Cartaya, Principal Planner  
 Douglas Robinson, Principal Planner  
 Gerald Bryan, Transit Planning Section Chief  
 Eric Zahn, Transit Planning Section Supervisor

# Memorandum



**Date:** September 26, 2013  
**To:** Jack Osterholt, Director  
Regulatory and Economic Resources  
**From:** Dave Downey, Fire Chief  
Miami-Dade Fire Rescue Department  
**Subject:** DIC 2012000128 – Ferro Development, LLC (Revision No. 1)

The applicant is seeking a Special Exception to permit a public charter school on an approximate 8.9 acre parcel of land lying south of SW 8<sup>th</sup> Street between SW 152<sup>nd</sup> Avenue and SW 153<sup>rd</sup> Place, Miami-Dade County, Florida.

## SERVICE IMPACT/DEMAND

- (A) Based on development information, this project is expected to generate approximately **117** fire and rescue alarms annually. The estimated number of alarms results in a moderate impact to existing fire and rescue service. However, existing fire and rescue stations 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 **4:54** 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
61	15155 SW 10 Street	Engine	4
58	12700 SW 6 Street	Rescue, Engine	7
29	351 SW 107 Avenue	Rescue, Aerial	7
37	4200 SW 142 Avenue	Rescue, Engine	7
57	8501 SW 127 Avenue	Rescue, Battalion	4

## SITE PLAN REVIEW

- (A) Fire Engineering & Water Supply Bureau reviewed and approved the revised site plan entitled "Pinecrest Academy," as prepared by Civica Architecture, dated stamp received October 17, 2012, with the following condition:

1. At time of permitting the site plan must indicate that either a Knox Key Switch and/or Knox Padlock will be provided on all gates.
- (B) 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 must be reviewed by the Fire Water & Engineering 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.

/ch

# Memorandum



**Date:** September 26, 2013

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

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

**Subject:** Pinecrest Academy Charter School, DIC Application # Z2012000128 (REVISION # 1)

Below, please find the Miami-Dade Water and Sewer Department's (MDWASD) comments for the subject project. Please note that final points of connection for this project will be issued at the time the applicant request connection to the water and sewer system infrastructure. Therefore, all points of connections provided below might change at the time of development and a capacity modeling evaluation may be required.

**Recommendation:** Approval based on conditions noted below.

**Application Name:** Pinecrest Academy Charter School

**Project Location:** The subject property is located at SW 8<sup>th</sup> Street & SW 152<sup>nd</sup> Avenue, in unincorporated Miami-Dade County, adjacent and within the Urban Development Boundary (UDB).

**Proposed Development:** The applicant is requesting to permit a charter school consisting of 81,600 square feet (sq.ft.) of class room area, 117,150 sq.ft. of non-class room area (offices, bathroom, kitchens etc.) and 100,500 sq.ft. of outdoor recreation area. The total water demand for this development will be 23,850 gpd.

**Water:** The subject project is located within MDWASD's service area. The source of water for the project is the Alexander Orr Water Treatment Plant. There are existing 12-inch water distribution mains located in SW 153<sup>rd</sup> Place and in SW 152<sup>nd</sup> Avenue, abutting the Developer's property, from any of which the Developer may connect to provide water service. If two or more fire hydrants are to be connected to a public water main extension within the property, then the water system shall be looped with two (2) points of connection. In addition, all comments addressing water service are provided in accordance with CDMP policies WS-1A, WS-1B and WS-2A.

This project will be required to obtain a Water Supply Certification (WSC) from Miami-Dade Water and Sewer Department. The WSC letter shall remain active in accordance with the terms and conditions specified in said certification. Said Certification is issued 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.

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.

**Sewer:** The subject project is located within MDWASD's service area. There is an existing 8-inch sanitary gravity sewer main stub-out located in SW 153<sup>rd</sup> Court, north of SW 8<sup>th</sup> Way, at the southern boundary of the Developer's property, from which the Developer may connect and install an 8-inch gravity sewer line within the Developer's property, provided that there is sufficient depth and that there are no obstacles which would preclude construction of the sewer facilities.

Pump Station: 1213  
Yearly NAPOT: 3.69 Hrs  
Projected NAPOT: 4.01 Hrs  
Projected NAPOT including this project flows: 4.83 Hrs

The South 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 consistent with policy WS-2A(2) of the CDMP. 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. In addition, all developments must comply with the Miami-Dade County's permanent landscape irrigation restrictions in Section 32-8.2 of the 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](http://www.miamidade.gov/conservation/library/WUE_standards_manual_final.pdf)

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

# Memorandum



**Date:** September 30, 2013

**To:** Eric Silva, Assistant Director  
Regulatory and Economic Resources Department

**From:** Paul Mauriello, Assistant Director, Waste Operations  
Public Works and Waste Management Department 

**Subject:** Ferro Development, LLC update (DIC 12\_128)

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The Public Works and Waste Management Department (PWWM) has no objections to the proposed application as the supplemental information provided in the application does not affect the waste management service provided.

The review was created as requested to update a previous response dated November 9, 2012, as the applicant is requesting a Special Exception to permit a public charter school serving pre-kindergarten through 12<sup>th</sup> grade. The school will likely be considered a commercial establishment per Chapter 15 of the County Code. As the PWWM does not actively compete for commercial waste collection service at this time, waste collection services may be provided by a private waste hauler. The application will have no impact or any associated costs.

The 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. The PWWM is in compliance with this standard, meaning that there is adequate disposal capacity to meet projected growth in demand, inclusive of the application reviewed here, which is not anticipated to have a negative impact on disposal service.

If you should have any questions, please do not hesitate to contact Stacey McDuffie of the Fiscal Management and Planning Division at 305-514-6661.

# Memorandum



**Date:** December 4, 2012

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

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

**Subject:** Z2012000128: FERRO DEVELOPMENT, LLC  
Revised plans dated stamped received 9/12/2013

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**Application Name:** FERRO DEVELOPMENT, LLC

**Project Location:** The site is located on the south side of SW OF SW 8 ST & between SW 152 AVE and sw 153 pl, Miami-Dade County.

**Proposed Development:** The request is for a special exception to permit a charter school to serve up to 3,000 students.

**Impact and demand:** This application does not generate any residential population applicable to CDMP Open Space Spatial Standards. We have no pertinent comments for this application concerning impact or demand on existing County parks, proposed or budgeted service expansion, nor do we perform a concurrency review.

Objective ROS-8 of the Recreation and Open Space Element of the CDMP states the following: *The 2007 Miami-Dade County Parks and Open Space System Master Plan (OSMP), through a 50-year planning horizon, shall guide the creation of an interconnected framework of parks, public spaces, natural and cultural areas, greenways, trails, and streets that promote sustainable communities, the health and wellness of County residents, and that serve the diverse local, national, and international communities.*

**Recommendation:** Based on our findings described herein **PROS HAS NO OBJECTION TO THIS APPLICATION.**

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

MN:jb

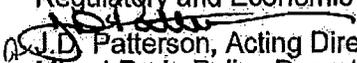
Cc: John M. Bowers, Parks Property Management Supervisor

# Memorandum



**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. Z2012000128 – Ferro Development, LLC

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## APPLICATION

The applicant, Ferro Development, LLC, is requesting a public hearing for a Special Exception to permit a public charter school facility to be located on 8.5 acres at SW 8 Street and SW 152 Avenue. The request would include grades pre-kindergarten through the 12<sup>th</sup> grade and serve up to 3,000 students.

## CURRENT POLICE SERVICES

The school would be located in unincorporated Miami-Dade County and serviced by our Hammocks District, located at 10000 SW 142 Avenue, 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. 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.

Current data of police staffing, population, and crimes/calls for service was examined to project any increase in calls for service. Based on this data and due to the nature of the request (school), it cannot be predicted as to any projected increase in calls for service. Experience lends itself to anticipate that when additional citizens are present, traffic increases, truants may be present in the area, and calls for police service may rise. Current staffing should accommodate any slight increase in the volume of calls for service. However, should demand for police services increase beyond current levels, additional sworn personnel, support staff, and equipment may be required to maintain current levels of service. Additionally, it is recommended that Ferro Development, LLC work closely with the local police district command staff in considering security options for the site, especially during high volume times, to include but not limited to school start/dismissal times and special events.

Eric Silva, AICP, Assistant Director  
November 21, 2012  
Page 2

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.

If the request is approved, the MDPD recommends the following to be implemented as part of the approval.

- Stagger start and dismissal times to assist in decreasing the volume of traffic generated by the school.
- Install additional traffic control devices on the appropriate streets surrounding the school as necessary.
- Establish an internal system and protocols to locate and identify the residence of any sexual offenders residing within 1,000 and 2,500 feet of the school as reflected in Florida Statute 775.215 and the Code of Miami-Dade County, Section 21.281(a) respectively.
- Develop and implement a parking and traffic plan that includes, but is not limited to, adequate parking during special events and safe street crossing for pedestrians in and around the immediate area surrounding the campus.

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



**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:** DIC Application #12-128  
Ferro Development, LLC  
MDAD DN-12-11-1093

A handwritten signature in black ink, appearing to read "José A. Ramos", written over the "From:" field.

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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 #12-128, Ferro Development, LLC. The applicant is requesting a special exception to permit a charter school on the Southwest corner of SW 8<sup>th</sup> Street and SW 152<sup>nd</sup> Avenue, Miami-Dade County, Florida. The size of the property is approximately 8.97 acres.

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



# 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  
Susie V. Castillo  
Carlos L. Curbelo  
Dr. Wilbert "Tee" Holloway  
Dr. Martin Karp  
Dr. Marta Pérez  
Raquel A. Regalado

January 31, 2014

**DELIVERY VIA ELECTRONIC MAIL**

Mr. Nicholas Nitti, DIC Coordinator  
Zoning Evaluation Section  
[NDN@miamidade.gov](mailto:NDN@miamidade.gov)

**RE: STATUS OF SELECTED CHARTER SCHOOL CONTRACTS**

Dear Mr. Nitti:

Please see the information below in response to your inquiries regarding Pinecrest Academy, Inc., on behalf of (1) **Pinecrest Palms Academy (4634)**; (2) **Pinecrest Academy Middle School North Campus (6003)**; and (3) **Pinecrest Preparatory Academy Charter High School (7053)**.

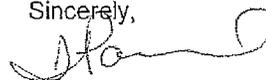
(1) Pinecrest Palms Academy (4634)	
Application Approval:	January 18, 2012
Contract Status:	Approved at the June 19, 2013 School Board Meeting. Currently being routed for signature for full execution of the contract.
School location(s):	<ul style="list-style-type: none"> <li>▪ <u>Current/Temporary Campus</u>: 15130 S.W. 80 Street, Miami, Florida 33193, Folio No. 30-4933-002-0021; (to remain at this address commencing with the 2013-2014 school year and until August 1, 2015).</li> <li>▪ <u>Permanent Campus</u>: S.W. 8th Street and S.W. 152nd Avenue, Folio No. 30-4904-000-0090. The following schools will be co-located at this site: Pinecrest Middle and Pinecrest High.</li> </ul>
Term of the Contract:	5 years; August 2013 to June 30, 2017, as a deferral to open was granted for the 2012-2013 school year.
Enrollment Capacity:	2012-2013 SY – Not Open 2013-2015 SY – (K-1) 18 students 2015-2016 until end of term – (K-8) 900 students
Allowable Grade levels:	Grades K - 8
Additional Information:	Approved School Board Item: <a href="http://pdfs.dadeschools.net/Bdarch/2013/Bd061913/agenda/C30rev.pdf">http://pdfs.dadeschools.net/Bdarch/2013/Bd061913/agenda/C30rev.pdf</a>

<b>(2) Pinecrest Academy Middle School North Campus (6003)</b>	
Application Approval:	02/10/10
1 <sup>st</sup> Amendment to the Contract Status:	Approved at the October 16, 2013 School Board Meeting. Currently being routed for signature for full execution of the contract.
School location(s):	<ul style="list-style-type: none"> <li>▪ <u>Current/Temporary Campus:</u> 10207 W. Flagler Street, Miami, Florida 33174; Folio No. 30-4005-001-0291 (to remain at this address until such time that construction is completed at the Permanent Campus)</li> <li>▪ <u>Permanent Campus:</u> S.W. 8th Street and S.W. 152nd Avenue, Folio No. 30-4904-000-0090. The following schools will be co-located at this site: Pinecrest Palms (elementary) and Pinecrest High</li> </ul>
Term of the Contract:	5 years; August 2011 to June 2015, as a deferral was granted for 2010-2011 school year.
Enrollment Capacity:	2010-2011 SY – Not open 2011-2012 SY – (6) 25 students 2012-2014 SY – (6-8) 300 students 2014-2015 until end of term – (6-8) 600 students
Allowable Grade levels:	Grades 6 - 8
Additional Information:	Approved School Board Item: <a href="http://pdfs.dadeschools.net/Bdarch/2013/Bd101613/agenda/C30.PDF">http://pdfs.dadeschools.net/Bdarch/2013/Bd101613/agenda/C30.PDF</a>

<b>(3) Pinecrest Preparatory Academy Charter High School (7053)</b>	
Application Approval:	02/14/2007
2 <sup>nd</sup> Amendment to the Contract Status:	Approved at the October 16, 2013 School Board Meeting. Currently being routed for signature for full execution of the contract.
School location(s):	<ul style="list-style-type: none"> <li>▪ <u>Current/Temporary Campus:</u> 14901 S.W. 42 Street, Miami, Florida 33185; Folio No. 30-4916-052-0010 (to remain at this address until such time that construction is completed at the Permanent Campus)</li> <li>▪ <u>Permanent Campus:</u> S.W. 8th Street and S.W. 152nd Avenue, Folio No. 30-4904-000-0090. The following schools will be co-located at this site: Pinecrest Palms (elementary) and Pinecrest High</li> </ul>
Term of the Contract:	10 years; August 2008 to June 2018
Enrollment Capacity:	2008-2009 SY – (9-10) 500 students 2009-2010 SY – (9-11) 750 students 2010-2014 SY – (9-12) 1,000 students 2014-2018 SY – (9-12) 1,200 students
Allowable Grade levels:	Grades 9-12
Additional Information:	Approved School Board Item: <a href="http://pdfs.dadeschools.net/Bdarch/2013/Bd101613/agenda/C30.PDF">http://pdfs.dadeschools.net/Bdarch/2013/Bd101613/agenda/C30.PDF</a>

If you have any questions or require additional information, please contact me, at 305 995-1403 or [tpauline@dadeschools.net](mailto:tpauline@dadeschools.net).

Sincerely,



Tiffanie Pauline  
Assistant Superintendent

TP:elg  
L160

DATE: 26-MAR-14

BUILDING AND NEIGHBORHOOD  
COMPLIANCE DEPARTMENT

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

FERRO DEVELOPMENT,LLC

south side of SW OF SW 8 ST &  
between SW 152 AVE and sw 153 pl,  
MIAMI-DADE COUNTY, FLORIDA.

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APPLICANT

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ADDRESS

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Z2012000128

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HEARING NUMBER

**HISTORY:**

ENFORCEMENT HISTORY: NC: No open cases. Prior case 201312009897 was opened on November 27, 2013 for junk/trash on unimproved property. Warning was issued December 18, 2013. Violation corrected and closed on January 3, 2014. Case 201412001009 was opened on February 6, 2014 for junk/trash on unimproved property. NCO did not get good address and case was closed on March 10, 2014. BNC: No bss cases open/closed.

Ferro Development

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

**REPORTER NAME:**

# PINECREST ACADEMY TAMIAMI TRAIL CAMPUS

SW 8th STREET & SW 152nd AVENUE  
MIAMI, FL 33194

FOLIO # 30-4904-000-0090

**APPLICANT:**

TAMIAMI SCHOOL PROPERTY, LLC  
6457 Sunset Drive  
South Miami, FL 33143

DATE: 09.18.2012  
ISSUED FOR: DIC SUBMITTAL  
CIVICA PROJECT: 120118

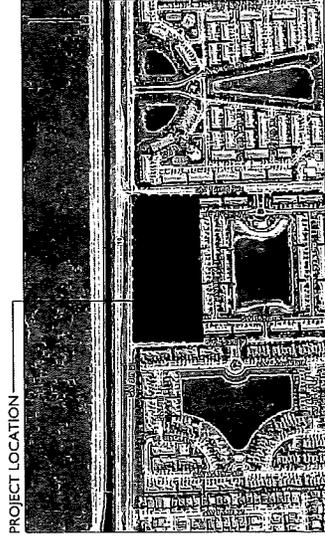
**A R C H I T E C T:**

**CIVICA**  
I L C  
ARCHITECTURE & URBAN DESIGN

8323 NW 12th St. Suite 106  
Doral, FL 33126  
tel: 305.593.9959  
AA #28001083

**C O N S U L T A N T S:**

INDEX OF DRAWINGS	
COVER	
A-1	PROPOSED SITE PLAN & DATA
A-2	PROPOSED PHASING PLAN
A-3	PROPOSED EAST CLASSRM BLDG 01
A-4	PROPOSED EAST CLASSRM BLDG 01
A-4.1	ELEVATIONS
A-5	PROPOSED NORTH CLASSRM BLDG 02
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A-6	PROPOSED NORTH CLASSRM BLDG 03
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A-7	PROPOSED CAFETERIA & GYMNASIUM
A-8	LANDSCAPING PLAN
A-9	LANDSCAPING NOTES & DETAILS
A-10	



PROJECT LOCATION

LOCATION MAP

LEGAL DESCRIPTION

Parcel # 304904000090  
The portion of Lots 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**RECEIVED**  
712-128  
SEP 17 2013

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

BY \_\_\_\_\_

REVISIONS	
NO.	DATE
1	01.24.2013
2	04.12.2013

REVISION	
DIC COMMENTS	PUBLIC WORKS COMMENTS

*[Signature]*  
8.28.13



**PROJECT:**  
 PINCREST  
 ACADEMY  
 TAMAMI TRAIL  
 CAMPLUS

**APPLICANT:**  
 TAMAMI SCHOOL  
 PROPERTY, LLC  
 6457 Sunset Drive  
 Miami, FL 33149

**ISSUED FOR:**  
 DIC  
**SUBMITTAL**  
 CIVICA PROJECT NO.:  
 1201R

**CHILD CARE CHECK LIST FOR CHARTER SCHOOLS**  
 A signed charter contract from the Miami-Dade County School Board must accompany this application.  
 School Name: PINCREST ACADEMY CHARTER SCHOOL, TAMAMI TRAIL CAMPLUS  
 School Address: 2700 SW 15th Ave, Suite 108, Doral, FL 33126  
 Total area of site: 1,200 sq. ft. (Total area includes both to be addressed).  
 Is this an expansion to an existing facility? YES NO  
 If yes, then indicate the # of students and grants areas previously approved: \_\_\_\_\_  
 Number of students / children requested: 30000 Grade Level: PRE-K-TH GRADE  
 Total square footage of classroom area: 11,000 sq. ft. Total square footage of outdoor play area: 100,000 sq. ft.  
 Total square footage of outdoor recreation/play area: 100,000 sq. ft.  
 Total number of parking spaces provided: 1000  
 Also including spaces provided: 1000  
 City and name of operation: TAMAMI TRAIL CAMPLUS, TAMAMI TRAIL CAMPLUS  
 The INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.  
 County, Florida, City of \_\_\_\_\_, State of Florida.  
 WITNESSES: \_\_\_\_\_  
 STATE OF FLORIDA  
 COUNTY OF MIAMI-DADE  
 I hereby certify that the \_\_\_\_\_ of the above information is true and correct to the best of my knowledge and belief and that the information has been reviewed by me or a duly authorized representative of the County, Florida, City of \_\_\_\_\_, State of Florida.  
 My Commission Expires: \_\_\_\_\_

**BU - ZONING LEGEND**

MINIMUM REQUIREMENTS	REQUIRED	PROVIDED
Lot Area: 10,000 sq. ft. (Minimum)	5,000 sq. ft.	95%
Setback: 25 feet (Front)	7,500 sq. ft.	274,394 sq. ft.
Setback: 10 feet (Side/Rear)	7,500 sq. ft.	274,394 sq. ft.
Lot Coverage: 25%	25%	27%
Height: 35 feet (Maximum)	35 feet	42'
Use: Educational	20'	20'
Other: As per City Ordinance	20'	20'

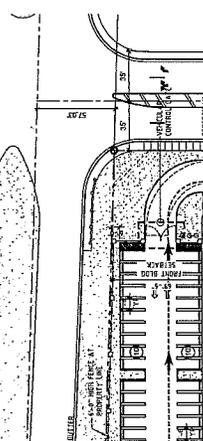
NOTE: The purpose of this table is to provide a summary of the minimum requirements for the various zoning districts. It is not intended to be a substitute for the zoning code. The applicant is responsible for verifying the requirements for their specific project.

**PARKING CALCULATION**

Category	Requirement	Provided
Staff (1 Per Staff)	30	30
Volunteers	30	30
Students	60	60
Other (As per City Ordinance)	60	60
<b>Total</b>	<b>180</b>	<b>180</b>

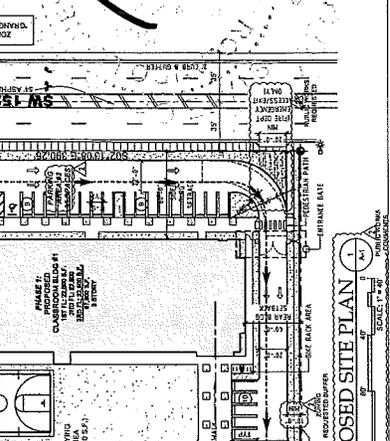
NOTE: The purpose of this table is to provide a summary of the parking requirements for the various categories. It is not intended to be a substitute for the zoning code. The applicant is responsible for verifying the requirements for their specific project.

**Parking Calculation Note:**  
 The total parking capacity of the site is 180 spaces. This includes 30 spaces for staff, 30 spaces for volunteers, 60 spaces for students, and 60 spaces for other. The applicant is responsible for ensuring that the parking spaces are properly located and accessible to all users.



NO.	DATE	REVISION	BY
1	08/28/13	ISSUED FOR DIC	SAK
2	08/28/13	REVISION	SAK

**PROPOSED SITE PLAN**  
 8 DATA  
 CALCULATIONS  
 SHEET NUMBER  
 A-1



**PROPOSED SITE PLAN**  
 8 DATA  
 CALCULATIONS  
 SHEET NUMBER  
 A-1



**PROJECT:**  
 PINECREST  
 ACADEMY  
 (TAMIAMI TRAIL  
 CAMPUS)  
 SW 8th St & SW 153rd Ave  
 MIAMI, FL 33194

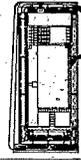
**APPLICANT:**  
 TAMAMI RECREATION  
 FACILITY, LLC  
 6457 Sunset Drive  
 Miami, FL 33145

**ISSUED FOR:**  
 DIC  
 SUBMITTAL

**CIVICA PROJECT No.:**  
 12018

NO.	DATE	REVISION	BY
1		PRELIMINARY	THP/F
2		REVISED	THP/F
3		REVISED	THP/F
4		REVISED	THP/F
5		REVISED	THP/F
6		REVISED	THP/F
7		REVISED	THP/F
8		REVISED	THP/F
9		REVISED	THP/F
10		REVISED	THP/F

**DOWN BY:** APPROVED BY:  
 DATE: SCALE:  
 SW 8th St, 200 SET 50T  
 KEY PLAN

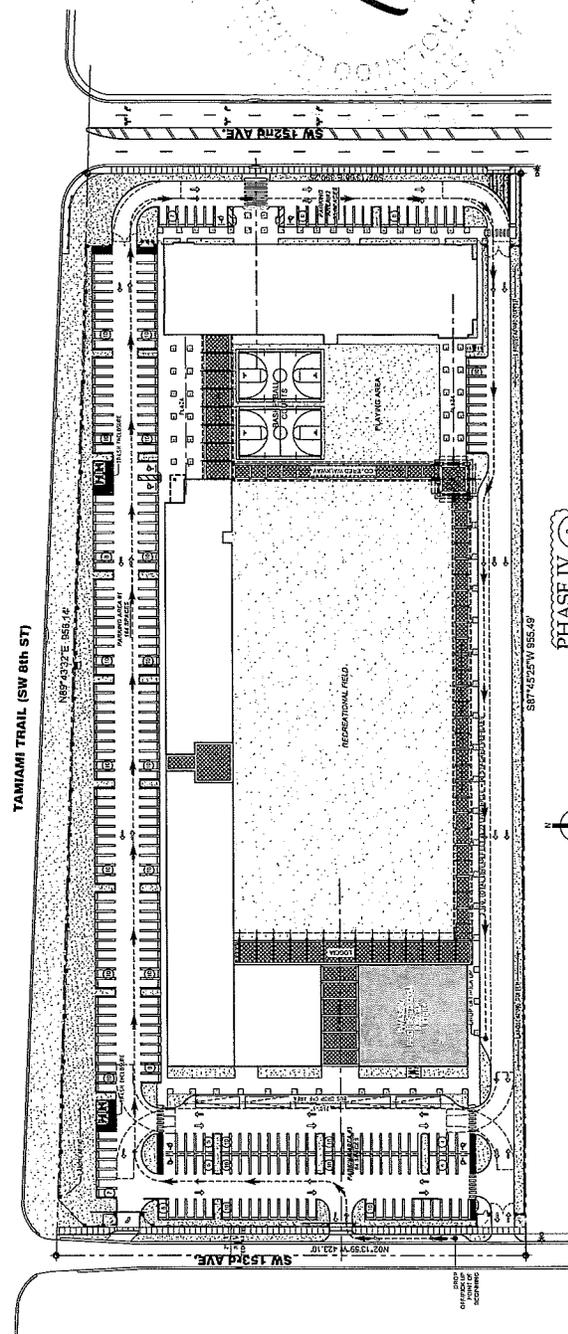
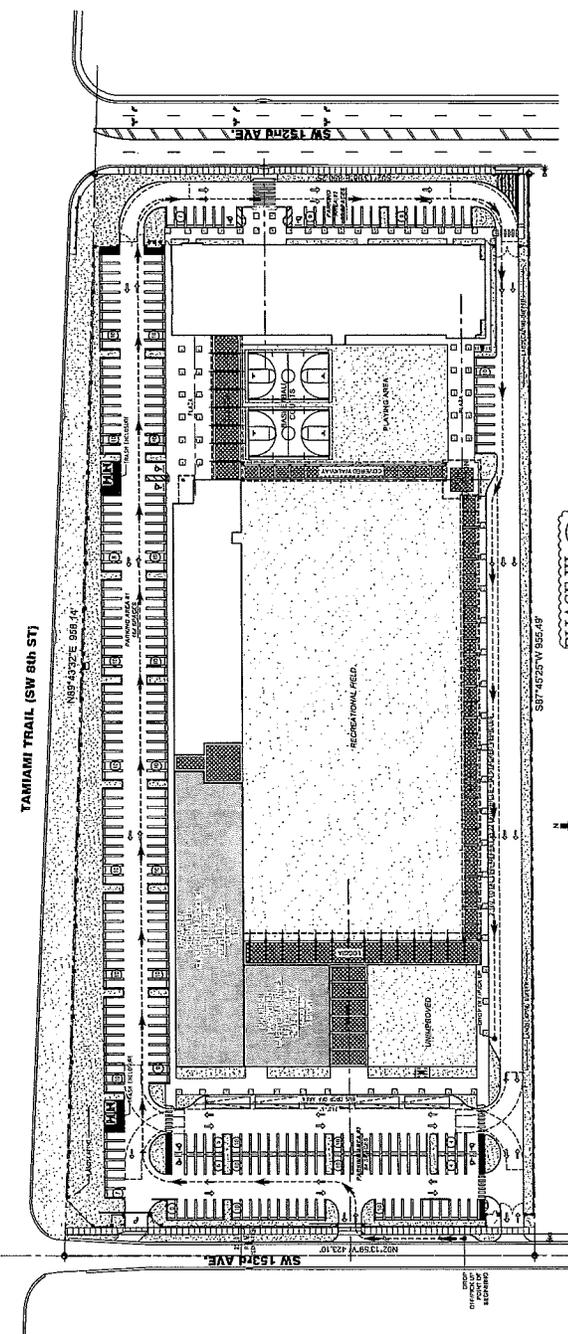


*Handwritten signature and date:*  
 8.28.13

**REVISIONS:**  
 THIS DRAWING IS THE PROPERTY OF CIVICA AND IS NOT TO BE USED ON ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CIVICA.

**SHEET TITLE:**  
 PROPOSED  
 PHASING  
 PLAN

**SHEET NUMBER:**  
 A-3



**PARKING CALCULATION**

Category	Count	Required	Provided
Elementary	1,200		
Adults School	600		
High School	1,200		
High School	1,200		
<b>Total</b>	<b>4,200</b>	<b>274</b>	<b>283</b>

NOTES: 1. Daily ADA Accessible parking spaces provided as per 2010 Florida Building Code, Accessibility. Total Provided = (included in 283 total parking count)

PHASE 4 (ACCESSORY USE - GYMNASIUM)  
 NO INCREASE IN STUDENTS ON SITE











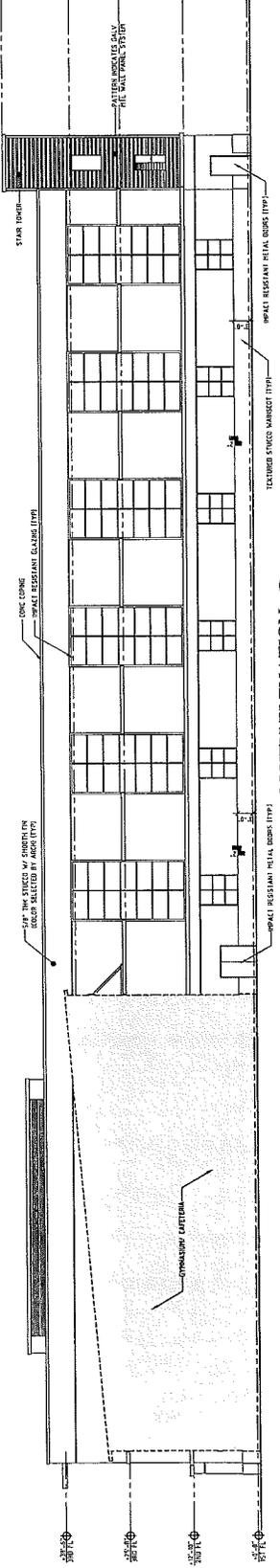
**PROJECT:**  
 PINECREST  
 ACADEMY  
 (MIAMI TRAIL  
 CAMPUS)  
 SW 8th ST & SW 152nd AVE  
 MIAMI, FL 33184

**APPLICANT:**  
 TAMAMI TRAIL  
 PROPERTY, LLC  
 6427 Sunset Drive  
 Miami, FL 33143

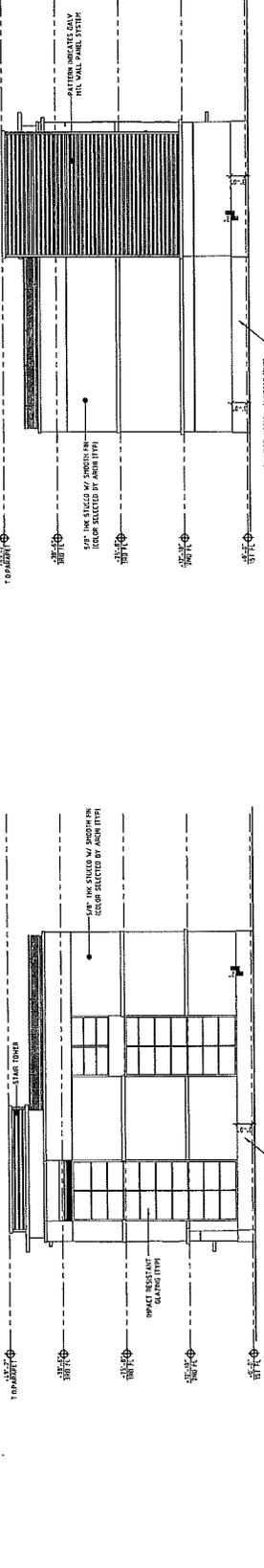
**ISSUED FOR:**  
 DIC  
 SUBMITTAL

**CIVICA PROJECT No.:**  
 120110

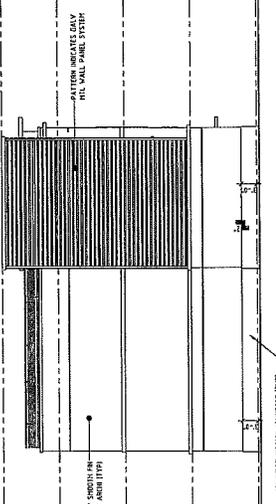
**REBID NOTE:**  
 ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 ALL GROUP FROM THE 2015 IBC PRESENT RESTRICTIONS AS PER SEC.  
 23.05 OF THE HAWAII COUNTY ZONING ORDINANCE (17).



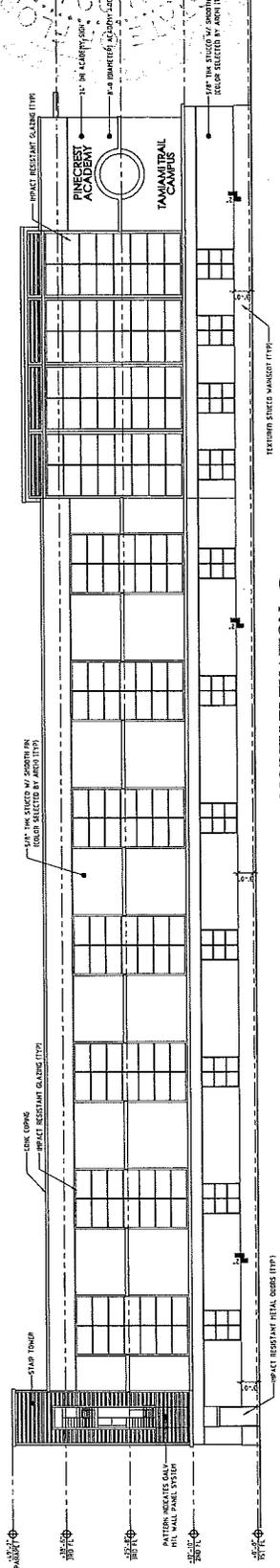
**SOUTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**ISSUED FOR:**  
 DIC  
 SUBMITTAL

**PROPOSED**  
 NORTH CLASSRM  
 BLDG. 03  
 ELEVATIONS

**SHEET NUMBER**  
 A-6.1



**CIVICA**  
 ARCHITECTS, P.A.  
 8223 NW 17th St, Suite 106  
 Doral, FL 33126  
 Tel: 305.593.9859  
 www.civicaarchitects.com

**PROJECT:**  
 PINCREST  
 ACADEMY  
 (MIAMI TRAIL  
 CAMPUS)  
 SW 9th St & SW 152nd Ave  
 Miami, FL 33194

**APPLICANT:**  
 TAMAMISCHOOL  
 PROPERTY, LLC  
 6457 Sunrise Drive  
 Miami, FL 33143

**ISSUED FOR:**  
 D/C  
 SUBMITTAL

**CIVICA PROJECT No.:**  
 120118

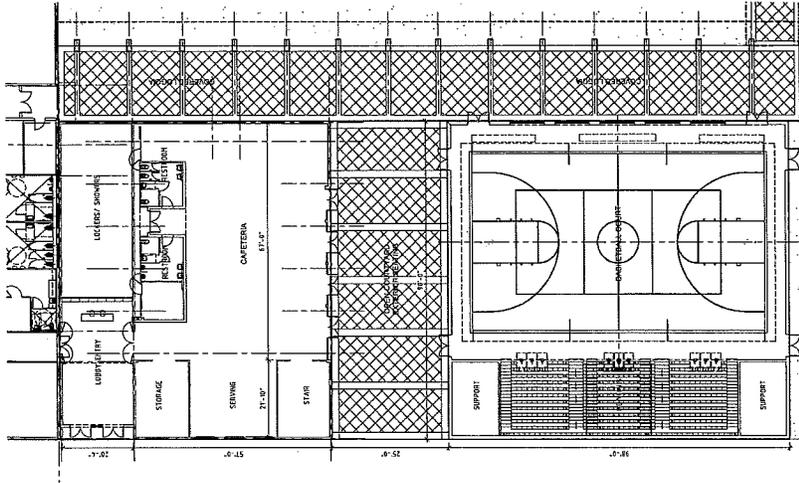
NO.	DATE	REVISION	BY

**DRAWN BY:** [Signature]  
**APPROVED BY:** [Signature]  
 JH  
 RL  
 DATE: 8/28/13  
 SEC: 211  
 KEY PLAN

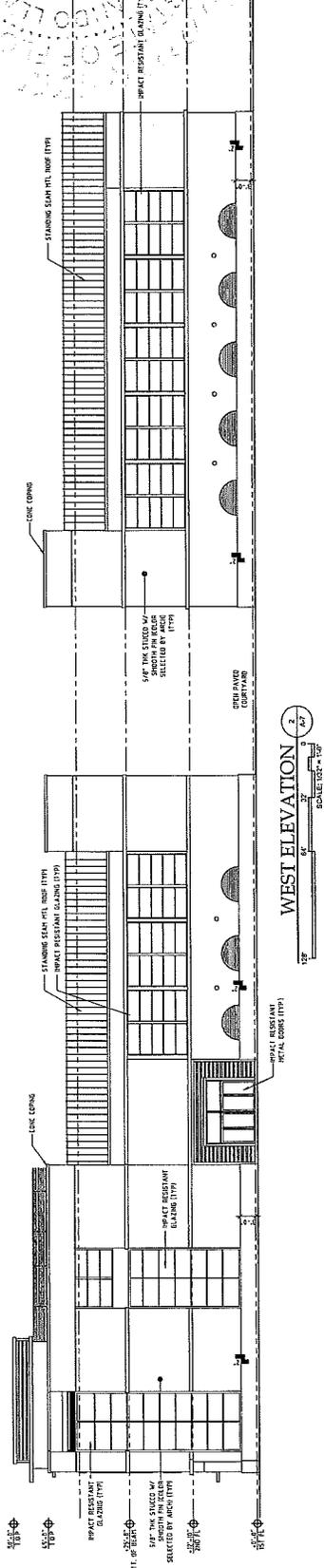
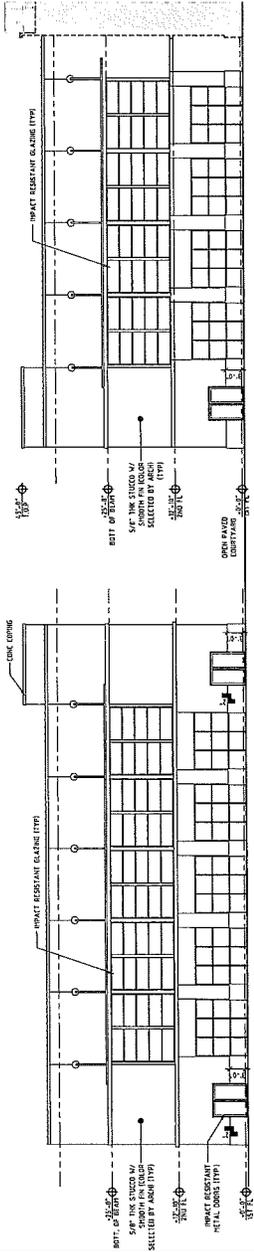
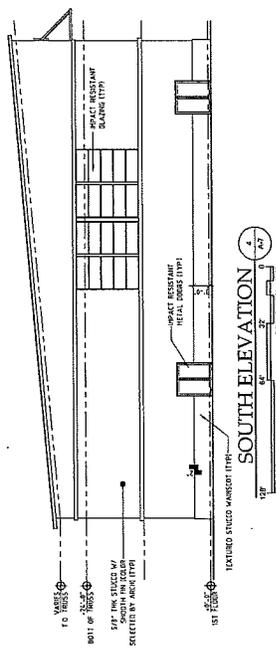
**PROPOSED**  
**CAFETERIA**  
**& GYMNASIUM**  
**FL PLANS & ELEVATIONS**  
**SHEET NUMBER: A-7**

**8-28-13**

**THIS DRAWING IS THE PROPERTY OF CIVICA ARCHITECTS, P.A. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS TO BE RETURNED TO CIVICA ARCHITECTS, P.A. UPON COMPLETION OF THE PROJECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF CIVICA ARCHITECTS, P.A.**



**HEIGHT NOTE:**  
 ALL ROOF ELEVATIONS SHOWN AND ACCENT TOWER'S SHALL BE TO FINISH GRADE. ALL OTHER ROOF ELEVATIONS SHALL BE TO FINISH GRADE. ALL ELEVATIONS SHALL BE TO FINISH GRADE UNLESS OTHERWISE NOTED.  
 12-58' (4) OF THE MIAMI-DADE COUNTY ZONING ORDINANCE (179)





**PLANT LIST**

QTY	PLANT NAME	QTY	UT	SIZE
12	CESTRUM SPERMATOPHYTES	12	44	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	45	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	46	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	47	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	48	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	49	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	50	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	51	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	52	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	53	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	54	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	55	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	56	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	57	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	58	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	59	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	60	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	61	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	62	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	63	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	64	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	65	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	66	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	67	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	68	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	69	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	70	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	71	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	72	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	73	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	74	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	75	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	76	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	77	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	78	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	79	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	80	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	81	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	82	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	83	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	84	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	85	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	86	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	87	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	88	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	89	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	90	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	91	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	92	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	93	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	94	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	95	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	96	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	97	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	98	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	99	10" DIA x 7' SPREAD, 2.177' DI
12	CESTRUM SPERMATOPHYTES	12	100	10" DIA x 7' SPREAD, 2.177' DI

**LANDSCAPE LEGEND**

**LANDSCAPE OPEN SPACE**

**REQUIRED**

**PROVIDED**

**LAWN AREA CALCULATION**

**TREES**

**SHRUBS**

**NOTES**

1. ALL LANDSCAPING SHALL BE INSTALLED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

2. ALL TREES SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

3. ALL SHRUBS SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

4. ALL LANDSCAPING SHALL BE INSTALLED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

5. ALL TREES SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

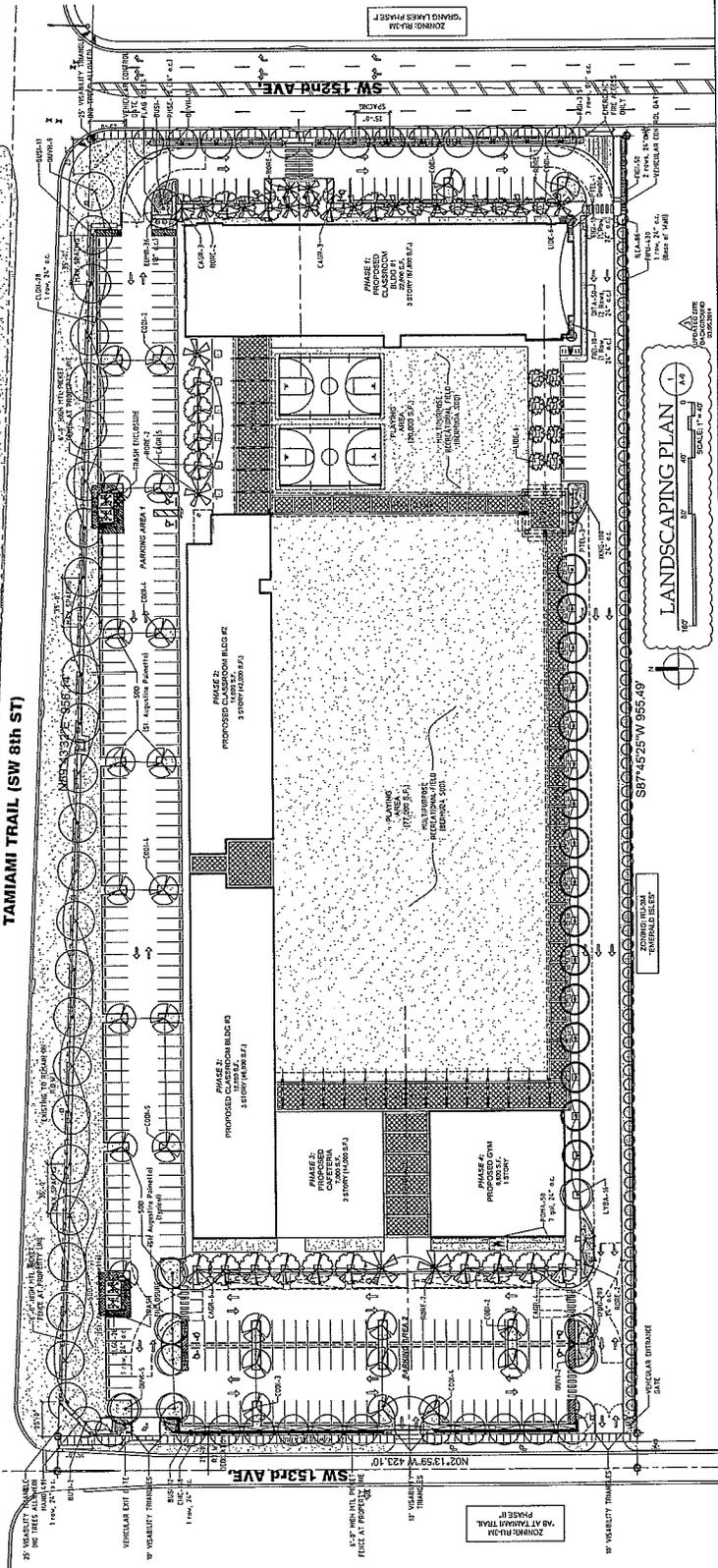
6. ALL SHRUBS SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

7. ALL LANDSCAPING SHALL BE INSTALLED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

8. ALL TREES SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

9. ALL SHRUBS SHALL BE PLANTED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.

10. ALL LANDSCAPING SHALL BE INSTALLED WITHIN THE SPECIFIED TIME FRAME AND SHALL BE SUBJECT TO THE SUPERVISION OF THE CIVIC ENGINEER.



**LANDSCAPING PLAN**

**SCALE: 1" = 10'-0"**

**DATE: 01/11/20**

**BY: SEE DFT**



### CHILD CARE CHECK LIST FOR CHARTER SCHOOLS

A signed charter contract from the Miami-Dade County School Board must accompany this application which matches the location, # of students and grade levels of the proposed application.

Pinecrest Academy Charter School - Tamiami Campus

School Name: \_\_\_\_\_ School Address: SW 8th Street & SW 152nd Ave

Tax Folio # 30 4904-000-0090 Total size of site: 8.9264 acres

Is this an expansion to an existing school?  Yes  No

If yes, indicate the # of students and grade levels previously approved:

\_\_\_\_\_ and the Resolution # \_\_\_\_\_

Number of children/students requested: 3000 Grade Levels: PreK-12th Ages: 4-18 years

Number of classrooms: 136 Total square footage of classroom area: 81,600 S.F.

Total square footage of non-classroom area (offices, bathrooms, kitchens, etc.) 117,150 S.F.

Total square footage of outdoor recreation/play area: 97,000 S.F.

Number of parking spaces provided for staff, visitors, and transportation vehicles: 184 spaces

Days and hours of operation: Monday - Friday: 7:00AM - 4:00PM

THE INFORMATION ABOVE IS COMPLETE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Signed, sealed, executed and acknowledged on this 16 day of October at Miami-Dade County, Florida.

WITNESSES:

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

RECEIVED  
12-128  
OCT 17 2012

RECEIVED  
OCT 17 2012

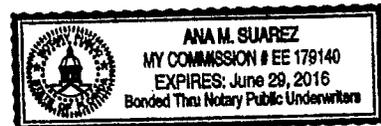
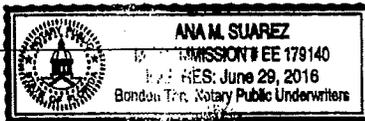
STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

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

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

I hereby certify that on this 16 day of October, 2012, before me personally appeared Isabel De La Portilla, to me known to be the person described in an who executed the foregoing instrument and he/she acknowledge to me the execution thereof to be his/her free act for the uses and purposes therein mentioned.

My Commission Expires \_\_\_\_\_



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: Ferro Development LLC

<u>NAME AND ADDRESS</u>	<u>Percentage of Stock</u>
<u>Mario Ferro</u>	<u>50%</u>
<u>Mario C. Ferro</u>	<u>50%</u>
_____	_____
_____	_____

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 \_\_\_\_\_

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

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

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: \_\_\_\_\_

<u>NAME AND ADDRESS</u>	<u>Percentage of Ownership</u>
_____	_____
_____	_____
_____	_____
_____	_____

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: School Development HC, LLC

<u>NAME, ADDRESS AND OFFICE (if applicable)</u>	<u>Percentage of Interest</u>
<u>Ignacio Zuleta</u>	<u>50%</u>
<u>Fernando Zuleta</u>	<u>50%</u>
_____	_____
_____	_____
_____	_____

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

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

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

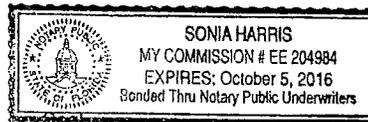
**NOTICE:** For any changes of ownership or changes in purchase contracts after the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest is required.

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

Signature: Mary Land  
(Applicant)

Sworn to and subscribed before me this 16th day of OCT, 20 2012 Affiant is personally know to me or has produced \_\_\_\_\_ as identification.

Sonia Harris  
(Notary Public)



My commission expires: \_\_\_\_\_

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

GU

43

44

SW 8TH ST

BU-1A

SW 8TH WAY

TRB

TRA

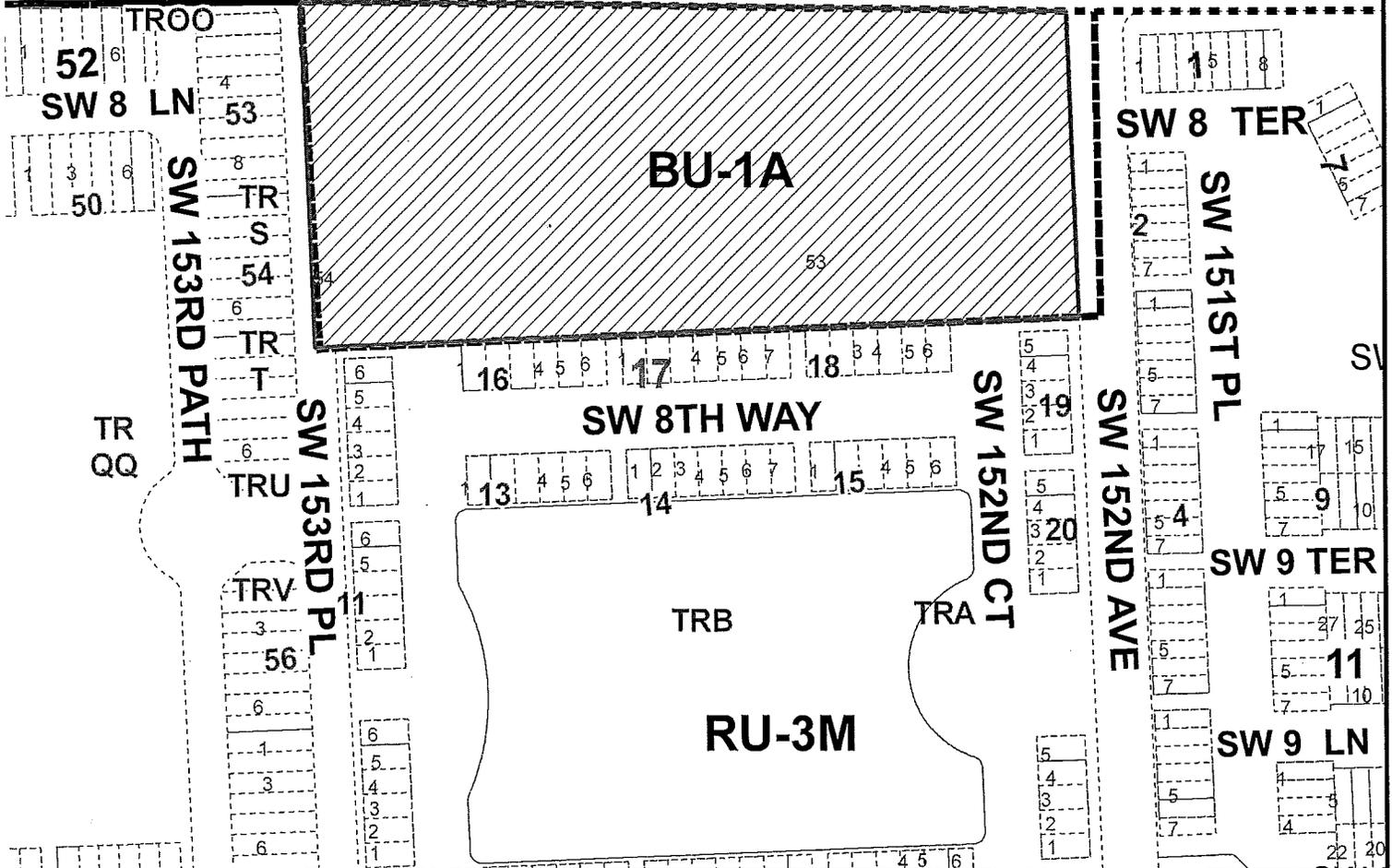
RU-3M

SW 8 TER

SW 151ST PL

SW 9 TER

SW 9 LN



MIAMI-DADE COUNTY  
HEARING MAP

Process Number  
**Z2012000128**



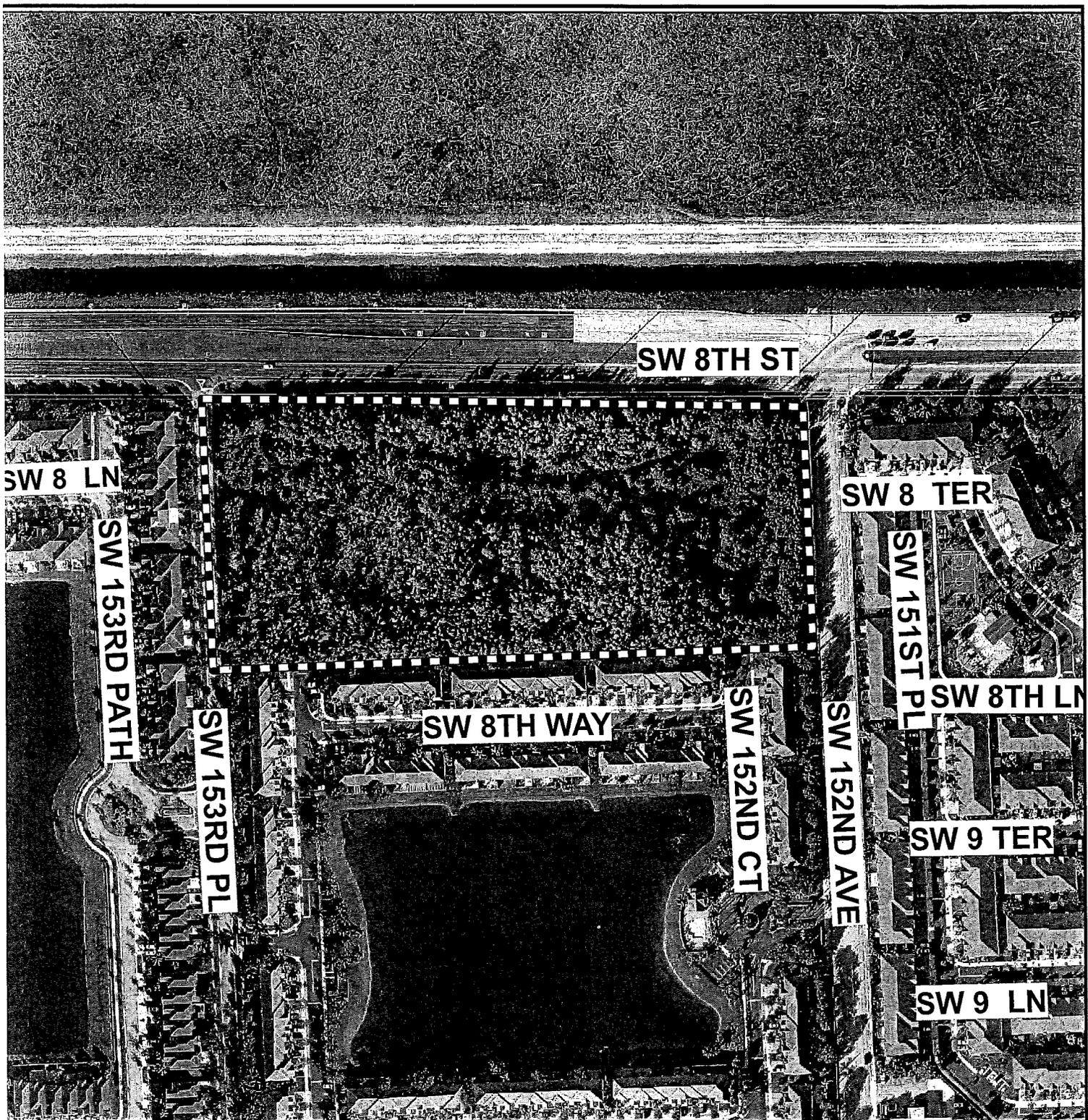
Section: 04 Township: 54 Range: 39  
 Applicant: FERRO DEVELOPMENT,LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

**Legend**

-  Subject Property Case
-  Zoning



REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number

**Z2012000128**



Section: 04 Township: 54 Range: 39  
 Applicant: FERRO DEVELOPMENT,LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

 Subject Property



REVISION	DATE	BY



SW 4TH ST

OPEN LAND

WATER

TRANSPORTATION

SW 8TH ST

SW 8 LN

SW 153RD PATH

SW 153RD PL

BUSINESS AND OFFICE

SW 8TH WAY

(LDR) 2.5-6 DU/AC

SW 152ND CT

SW 152ND AVE

SW 8 TER

SW 151ST PL

SW 8TH LN

SW 9 TER

SW 9 LN

MIAMI-DADE COUNTY

CDMP MAP

Process Number

Z2012000128



Section: 04 Township: 54 Range: 39  
Applicant: FERRO DEVELOPMENT, LLC  
Zoning Board: C10  
Commission District: 11  
Drafter ID: JEFFER GURDIAN  
Scale: NTS

Legend



Subject Property Case



SKETCH CREATED ON: Tuesday, October 30, 2012

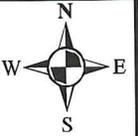
REVISION	DATE	BY





**MIAMI-DADE COUNTY**  
**AERIAL YEAR 2012**

Process Number  
**Z2012000128**



Section: 04 Township: 54 Range: 39  
 Applicant: FERRO DEVELOPMENT, LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Legend

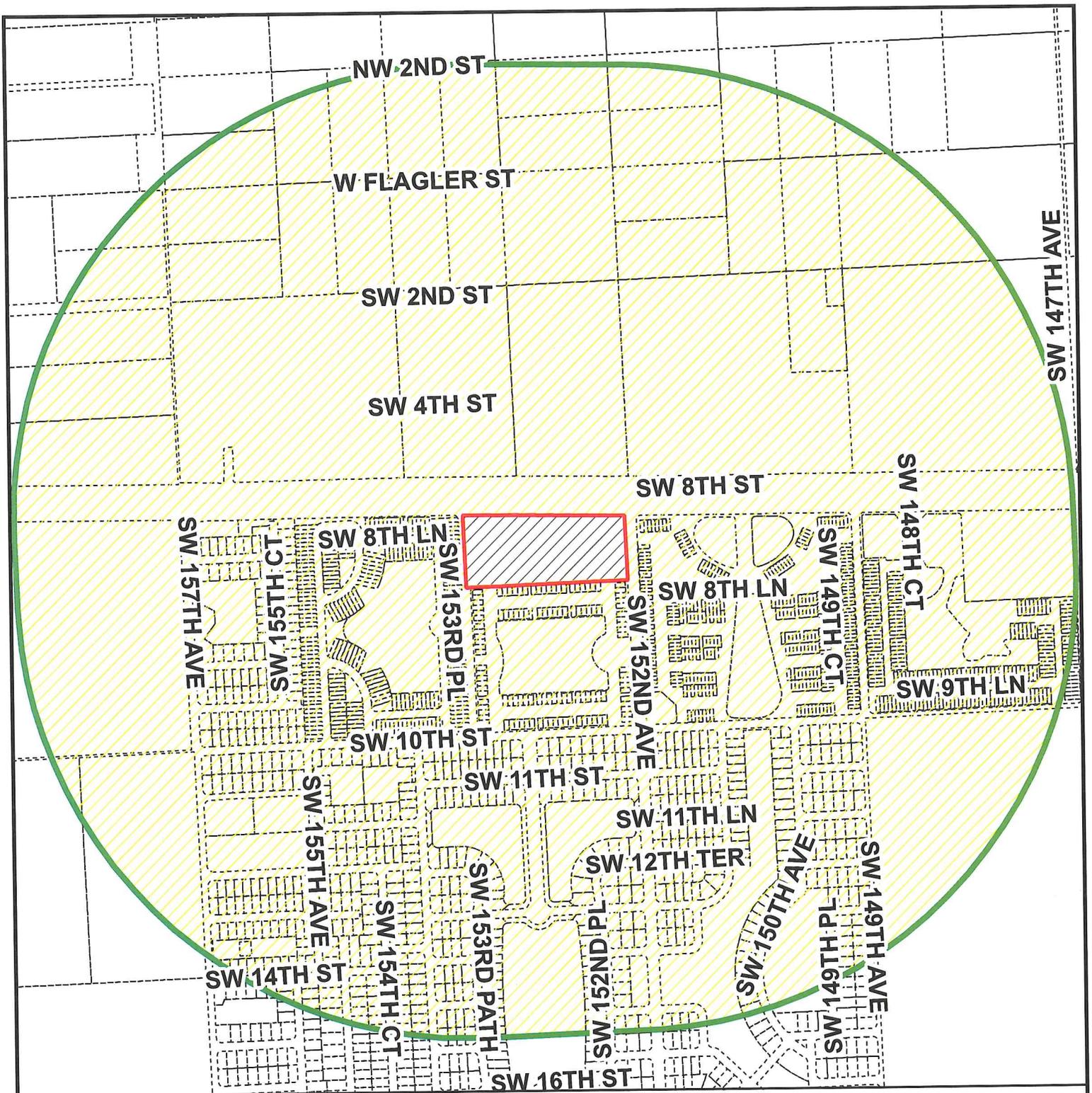


Subject Property



SKETCH CREATED ON: Tuesday, October 30, 2012

REVISION	DATE	BY



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

Section: 04 Township: 54 Range: 39  
 Applicant: FERRO DEVELOPMENT, LLC  
 Zoning Board: C10  
 Commission District: 11  
 Drafter ID: JEFFER GURDIAN  
 Scale: NTS

Process Number  
**Z2012000128**  
 RADIUS: 2640

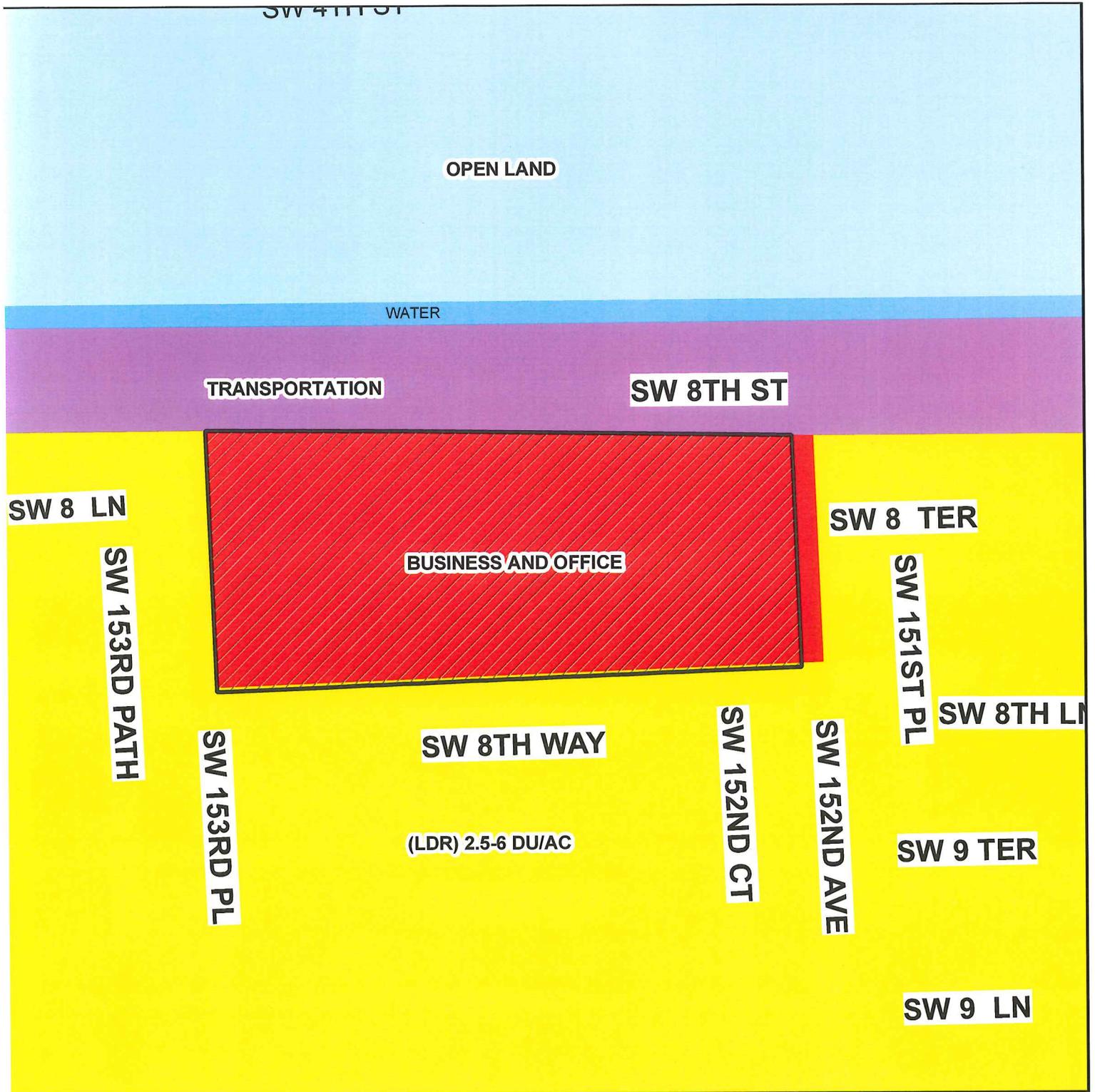


- Legend**
-  Subject Property
  -  Buffer



SKETCH CREATED ON: Tuesday, October 30, 2012

REVISION	DATE	BY



**MIAMI-DADE COUNTY**  
**CDMP MAP**

Process Number  
**Z2012000128**



Section: 04 Township: 54 Range: 39  
 Applicant: FERRO DEVELOPMENT, LLC  
 Zoning Board: C10  
 Commission District: 11  
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**Legend**

 Subject Property Case



SKETCH CREATED ON: Tuesday, October 30, 2012

REVISION	DATE	BY